

# **JOINT DEVELOPMENT CONTROL COMMITTEE - CAMBRIDGE FRINGES**

## **Membership**

**Cambridge City Council:** Cllrs Blencowe (Vice-Chair), Baigent, Bird, Price, C. Smart and Holt, Alternates: Herbert, Gawthrop and Moore

**Cambridgeshire County Council:** Cllrs Ashwood, Hipkin, Kenney and Orgee, Alternates: Harford, Loynes, Nethsingha and Williams

**South Cambridgeshire District Council:** Cllrs Bard (Chair), Cuffley, de Lacey, Nightingale, Shelton and Van de Weyer, Alternates: Bygott, Wotherspoon, Lockwood, Davies, Hales and Stonham

**Date:** Wednesday, 20 April 2016  
**Time:** 10.30 am  
**Venue:** Committee Room 1 & 2 - Guildhall  
**Contact:** Sarah Steed **Direct Dial:** 01223 457013

## **AGENDA**

### **Member Development Programme**

9.30 to 10.30 AM - **Committee Room One**

Highways Safety Audit processes - County Council officers

#### **1 Apologies**

To receive any apologies for absence.

#### **2 Declarations of Interest**

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

**3 Minutes**

To follow.

**All Committee Members may vote on this item**

**4 S/2682/13/OL & 13/1837/OUT - Land North of Newmarket Road, Cambridge East (Pages 7 - 260)**

**All Committee Members may vote on this item**

**5 S/0107/16/RM - Trumpington Meadows Development Site, Hauxton Road (Pages 261 - 294)**

### **Quorum for This Item/Application:**

The quorum for the Committee comprises 3 members of Cambridge City Council, 3 members of South Cambridgeshire District Council and 2 members of Cambridgeshire County Council.

### **Speaking at the Committee by Other Members of the Councils**

A member of any of the councils who is not a member of the committee or a member of a parish council (in respect of applications relating to sites in their own parish) may speak at a meeting of the committee at the request or with the permission of that committee or of its Chair made or obtained before the meeting. Such request or permission shall specify the matters in respect of which the member shall be permitted to speak.

## **Information for the Public**

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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.

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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.

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# Agenda Item 4

## JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGE SITES)

Report by: Head of Planning Services

Date: 20<sup>th</sup> April 2016

**Application Number** S/2682/13/OL  
**Date Received** 20<sup>th</sup> December 2013  
**Target Date** N/A

**Agenda Item 2**  
**Officer Edward Durrant**

**Parish** Fen Ditton

**Site** Land North of Newmarket Road, Cambridge East

**Proposal** Up to 1,300 homes, including up to 30% affordable housing across the development as a whole, primary school, food store, community facilities, open spaces, landscaping and associated infrastructure and other development

**Applicant** Marshall of Cambridge

**Recommendation** Approve

**Application Type** outline

**Departure:** No

The above application(s) have been reported to the Planning Committee for determination by Members in accordance with the Scheme of Delegation for the Joint Development Control Committee for the Cambridge Fringes.

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposals are considered to be in accordance with the Cambridge East Area Action Plan (2008) vision and policies in that the proposals would contribute to the creation of a distinctive sustainable community on the eastern edge of Cambridge.</p> <p>This proposal is for the first phase of development on land north of Newmarket Road and in accordance with the Cambridge East Area Action Plan (2008) the proposals would ensure that this phase of Cambridge East could function independently as a stand-alone neighbourhood whilst the airport is still operating but is also</p>
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	capable of integrating with wider development in the longer term.
RECOMMENDATION	APPROVAL

**Application Number** 13/1837/OUT  
**Date Received** 20<sup>th</sup> December 2013  
**Target Date** N/A

**Agenda Item 2**  
**Officer Thomas Webster**

**Parish** Fen Ditton

**Site** Land North of Newmarket Road, Cambridge East

**Proposal** Demolition of buildings and hard standing and construction of tennis courts, allotments, store room and toilets, informal open space and local areas of play, provision of drainage infrastructure, footpath and cycleway links, and retention and management of woodland.

**Applicant** Marshall of Cambridge

**Recommendation** Approve

**Application Type** outline

**Departure:** No

The above application(s) have been reported to the Planning Committee for determination by Members in accordance with the Scheme of Delegation for the Joint Development Control Committee for the Cambridge Fringes.

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The City Council application, and its role within the wider WING masterplan, is supported. The uses identified complement the residential uses nearby and provide a key buffer to the existing residential properties, while at the same time providing a key connection to link the existing and proposed communities.</p>
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	While the details of the proposal will come forward at the reserved matters stage, officers are satisfied that sufficient land is provided for to enable tennis courts, and an allotment area to be comfortably accommodated within the space.
RECOMMENDATION	APPROVAL

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## APPENDICES

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A	Government and Regional Guidance and Advice
B	Cambridge East Area Action Plan and Local Development Framework Policies
C	Supplementary Planning Documents and Material Considerations
D	Plan Pack: 1. Indicative Masterplan 2. Access and Movement Parameter Plan 3. Land Use Parameter Plan 4. Landscape and Open Space Parameter Plan 5. Building Heights Parameter Plan 6. Newmarket Road Access proposals
E	Draft S106 Heads of Terms
F	Quality Panel report May 2013
G	Quality Panel report August 2013

H	Simon Bird QC advice 2015
I	Simon Bird QC advice 2016
J	Report from Councils' viability consultants December 2015
K	Letter from Councils' viability consultants March 2016
L	Revised affordable housing statement

## **0.0 INTRODUCTION**

0.1 The Wing site forms part of the wider Cambridge East Area Action Plan 2008 (CEAAP) allocation and the outline planning application for 1,300 homes and associated development was submitted in December 2013. The site is to the north of Newmarket Road and includes Marshall's North Works site, car showrooms and agricultural land. All of the site is within South Cambridgeshire and falls within the parish of Fen Ditton. A smaller outline application for related tennis courts and allotments was submitted at the same time for an area of land within the City Council boundary. The application as originally submitted proposed 40% affordable housing with a tenure split of 50/50 affordable rent and shared ownership homes. However, the application was subsequently amended to reflect the outcome of viability discussions. Following the submission of amended plans in August 2014 the issues relating to the masterplan are essentially resolved.

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

1.1 To the north of the site the boundary is defined by an existing semi-mature tree belt that runs to the south of High Ditch Road and dog legs south towards the Newmarket Road Park and Ride site (P&R). The northern half of the site is agricultural land with very few natural features other than the aforementioned tree belt. There are several houses to the northeast of the site on High Ditch Road. To the northwest, the other side of the tree belt, High Ditch Road enters the village of Fen Ditton. The application site also includes a section of disused railway that extends from the north of the Fison Road Estate to High Ditch Road.

1.2 The Jubilee Way cycleway runs through the middle of the site connecting the Fison Road Estate with the P&R. To the south of the Jubilee Way there is an agricultural field that sits to the west of the Shell petrol filling station and former Peugeot garage, which are located to the west of the P&R.

To the west of this field is a crescent of car showrooms that fronts onto Newmarket Road. Part of this field has recently been developed to accommodate the relocated Used Car Centre for a period of five years.

- 1.3 Although owned by the applicant the P&R and adjacent land fall outside of the application boundary and the former is leased to the County Council. A semi-mature landscaped boundary extends around the site and screens large parts of the Wing site from views from the east. In 2015 full planning permission was granted for an Ice Arena on land to the east of the P&R. Whilst the Ice Arena would benefit from being located near to Wing, and vice versa, it does not form part of the Wing proposals, nor is it linked to the Wing applications. To the east of the P&R there are water attenuation ponds that take surface water from the hardstanding areas of the P&R.
- 1.4 The southern frontage of the site is open with some semi-mature trees and grass verges either side of Newmarket Road. The existing car showrooms and Airport Design Office (ADO) screen the majority of views of the North Works site to the rear. The North Works site comprises a number of large, converted aircraft hangars and associated structures/buildings that are used for commercial/industrial purposes. The site also comprises large areas of hardstanding for the parking of stock for the car showrooms as well as Marshall Land Systems.
- 1.5 To the south of Newmarket Road is Cambridge Airport, which is also owned by the applicant. The runway and associated hangars are located to the south of the terminal building and the grade II listed art deco style airport control building. To the south of the P&R, the other side of Newmarket Road, is a large bund of earth known as the Engine Run Up Bay that is regularly used to test the engines of large commercial and military aircraft.
- 1.6 To the immediate west the site abuts the Fison Road Estate, which falls within the City Council administrative area. The aforementioned northern tree belt extends down approximately half of the site boundary from the north into the area covered by the outline application submitted to the City Council. The southern part of the western boundary is

more open giving views through to the rear gardens of residential properties in the Fison Road estate

## **2.0 THE PROPOSAL**

- 2.1 The outline application for up to 1,300 homes and associated facilities and infrastructure, known as Wing, was submitted to South Cambridgeshire District Council in December 2013. In addition to a set of parameter plans detailing, access and movement, land uses, landscape and open space and building heights the application also includes full details of two proposed accesses onto Newmarket Road. The western boundary of the application site has been drawn around an area of land that falls within the City Council administrative boundary. This land is the subject of the separate parallel outline application for tennis courts and allotments that has been submitted to the City Council and is also considered as part of this report. The site areas of the two applications are 64.8ha and 2ha respectively. Within the application site in addition to housing the proposals include a two form entry primary school (2.3ha), 23.6ha of open space, including play areas and sports pitches, allotments, a local centre with a mix of retail, including a food store and community units (1.5ha). As a result of the development the existing car showrooms and associated stock parking areas would be consolidated into a 4ha site in the south-western corner of the Wing site. The stretch of Newmarket Road to the south of the site would become a tree-lined boulevard with enhanced cycle and pedestrian routes into Cambridge.
- 2.2 The application was accompanied by a draft Section 106 legal agreement (S106) Heads of Terms document. Following negotiations with the Councils this document has been advanced and includes contributions towards off-site infrastructure and facilities such as transport infrastructure, health care provision and secondary education.

The SCDC outline application is accompanied by the following documents:

- Planning Statement, including: summary of management strategies for services, facilities, landscape and infrastructure, statement regarding the future of the airport, affordable housing statement and S106 Heads of Terms;
- The Marshall Vision for Wing;

- Summary of the Planning Application;
- Statement of Engagement;
- Design and Access Statement, including: landscape and open space strategy, formal sports and play strategy and parking strategy;
- Public Art Strategy;
- Sustainability Statement and Water Conservation Strategy;
- Energy Statement;
- Waste Statement;
- Utilities and Foul Drainage Statement;
- Lighting Statement;
- Tree Survey and Arboriculture Impact Assessment;
- Outline Construction Environmental Management Plan;
- Environmental Statement, including: Air Quality Assessment, Economic and Retail Statement, Health Impact Assessment, Community Audit, cultural Heritage and Archaeology, Ground Investigations, Landscape and Visual Impact Assessment, Species Surveys and Biodiversity Management Framework, Noise Assessment, Flood Risk Assessment and Surface Water Drainage Strategy, Transport Assessment and Draft Residential Travel Plan; and
- Non Technical Summary of the Environmental Statement.

The City Council outline planning application is accompanied by the following documents:

- Planning Statement
- Application Site Plan
- Location Plan
- Demolition Plan
- Land Use Parameter Plan
- Building Heights Parameter Plan
- Masterplan Access and Movement Parameter Plan
- Landscape and Open space Parameter Plan
- Illustrative Masterplan Layout
- Illustrative Landscape Masterplan
- Topographical Survey Plan

2.3 In the submitted plans the applicant has given names to a number of the roads and open spaces in order to provide ease of reference for the submission documents. It has been made clear to the applicant team that the district Councils have a joint street naming strategy for the City Fringe sites that would need to be complied with and although these

names are being used in this committee report they will not necessarily be the final street names that are adopted.

- 2.4 The application was amended in August 2014 with changes to the design of the Newmarket Road junctions and the relocation of the bridleway to the north of the site. Together with these amendments an addendum to the Environmental Statement, to provide additional information on landscape visual assessment, noise, air quality, ground conditions, drainage was submitted together with updates on traffic modelling, a revised public art strategy and revisions to the Sustainability Strategy.
- 2.5 In January 2016 the affordable housing statement was amended by way of an addendum. This addendum and the covering letter identified that, as a result of further viability work, the level of affordable housing proposed for the site would no longer be 40% with a 50/50 tenure split.
- 2.6 Further consultation regarding the proposed amendments has been undertaken.

### **3.0 RELEVANT SITE HISTORY**

The Wing site has a long and complex planning history. The applications below are those made since the outline application was submitted and relate to early relocation works required in order to release land for the first phases of development. The subsequent discharge of condition applications and associated advertisement applications have relating to the application below have not been included.



<b>Reference</b>	<b>Description</b>	<b>Decision</b>
S/1956/14/FL	Change of use from parts distribution to two car showrooms	Approved
S/0164/15/FL	Continued use of land for parking for cars	Approved
S/0217/15/FL	Erection of Showroom (for up to 5 years)	Approved
S/1743/15/FL	Erection of Temporary Facility (5 years) for Used Cars	Approved
S/1871/15/FL	Erection of new car showroom and car valeting building along with associated infrastructure following the demolition of the existing Jaguar and Used Car Centre	Approved
13/1837/OUT	Demolition of buildings and hard standing and construction of allotments and tennis courts.	Recommended for approval

#### **4.0 PUBLICITY**

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

4.2 Site notices were put up at various points surrounding the application site and details of the application were published in the Cambridge News. Neighbour notification letters were sent to all properties in Fen Ditton, Teversham and a large number of city properties in the areas nearest to the site. These included all of the Fison Road Estate, properties along Newmarket Road up to the Barnwell Road roundabout and properties to the west of the Marshal Aerospace buildings.

4.3 The City Council outline application was also advertised and consulted on at the same time, in parallel with the SCDC outline application. The City Council advertised the application through a notice in the local press, via strategically placed site notices, and through letters to the neighbouring occupiers.

4.4 Public drop in events were held in early 2014 at Fen Ditton, Teversham and the East Barnwell Centre on Newmarket Road. Prior to the submission of the application the applicant

held a number of public events to seek views on the development.

- 4.5 Further updates were provided by local authority officers at Cambridge East community forum meetings during 2014 and 2015.

## **5.0 POLICY**

### **Government and Regional Guidance and Advice**

See Appendix A

### **Local Plan Policies**

See Appendix B

### **Supplementary Planning Documents and Material Considerations**

See Appendix C

### **Status of Proposed Submission - Cambridge Local Plan**

- 5.1 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.
- 5.2 The emerging South Cambridgeshire and Cambridge City Local Plans both identify the Cambridge Airport site as safeguarded for longer term development beyond 2031 under policies SS/3 and 12 respectively.
- 5.3 The joint City/SCDC Cambridge East Area Action Plan 2008 remains applicable to this development and relevant policies are cross-referenced in this report.

## 6.0 EXTERNAL AND INTERNAL CONSULTATIONS

Representations have been received from:

**Cambridge City Council** has made comments under the following headings:

**Principle of development** - Is considered to be acceptable.

**Affordable housing** - Welcomed the commitment to the provision of 40% affordable housing and that the development will comply with the London Housing Design Guide standards, Lifetime Homes and Habinteg Wheelchair Housing Design standards. The tenure split of 50/50 low cost home ownership and 50% affordable rent does not comply with the AAP or with both local authority Affordable Housing Supplementary Planning Documents (SPD). As the proposals stand, an objection is therefore raised to the application on the basis of the affordable housing tenure split unless a) the standard cascade approach S106 mechanism is used with a starting point of a 75/25 tenure split subject to viability and other considerations b) further viability information is provided by the applicant at outline application stage to demonstrate that the development is not viable with a 75/25 tenure split and that the 50/50 tenure split is essential to address viability issues and to allow the development to come forward. Other aspects such as the management strategy for the affordable housing including the selection of the Affordable Housing Provider for the development and the allocations policy and Local Lettings Plan will need to be discussed through the S106 process.

**Retail proposals** - Either the size of the foodstore should be reduced or further detailed justification should be provided to demonstrate that there will be no adverse impact on other existing local centres.

**Phasing and relocation strategy** - Further information will need to be provided on the relocation strategy in support of the future submission to discharge the phasing strategy condition that should be imposed on the planning approval if permission is granted.

**Sustainability** - Proposals to deliver Code Level 4, (with a stretch target to Code 4.5 for apartments) and the water conservation proposals are welcomed. The AAP requirement in Policy CE/28 of exemplar projects in sustainable development requires further detailed consideration and discussion.

**Energy** - The application indicates that the first part of Policy CE/24 of the AAP which requires a 10% reduction in the amount of CO<sub>2</sub>/year emissions compared to the minimum Building Regulations Requirement will be met. However, the proposed photovoltaic array located on the airport side of Newmarket Road will not have any direct connection back to the Wing development and does not therefore satisfy the second part of Policy CE/24 of the AAP which requires that technology for renewable energy provide for at least of 10% of the development's predicted energy requirements.

**Drainage** - The development proposes to restrict the runoff to QBAR rates which would be an improvement over the current discharge from the site. The site wide surface water drainage strategy to be secured by condition will need to provide further information on a number of issues in due course.

**Landscape and Visual Impact** - There is concern that no verified viewpoints of the proposals have been provided and this information should be provided prior to determination of the outline application. There may be a need to introduce formal "no development" buffer zones, as on other fringe sites, to ensure that the integrity of the tree belts can be maintained. The proposed level of active use including introduction of play areas within some of these areas suggests that the woodland will be compromised over time. On the western edge of the development, Block S6 is sited too close to the plantation and therefore the application suggests a reduction in width of the plantation of some 10-20m. City Council landscape officers do not support this approach given the importance of the woodland in relation proximity to the City boundary. We therefore recommend that the building line is set back further from the plantation. A number of points are raised that will require further clarification and investigation to ensure that the landscape strategy for the development is deliverable.

**Urban Design** - Generally, the outline application contains many positive elements and features. We now consider that building heights are generally appropriate overall. The site-wide design code could establish appropriate design approaches to the siting and screening of plant. There are some outstanding points of clarification in relation to the issues of access and movement strategy and we remain unconvinced by the proposed parking arrangements (indicative sketch layout) for Beta Square. We consider that the use of a design code, as on other similar large-scale

developments falling within the Fringe Sites Joint Development Control Committee remit, is essential for this development which is to be phased over a long period.

**Environmental Health Issues** - The key concerns are in relation to impacts associated with demolition and construction stages of the development, in terms of noise, vibration and pollution. A number of conditions are recommended in order to ensure that any adverse impacts are suitably mitigated. The impact of the substation located within the City Council boundary to the west of the development needs to be assessed in relation to potential impacts on the nearest residential properties within the development. There are some contaminated land issues that require further clarification and submission of further information at this stage, in particular relating to areas underneath the North Works. Further testing will also be required following site clearance. On the basis of the information provided to date, the proposed development will result in a small reduction in overall air quality within the Cambridge Air Quality Management Area, contrary to Policy 4/14a of the Cambridge Local Plan 2006. The impacts are likely to be increased once the traffic data information has been updated. Further mitigations should therefore be sought to offset these adverse impacts. The relocation of some of the exiting uses including the engine testing facility will be likely to have adverse Environmental Health impacts if they are relocated nearer to residential areas within the City boundary.

**Nature Conservation** - There is potential for a number of opportunities to secure habitat creation and a number of suggestions are provided. There is concern regarding the loss of the balancing pond in the north west of the site and consideration should be given to its retention. Greater clarity is required in relation to the extent to which woodland and plantations will be retained.

**Community Development** - The proposed co-location and size of the community centre is welcome but further information is required as to the proposed management strategy and long-term revenue funding in order to ensure it is sustainable in the long-term. We would expect that community development worker, sports development worker, youth worker and community chest contributions should be secured from this development through the S106 agreement. It is recommended that a management strategy for the

community facilities is secured through the S106 agreement, should permission be granted.

**Open Space Management** - It is considered that further efficiencies and opportunities for integration and community cohesion could be achieved by joining the pavilion and clubhouse together and having one active community hub. In addition, confirmation is required that allotments will be accessible during normal hours for use by the wider community/allotments associations. In some areas, LAPs could be combined, particularly to prevent degradation of the woodland. A management strategy for the different types of open spaces should be secured through the S106 agreement, should permission be granted. **Walking and Cycling** - In general terms, the proposed walking and cycling infrastructure for within and adjacent to the site is welcomed. However, there are concerns about the connectivity of the development in terms of linkages to the city centre, Chesterton Station and the retail areas on Newmarket Road and the need for safe crossing points to be provided at key locations.

**Cambridgeshire County Council** originally made comments under the following headings:

**Modelling and data issues** – further information requested on trip data and traffic flows.

**Walking and cycling issues** – further information requested on key off-site destinations and the proposals for Newmarket Road.

**Provision for buses** – further information requested on forecasts.

**Highway design matters off-site** - initially objected to the proposed junction details as the drawings did not show sufficient detail and the inter visibility splays should be designed for the existing 40mph speed limit. As a result of follow up meetings a stage one safety audit was carried out. Once this was carried out the County Council had no objection subject to further details of the junctions being secured by way of a condition.

**Highway design matters on-site** – has raised concerns about proposed use of shared surfaces around Beta Square and has requested details of how the applicant intends to control on street car parking.

**Off-Site Highway Capacity Assessments** – has requested further information.

**Travel Plans** - further discussions on the detailed components of the travel plan will be required.

**Mitigation measures** - Whilst these contributions and measures are broadly welcomed subject to detailed review, significant further discussion will be required on these including delivery mechanisms and levels of contribution if appropriate.

**Adult support services** - Officers would actively encourage the developer to seek an Extra Care provider and/or a residential care provider to locate at Wing. Officers recommend that a proportion of the private housing be designated for wheelchair users too.

**Ecology** - Officers are satisfied that a comprehensive suite of ecological surveys have been undertaken at the site, which provides a robust baseline for the ecological assessment. Officers require the applicant provide adequate compensation to off-set the negative impact on the nature conservation sites. The Biodiversity Management Strategy should seek to include the recommendations set out within the ecological reports and chapter 9 of the Environmental Statement. Concerns are raised about the provision for farmland birds.

**Public Health** - support the methodology and approach taken to the Health Impact assessment and has raised concerns about locked gardens and play spaces, facilities for teenagers, aircraft noise, fast food outlets in the local centre, provisions for older people and policing. Has no further comments following the amendments.

**Waste** – has requested that conditions requiring the submission of a Construction Environment Management Plan and Detailed Waste Management and Minimisation Plan.

**Education** - The proposed school is located adjacent to buildings to be 2-4 storeys, which immediately adjoin the school site. This does have the potential to create overlooking of the school site; however it is beneficial in providing a noise buffer between the school and the primary roads. It is requested that where possible habitable rooms on upper storeys are on the east elevation away from the school where possible. This will be considered at detailed application stage. Any provision for a nursery and community hall within the school site will be subject to detailed discussions with the end user and sponsor of the school at the appropriate time. If a community hall is to be provided at the school site an additional area of land above

the 2.3 hectares would be needed for the school site. There is no principle objection to the primary school being 2 storeys high, however it needs to be recognised that this will be a matter for discussion with the end users or sponsor for the school at the appropriate stage.

Prior to the determination of the application it is requested that formal agreement from the applicants is secured setting out their agreement for the additional costs for a BREEAM Excellent school to be formalised within a Section 106 agreement. It is clear from the layout that every reasonable effort has been made to provide a buffer between the school site and the primary roads and the existing public highway, which represent the main areas of concern in relation to noise.

**Archaeology** - The Archaeology chapter of the ES identifies potential for the development to have substantial effect on archaeological remains. Any trial trenching imposed as part of a planning condition should be undertaken across the site, to include the area proposed for the primary school.

**Library** - it is now unlikely that a micro library in the Wing development is needed especially as the East Barnwell Community Hub project is looking positive and the existing Barnwell Road library will relocate there. This Community Hub would provide services for both the existing residents of the Barnwell area and the new residents of the Wing development. S106 developer contributions will see library provision for Wing being provided by the existing Barnwell Road library / library within the new East Barnwell Community Hub

**Cambridgeshire County Council Public Rights of Way**

**Team** has no objection to the relocation of footpath no. 09 and requests further information on the status of the proposed routes through the site. The improvements to the existing public access network are welcomed.

**English Heritage** states that the development would not impact upon the setting of the Fen Ditton Conservation Area or any of its listed buildings and that the improvements to Newmarket Road will provide the opportunity to enhance the setting of the Grade II listed former Airport Control Building. Has no further comments following the amendments.

The **Environment Agency** initially objected to the application as the application failed to provide assurance



that the risks of pollution are understood as the site is located above an aquifer and is considered to be of high sensitivity. Following the submission of additional information with the August 2014 amendments the Environment Agency removed its objection subject to conditions being attached to any consent.

The **British Horse Society** commented following the August 2014 amendments that a circular route should be created by way of a grass track alongside the 'dedicated cycleway' and that the dedicated cycleway should be a multiuser track for use by all when ground conditions require it. They also requested that bridleway not be designated only as 'permissive'.

**Anglian Water** has capacity for wastewater treatment but identified that upgrades to the foul sewerage network would be required and has suggested a condition for a foul water strategy.

**Cambridge Cycling Campaign** believes that the application has clearly addressed the critical issues around cycling.

**Cambridge Past Present and Future** welcomes the proposals but has questioned the phasing of one of the access roads, the location of the local centre, school sports pitches and connectivity with the surrounding communities.

**Cambridgeshire Constabulary Architectural Liaison Officer** states that the general layout of Wing is excellent. There are a couple of points that are raised that would be more relevant to a RM application for the individual parcels concerned. Has no further comments following the amendments.

**Teversham Primary School** has raised concerns about the level of traffic, especially on Airport Way and the implications on access to Teversham and has requested highways improvements and a reduction in the speed limit.

Cambridgeshire Quality Panel

Prior to the submission of the application the draft masterplan was taken to the Cambridgeshire Quality Panel on two separate occasions. Positive responses were received on both occasions and the submitted plans have

incorporated the Panel's comments, which are discussed in the relevant sections of this report [8.26]. The full Quality Panel reports are contained in appendix F and G

**NHS Property Services** states the development is not large enough to sustain an on-site Health facility and that East Barnwell Health Centre does not have enough physical capacity to provide services for the expected population of the development. Discussion with stakeholders has confirmed that a Health facility needs to remain fairly central to the Abbey Ward, due to the needs of that community. Their preference is therefore to have an expanded or replacement facility that will be large enough to service the existing East Barnwell patients plus the population of Wing. As this expansion or replacement will be needed as a direct result of the Wing development they seek a S106 contribution in mitigation towards the cost of the eventual solution. The options being explored are redeveloping on the existing Health Centre site, a replacement building as part of a scheme with Church of Christ the Redeemer or a potential replacement facility as part of the possible Abbey Stadium.

**National Grid** has identified that it has apparatus in the vicinity and has requested that the contractor contact them before any works are carried out.

**Natural England** has no objection and requests no conditions but has suggested that the development could incorporate biodiversity enhancements and enhanced green infrastructure. Has no further comments following the amendments.

**Sport England** states that the area designated meets local policy requirements for formal outdoor space. The submitted plan indicates the provision of football pitches, but with careful planning the site should also be capable of accommodating other pitch sports such as cricket and rugby union. Sport England recommends that a ground conditions assessment is undertaken and a scheme for preparing the playing fields to the required specification be required. A number of conditions are requested to secure a detailed assessment of the site for the pitches and their specification and management.

This additional population will generate additional demand for community indoor sports facilities such as sports halls and swimming pools in the catchment area. If this demand is not adequately met then it may place additional pressure on existing sports facilities. Indicative figures of contributions towards sports facilities are provided to assist S106 negotiations.

**Highways Agency** (now Highways England) following further explanation regarding junction modelling has no objection. Has no further comments following the amendments.

The **Local Access Forum** is broadly happy with the layout, including a diversion of the existing statutory footpath. It is also important to ensure that the cycle ways and footpaths are well-constructed with appropriate maintenance issues addressed for the long term. It is highly desirable that bridleways and footpaths are designated as public Rights of Way, rather than left as permissive paths. It is a pity that original proposals to provide an underpass for the Jubilee Cycleway at the junction with Ditton Lane (near Fison Road) appear to have been dropped. A Toucan crossing will be no better than the current Pelican crossing, where lights take several minutes to change. The ongoing section of the Jubilee Cycleway west, along paddocks, is far too narrow for current usage and requires widening. It will become a serious problem once Wing has been developed.

**Cambridgeshire Fire and Rescue Service** has requested that adequate provision be made for fire hydrants. Has no further comments following the amendments.

**Fen Ditton Parish Council** has made comments under the following headings:

**Cemetery Provision:** it states that here must be a mechanism put in place to mitigate the lack of capacity in the existing Fen Ditton cemetery; **Community assets:** recommends that a more detailed plan be in place regarding community assets as part of S106 negotiation; **Sustainable Energy:** greater clarity on sustainable energy proposals at what one or more complete solutions would look like, and what the most likely one to be chosen would be, raised questions about external lighting;

**Footpaths:** provision of a footpath over land not owned by the applicant and parking for footpath users, foot/cycle way along the south of High Ditch Road;

**Health:** have made comments on the need and specification of health provision and the need for a dental surgery, CAB and youth centre in the Abbey Ward, need for any bus link to new facility;

**Landscaping:** have questioned the thinning of the eastern tree belt and the provision of the bridleway through the woodland

**Traffic:** there should be no vehicle access onto High Ditch Road and construction traffic should not use High Ditch Road or Ditton Lane

**Transport:** questions the cycleway access and traffic projections and opposes the use of S106 funds for the proposed cycle bridge over the river

**Housing:** wish to explore the Local Letting Plan in relation to allowing for Fen Ditton's housing need and the role which some of our residents could play in the building of a community.

Fen Ditton Parish Council has no further comments following the 2014 amendments and is disappointed at the reduction of affordable housing following the 2016 amendments.

**Horningsea Parish Council** has raised concerns about traffic and public transport provision for Horningsea.

**Stow-cum-Quy Parish Council** raised concerns about road infrastructure, traffic modelling and secondary education provision. Has no further comments following the amendments.

**Teversham Parish Council** has raised concerns about traffic on Airport Way and suggested infrastructure improvements, relocation of businesses should not be in the green belt, Wing should provide a health centre and dentist, supportive of allotments, need for indoor sports and community space and has suggested the provision of facilities in Teversham. They also state that the level of affordable housing should not be reduced and that there should be a higher percentage of affordable rent. A binding mechanism to secure community provisions was also suggested.

Following the amendments the Parish Council strongly objects to the proposed reduction in affordable housing and

removal of a review mechanism and has requested that their full comments be appended to this report.

**Environmental Health Officer (Contaminated Land)** further information is required to confirm that the site ('the North Works') can be made suitable for its proposed end use without posing unacceptable risks to receptors, particularly those residing off-site. This information should be submitted at the pre-determination stage, where possible.

**Environmental Health Officer** on balance has no objection in principle to the development proposed. However feels that the application submissions are lacking sufficient detail / assessment on a number of issues / strategies, and in particular in relation to noise, odour and air quality. There is also some concern about the artificial lighting impact assessment that has been undertaken. Following the submission of further details as part of the ES Addendum, the EHO confirmed that all matters raised could be satisfactorily dealt with by condition.

**Trees and Landscape Officer** believes that the potential views of the site would give a reasonable indication of the potential impact. Following the amendments states that the moving of the permissive bridle path from out of 'Kingsley Woods' is welcome.

**Drainage Consultant** has suggested that a condition requiring detailed surface water drainage strategy and that a detailed surface water drainage strategy is required with each reserved matters application.

**Strategic Housing** originally had no objection based on 40% affordable housing but stated that the affordable housing tenure split does not comply with either SCDC or CCC- AHSPD, which confirms that "sites which form part of the urban extensions to Cambridge the starting point for negotiations will be amended to 75% rent and 25% intermediate. Taking into the current financial climate and lack of public subsidy South Cambs Strategic Housing was comfortable with the tenure split that was originally offered.

Strategic Housing supports Marshall's approach in adopting the London Space standards across all the residential development as this will meet the Lifetime Homes criteria

and create tenure neutrality. Marshall are taking a fabric first approach, and the homes will be built to Code for Sustainable Homes level 4 and for the apartments Marshall want to improve that target. Strategic Housing has also negotiated with the applicant that 2% of the affordable housing will be fully wheelchair accessible; this is in line with other Strategic Growth sites. There will be further ongoing discussions with Marshall around the selection of an Affordable housing provider as the Local Authorities would like to be involved in this process.

Both SCDC & CCC AHSPD state that clusters should be between 6 to 25 dwellings and in flatted schemes no more than 12 affordable dwellings should have access from a common stairwell or lift. Marshall would like to see a Local Letting plan (LLP) apply to the allocation to the affordable housing. It is too early to draft an LLP at this stage of an outline application.

**Sustainability Consultant** has no objection

## **7.0 NEIGHBOUR REPRESENTATIONS**

Representations have been received from the owner/occupiers of properties in:

High Ditch Road, High Street, Green End, Horningsea Road and Ditton Lane in Fen Ditton. High Street and Church Road in Teversham. Clayhithe Road in Horningsea. Thorpe Way, Newmarket Road (3reps), Buffalo Way, Lemur Drive, Impala Drive, Madingley Road, Dennis Road and Stanley Road in the City. These representations raise the following points:

- Will improve an untidy area and will help the eastern entrance to the city;
- Concern about traffic on High Ditch Road, High Street, Ditton Lane and Horningsea Road in Fen Ditton, Airport Way, Cherry Hinton High Street, Gazelle Way, Coldhams Lane, Fulbourn Road and Newmarket Road;
- Concern about noise levels from construction, the airport and engine testing bay;
- Concern about capacity of existing GP surgery and ability to cope;
- More family homes needed;
- Need for a day nursery;

- Concern about building design, density and building heights;
- Flooding on High Ditch Road;
- Concerns about pollution from increased traffic and from fires;
- Impact upon the rural character of Fen Ditton;
- Impact upon local wildlife;
- Visual impact and reduction in house prices;
- Uncertainty about new location of engine test bay;
- Impact upon bus services;
- Land for self-builders;
- Cemetery provision;
- Storage of wheelie bins, mobility scooters and bikes;
- Provision for elderly residents and the disabled;
- Location of parking spaces for properties, visitors and blue badge holders;
- Cycling infrastructure in the city;
- Overly optimistic traffic flow calculations and end date for modelling;
- A 1500m<sup>2</sup> supermarket seems inadequate;
- Lack of bus access into the development;
- Lack of secondary school on site;
- Impact upon existing primary schools;
- Need for an A14 link road from the site;
- Number of vehicular access onto Newmarket Road contrary to CEAAP policy CE/12;
- Sensitivity rating (low) of residents to traffic effects;
- Lack of modelling data for weekends;
- Any building at Wing should be contingent on this bridge being built and funded by Wing;
- Degradation of existing woodland and open space and lack of provision of additional high quality open space;
- Need Public space should be managed by a community trust and detailed and ambitious biodiversity enhancement plan; and
- Increase in antisocial behaviour.

Following the **August 2014 amendments** comments were received from the owner/occupiers of properties in Dennis Road, Newmarket Road and Buffalo Way in the City. These representations reiterated a number of the comments made in the first round of consultation.

Following the **January 2016** amendments comments were received from the owner/occupiers of properties in High

Ditch Road in Fen Ditton, Dennis Road, Fison Road and Antelope Road in the City and High Green Great Shelford. These representations reiterated a number of the comments made in the first round of consultation and objected to the reduction in the percentage of affordable housing.

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representations received and from inspection of the site and the surroundings, the assessment has been structured under the following headings:

- Principle of Development
- Environmental Impact Assessment
- Parameter Plans
- Access and Movement
- Building Heights
- Building Densities
- Design Code
- Quality Panel
- Land Use
- Residential
- Lifetime Homes
- Petrol Filling Station
- Education
- Retail including Food Store
- Other Uses including Community Facilities & Health
- Library
- Open Space, Landscape, Ecology
- Open Space
- Formal Sports/Outdoor Sports Facilities
- Allotments and Open Space
- Off Site Sports
- Indoor Sports Provision
- Management/Maintenance of Open Space and Sport Facilities
- Ecology and Biodiversity
- Emergency Services
- Drainage and Utilities
- Transport
- Car and Cycle Parking
- S106, Affordable housing and Viability
- S106 Contributions



- Affordable Housing
- Relocation Costs
- Construction Costs and Sales Income
- Market Land Value
- Betterment
- Review Mechanism
- Start on Site Mechanism
- Cascade Mechanism
- Engine Run Up Bay (ERUB)
- Revised Affordable Housing Statement
- Affordable Housing Conclusion
- Other S106 Contributions and Requirements
- Archaeology and Heritage
- Waste and Bin Storage
- Construction
- Public Art
- Impact on Adjacent Properties and Neighbour Amenity
- Renewable Energy and Sustainable Construction
- Noise and Contamination
- Phasing of the Development
- Matters Raised by Fen Ditton Parish Council
- Third Party Representations
- Other Matters
- Conclusion
- Recommendation

### **Principle of development**

- 8.2 The CEAAP identifies approximately 250 hectares of land on and around the site of Cambridge Airport for an urban expansion of between 10,000-12,000 new homes and associated infrastructure. A first phase of development on land north of Newmarket Road for approximately 1,500 to 2,000 homes is also referred to by a number of the CEAAP policies. Although Wing has been designed as a stand-alone development it would also have the potential to be part of a wider Cambridge East scheme if Cambridge Airport were to be relocated. Both Councils emerging Local Plans have secured the wider Cambridge East site for this eventuality.
- 8.3 CEAAP policy CE/2 requires the submission of a site allocation wide master plan with the first Cambridge East application. As Wing is coming forward as a stand alone development ahead of any planned relocation of the airport, which was not necessarily anticipated by the CEAAP, the

applicant has demonstrated that Wing could be incorporated into a wider scheme, if one were to come forward in the future and would not in any way prejudice the delivery of the wider Cambridge East development. The indicative plans in the submitted Planning Statement of how Wing could potentially connect through to a wider Cambridge East development on the airport site demonstrate that the requirements of policy CE/2 could be met.

- 8.4 With Cambridge Airport not being relocated in the foreseeable future there are a number of constraints on the site that relate to maintaining the operational requirements of the airport. These constraints, which would not have existed had the airport been relocated, have significantly influenced the layout of the masterplan and distribution of land uses across the site.

### **Environmental Impact Assessment**

- 8.5 The development proposal represents EIA development under schedule 2 of the EIA Regulations 2011. The application documents and Environmental Impact Assessment (EIA) with associated Environmental Statement, Appendices and Addendum contain the technical assessments supporting the development proposal.
- 8.6 The Environmental Statement includes assessments of the following environmental matters:
- Air Quality;
  - Economic and Retail Impact;
  - Health Impact;
  - Community Audit;
  - Cultural Heritage and Archaeology;
  - Ground Investigations;
  - Landscape and Visual Impact;
  - Species Surveys and Biodiversity Management;
  - Noise and vibration;
  - Flood Risk and Surface Water Drainage; and
  - Traffic and Transport
- 8.7 In August 2014, an addendum to the Environmental Statement was submitted to the Council to provide additional information on landscape visual assessment, noise, air

quality, ground conditions and drainage as well as updates on traffic modelling.

- 8.8 The Environmental Statement, Appendices and Addendum have been taken into consideration as required by Regulation 3(4) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and are considered acceptable in principle. The imposition of conditions and obligations will be necessary to ensure that the environmental effects of the proposed development are mitigated where necessary. These conditions and obligations are summarised later in this report.
- 8.9 The City Council planning application for demolition of buildings and construction of tennis courts and allotments did not require an EIA in its own right.

### **Parameter Plans and Masterplan**

- 8.10 The outline application is supported by parameter plans detailing Access and Movement, Land Use, Building Heights, and Landscape and Open Space. Key issues arising from the Access and Movement and Building Heights Parameter plans are considered below, followed by land use and open space issues following the approval of the outline application with the associated parameter plans all subsequent reserved matters applications would be required to adhere to the principles established in these parameter plans.
- 8.11 The site-wide masterplan is illustrative, although it was tested through the pre-application process including as part of a design charette process (“Enquiry by Design” organised by the developer team and to which the local community and other key stakeholders were invited to take part in.(January 2013).
- 8.12 The masterplan has various key elements that shape how the development is structured. The proposed ‘heart’ of Wing has been structured to be located around a new public square near to the existing Park & Ride in order to capitalise on the sustainable Park & Ride bus service. The proposed primary school, nursery, community facilities, and shops will line the frontage to the Market Square. The areas to the south of Gregory Park are proposed to more urban in character and will consists of town houses and apartment

blocks while the areas north of Gregory Park are proposed to be lower density and of more family homes, which will be more in keeping with the village of Fen Ditton. There are also proposed enhanced Jubilee Way Cycle Highway running east-west through Gregory Park to the Newmarket Road and High Ditch Road.

### **Access and Movement**

- 8.13 The only motor vehicular accesses proposed into and out of Wing are those from Newmarket Road. Although the application is outline full details of the highway improvements and junctions along Newmarket Road have been submitted for approval. On-going discussions with County Highways officers have resulted in changes to the materials proposed for the central median along Newmarket Road and details of the junctions and crossing points. The initial problems raised at the stage one safety audit carried out by the County Council have now been designed out of the scheme to the satisfaction of the Local Highway Authority.
- 8.14 CEAAP policy CE/12 identifies that the development north of Newmarket Road will provide one road access point onto Newmarket Road and a separate public transport only access. The layout of the masterplan lends itself better to more than one vehicular access onto Newmarket Road and serving a development of this scale with only one means of access for private vehicles is not considered appropriate. The aims of policy CE/12 would still be met with the primary road network designed with public transport access in mind and the retention of land to the north to provide access for public transport only onto High Ditch Road, should it be considered appropriate.
- 8.15 There are a number of pedestrian and cycle links to the north and west of the site in order to connect the development with the adjacent Fison Road Estate and Fen Ditton village. The proposed bridleway to the south of the northern tree belt, relocated footpath and the existing Jubilee Way would offer multiple routes through to Newmarket Road as well as a connection to the Lode Way byway to the northeast of High Ditch Road.
- 8.16 In addition to the proposed new junctions to serve the residential elements of the site the existing car showroom

access to the west of the site would be retained and there would be a temporary haul road access to the east of the P&R. Once the site is built out the haul road access would then become a vehicular access to the sports fields and pavilion. The detailed plans would result in the section of Newmarket Road to the south of Wing having more of a boulevard layout with enhanced cycle and pedestrian routes along the frontage of the site and a central median.

- 8.17 The Newmarket Road junction details were the subject of the August 2014 amendments following comments from the County Highways Development Management Team. The amendments have resulted in greater security for non-motorised users crossing Newmarket Road, which has addressed the concerns raised by officers. Subject to further details on materials, to be secured by way of conditions (numbers 56, 57, and 58), and all of the usual detailed technical approvals processes, the proposed junction details and boulevard proposals are considered acceptable.
- 8.18 As originally submitted it was proposed to accommodate a bridleway running through the northern tree belt. Fen Ditton Parish Council expressed concerns about this and the need to thin the tree belt to accommodate a bridleway. The bridleway has since been moved south, out of the tree belt, as part of the August 2014 amendments. A footpath is still proposed through the tree belt, which would not require the same level of clearance as needed for a bridleway.
- 8.19 There are no motor vehicular accesses onto High Ditch Road to the north or into the Fison Road Estate to the west but the proposed network of public footways and cycleways would connect the site with the surrounding communities. The existing Jubilee Way would be enhanced and integrated into Gregory Park with a spur extending southwards towards the local centre and Newmarket Road, which would provide a safe access to the primary school. Another spur of the cycleway would extend eastwards around the playing fields to High Ditch Road the other side of the road from the start of an existing byway that would give access to the wider countryside.
- 8.20 Fen Ditton Parish Council has questioned whether a cycle lane could be accommodated along High Ditch Road. Given the alternative, dedicated cycle routes that are proposed

through the site a separate cycle lane on High Ditch Road, which would have to narrow as it went over the old railway bridge, is not considered necessary.

### **Building Heights**

- 8.21 The majority of the buildings would be between one to three storeys (max. 12m) in height with between two to four storeys (max. 15m) proposed at key corners and along key streets. The central development blocks along Newmarket Road would be between two to four storeys (max. 12m). The tallest built form is proposed to be located around Beta Square which is located towards the western edge of the proposed development, of between three to five storeys (max. 18m). The lowest parts of the development would be along the northern and eastern edges in order to reflect more of a rural character around the edges and to limit the visual impact from the countryside. The height of the local centre (max. 15m) would allow for residential above retail and community uses and also a two storey primary school should one be proposed at the reserved matters stage.
- 8.22 The building heights across parts of the site are restricted due to the operational requirements of the Airport. The submitted Building Heights Parameter Plan is considered to be acceptable.

### **Building Densities**

- 8.23 Policy CE7 of the CEAAP is based on Cambridge East Housing. Paragraph D3.2 of this policy puts forward an average net density requirement of 75 dwellings per hectre in Cambridge East development in order to minimise the amount of land that will need to be taken for development. Paragraph D3.3 justifies how higher densities such as landmark buildings will be appropriate in the district and local centre while paragraph D3.4 goes on to explain why there will be some areas that will require lower densities such as family homes due to their proximity to the villages of Fen Ditton and Teversham to help maintain the village character of these two villages.
- 8.24 An indicative building densities plan has been included within the Design and Access Statement. This plan would not be subject to approval like the parameter plans and therefore is

indicative only. The range of densities across the site reflect the building heights to a certain degree with the highest densities (60-90 dph) to the south along Newmarket Road and the lowest (25-30 dph) being to the north nearest to High Ditch Road and Fen Ditton village. As envisaged by the planning policy, the manifestation of these densities is likely to result in the northern half of the site having more of a village feel with detached and semi detached dwellings and the southern half having more of an urban character being characterised more by terrace properties and apartments. As mentioned above the building heights are restricted due to the operational requirements of the airport and this will have an impact on the overall density of the development. Other Cambridge fringe sites (Southern Fringe and North-west Cambridge) have elements of residential development at 4/5 storeys which can facilitate higher densities.

### **Design Code**

- 8.25 It is recommended that any outline permission would be subject to a design code condition (proposed as condition number 8), Consistent with other Cambridge Fringe Site developments, to ensure that the scheme is constructed in accordance with the agreed principles established through the outline application, parameter plans and design and access statement. This is important given that the development is likely to be split out into a number of development parcels which could be built out by a number of different house builders.

### **Quality Panel Review**

- 8.26 Prior to the submission of the planning application, the proposed scheme was considered on two occasions by the Cambridgeshire Quality Panel (May 2013 and August 2013). Positive responses were received on both occasions and the submitted plans have incorporated the Panel's comments. The Quality Panel reports are contained at Appendix F and G. The table below sets out the key issues raised through the Quality Panel review process and how the submitted application has addressed them, or if not, giving justification from the applicant as to why.

<b>Panel comment</b>	<b>Addressed in application</b>
Community – what is going	The management company

<b>Panel comment</b>	<b>Addressed in application</b>
to glue the scheme together?	set up an estate office which will be a focal point for community activity. The local centre, school, shops, community hall and estate office will be hub of the community
Community – what will the ‘delivery vehicle’ be to ensure residents come together as a community?	Marshall is giving further detailed consideration to the form and nature of the management organization, and is talking to the Parish Council and considering, among other things, a Community Land Trust regarding this
Community – master planners should test how Marshall’s aspirations match the physical framework proposed (e.g. how does the primary school relate to the school playing fields?)	Application will address this (e.g. in Planning Statement). E.g. Emphasis on education, life-long learning, and apprenticeships – proposed primary school, and using local labour during construction and using the construction to build local skills and training.
Community - It is important that the proposals make living in “suburbia” an attractive offer, addressing social needs (care, social spaces, play and amenities) and opportunities for working from home	A range of homes is proposed across all sizes, and advice has been obtained from Savills and local housing officers. There is provision for working from home.
Community – has a ‘social gap analysis’ been carried out for the Fison Road estate?	The community audit and Health Impact Assessment looks closely at the surrounding communities, and the social differences between them. The HIA compares indices of deprivation across the surrounding wards, highlighting the particular



<b>Panel comment</b>	<b>Addressed in application</b>
	issues facing residents in Abbey Ward.
Community - The Panel considered that the sports pitches suffered from the lack of surveillance, which could affect their value as a community resource. The Panel questioned whether more could be done to integrate the playing fields into the development.	To address the concern over integration and surveillance, which has been raised previously, the master plan was amended to include a vehicular track through the woodland to give access to the parking for the allotments and sports pavilion.
Community - The Panel commended the proposed proportion of dwellings with Lifetime Home Standards, and application of London Space Standards, to be applied to this development.	
Community - The Panel were concerned at the remoteness of Market Square in its current location. In addition, the Panel suggested that there is a strong logic for a commercial/retail frontage on Newmarket Road in order to capture passing trade	Location of local centre was extensively debated during the EbD, and at the end of the three days consensus had been reached. The adjacency both to the Park and Ride and to Newmarket Road were seen as hugely beneficial. The shops and services will attract passing trade from Newmarket Road and linked trips from park and ride users, as well as providing the local centre for Wing residents and Marshall's workforce
Connectivity - The Panel were concerned about the lack of connection between the various green spaces in the scheme	Connectivity drawings have been prepared for the landscape strategy. To be included in the DAS. These show how the open spaces are very well connected by a choice of pedestrian and cycle links, forming a network of spaces with different

<b>Panel comment</b>	<b>Addressed in application</b>
	characters and uses to be discovered and explored.
Character – The Panel suggested that the applicant reconsider Beta Square in relation to the design and functioning of car dealerships, the local neighbourhood centre and open space provision	To address the concern over the uncertainty regarding the showroom frontage, a pavilion is proposed along the western edge of the park. This will provide a firm enclosure and backdrop to Beta Square and screen the frontage of the commercial site.
Character - There needs to be flexibility in the parameters to respond to changing housing and other uses such as need, tenure, delivery, mix.	The phasing, tenure (eg affordable rent /shared equity), and mix is indicative at this outline stage and will respond to the market and changing needs over the years the community is built out. The fixed parameters related to height, use, access, and open space, i.e. those elements that could affect the assessment of the environmental impacts. The design principles related to key frontages. The buildings will be flexible to address changing needs - the homes will be lifetime homes compliant, and the local centre units capable of subdivision and of being combined to form larger units, other uses, or homes, depending on demand and need at the time and over the years.

## Land Use

8.27 The predominant land use across the site is residential with other ancillary uses being located to the south of the site. A two form entry primary school would be located to the north of the Market Square local centre and most of the existing car showrooms would be consolidated into the south-western corner of the site. The local centre would include a mix of retail and community uses and would be anchored by a foodstore.

## Residential

8.28 Although a number of character areas are proposed across the site the open drainage infrastructure and green corridor running east to west through the site (Gregory Park) divides the two areas of residential development into more of a village character to the north and more of an urban character to the south. The northern residential area would accommodate more detached and semi-detached properties at a lower density than the southern area, which would be defined by a taller, denser form of development, primarily accommodating terrace housing and apartments. The illustrative masterplan indicates that approximately 30% of the dwellings would be apartments and duplexes with the remaining 70% being houses.

8.29 In terms of sizes of dwellings the following indicative housing mix is proposed in the Planning Statement submitted with the planning application, which includes both market and affordable housing.

<b>Dwelling Size</b>	<b>Percentage</b>
Studios and 1 bedroom	10%
2 bedrooms	35%
3 bedrooms	33%
4 bedrooms	18%
5 bedrooms	4%
<b>Total</b>	<b>100%</b>

8.30 The CEAAP (paragraph D3.10) recognises that the whole Cambridge East development should provide a mix of housing sizes that addresses the high need for smaller one and two bedroom houses in the Cambridge area, whilst at the same time creating a balanced community for the long

term. Affordable housing should be of an appropriate mix to respond to identified needs at the time of the development.

- 8.31 The indicative mix proposes 45% in total one and two bedroom houses and 55% three or more bedroom houses. The Planning Statement submitted with the planning application explains that this proposed indicative mix is designed to reflect recent schemes consented or delivered around the Cambridge fringe, and that the proposed mix is indicative and the exact mix for each development parcel should be influenced by the housing market and local need at that time. To secure a balance of certainty that the development will deliver in accordance with the content of the planning application, and to allow flexibility for the most appropriate housing mix to be agreed at the time reserved matters come forward, a condition (number 25) is recommended that would require each reserved matters application to be accompanied by a schedule of the mix of market dwellings proposed demonstrating how the proposed mix related to the overall mix of market dwellings on the site as a whole, taking into account the indicative mix detailed within the Planning Statement and local knowledge of market demand.
- 8.32 2% of all residential units would be fully wheelchair accessible, which will be secured through the wording of the S106. Similarly the S106 would ensure that affordable housing units are clustered throughout the development and that there are no clusters of more than fifteen affordable houses or twenty affordable apartments on any land parcel or across adjacent land parcels.

### **Lifetime Homes**

- 8.33 The application documents detail that all of the homes across the development would meet Lifetime Homes requirements and be built to London Space Standards. This has been factored into the viability work as the build costs increase in order to achieve these standards. As the viability of the scheme is in part based on the build costs of the residential properties the S106 would be drafted to ensure that as the development is built out these design standards are adhered to as reserved matters applications are submitted by subsequent housebuilders for both the market and affordable housing elements.

## **Petrol Filling Station**

- 8.34 The CEAAP policy CE/3 recognises that whilst the relocation of the petrol filling station adjacent to the Park and Ride is a policy requirement of the wider development, its use and function means that a petrol filling station should be retained during the course of the development.
- 8.35 The existing petrol filling station on Newmarket Road falls within the application site and is due to be replaced as part of the Wing proposals. Due to the on-going negotiations on the viability of the wider scheme a full application is about to be submitted for a new petrol filling station. Depending on the outcomes of the consultation on the proposed application the access arrangements detailed in the outline application may need amending to reflect what is agreed for the full application. On the Wing plans a single access is proposed but the petrol filling station operator is requesting an in and out access that reflects the existing arrangement and is a common arrangement for most petrol filling stations.
- 8.36 As the accesses onto Newmarket Road have not been a contentious matter officers request delegated powers to agree any necessary changes to the petrol filling station access forming part of this outline application, subject to the recommendations of the County Highways Development Management Team.

## **Education**

- 8.37 Paragraph D5.18 of Policy CE/9 of the CEAAP, states that the first phase of development north of Newmarket Road are expected to have in the order of 1,500 to 2,000 dwellings, therefore it would need one 2-form entry primary school.
- 8.38 An assessment of the proposed number of houses in relation to anticipated child numbers estimated that there would be 260 0-3 year olds; 347 4-10 year olds; 230 11-15 year olds and 180 16-18 year olds generated from the development.
- 8.39 For primary school-aged children, the development would therefore generate a need for approximately 1.7 forms of entry. The application proposes a 2.3 ha site to accommodate a 2 form entry primary school.

- 8.40 The proposed 2.3ha primary school site would be located to the west of the P&R with a built frontage that defines the northern boundary of the Market Square and the sports pitches extending to the north. To create active frontages around the north and west of the block the sports pitches would be surrounded by residential development. By abutting the rear gardens of these properties with the sports pitches it would ensure that any impact upon residential amenity as a result of the use of the sports pitches would be reduced. Depending on the length of the rear gardens any subsequent overlooking of the sports pitches from windows of these properties would also be reduced. County Education officers raised concerns initially about this arrangement but are confident that this matter can be dealt with at the detailed design stage.
- 8.41 Although the full construction and design costs of the primary school are included in the S106 Heads of Terms, the applicant has expressed a wish to be involved in the design and build of the primary school if it were to be run as a free school. Therefore alternative construction and governance scenarios and the subsequent contributions that would be required would be detailed in the S106. The primary school is expected to include a children's centre and provision for this will be dealt within the S106.
- 8.42 As set out above, the scale of the primary school meets the needs of the Wing development. Concerns have been raised about the phasing of the primary school and the impact upon nearby primary schools. The primary school would be at the heart of the new community and it would not be appropriate to meet the primary educational needs of the development through an off site facility. Further discussions will be held with County Education Officers about the phasing of the school to ensure that it does not have a detrimental impact upon pupil numbers at nearby primary schools.
- 8.43 The S106 Agreement to be part of any planning permission would also include provision for initial support contributions for revenue costs associated with the start-up of a primary school.
- 8.44 The Wing development would generate a need for secondary school places (approximately two forms of entry) but would not generate sufficient spaces for a new

secondary school to be required on site. There is existing demand for secondary school places within the east of Cambridge for a new secondary school to be built and the location for this school is being explored by the County Council. The future needs of Wing are being taken into account when considering potential sites. Clearly Wing would add to this existing demand and the S106 Heads of Terms include a contribution of approximately £6 million towards off-site provision of secondary education to mitigate the impact of the development. The applicant has confirmed that it would not be willing to accommodate a secondary school on the Wing site, or the adjacent P&R.

- 8.45 Consideration has been given to nursery provision for the Wing development. The masterplan allows for the flexibility for such provision to be collocated with the primary school, or as a separate facility at the local centre, within a mixed-use pavilion at the Beta Square, or within an enlarged sports pavilion on The Plains. It is recommended that the applicant is required to produce a marketing strategy for a unit to commercially rent within the development to be agreed and then implemented, which will most likely be in the local centre. This would be for additional full day-care provision over and above the provision of pre-school accommodation. It is recommended that the Section 106 agreement secures that the marketing strategy will be agreed and implemented with provision of the Local Centre or the 400<sup>th</sup> occupation of any dwelling depending which one comes first.

### **Retail including Food Store**

- 8.46 In relation to the CEAAP policy CE/6, the CEAAP recognises the importance of the role that a local centre can have in providing community focus, location for services and facilities, and local employment. This could help create community identity from the outset of development, hence why a local centre it is a requirement of phase 1 of the development north of Newmarket Road.
- 8.47 The local centre has been located near to the P&R to benefit from passing trade but also so that it is some distance from the nearby local centres, to ensure their on-going vitality. A balance has had to be sought between the location of the heart of the development away from the Fison Road Estate, where it could have helped bring the two communities

together, and seeking to limit the impact on the vitality of the nearby local centres.

8.48 In considering the requirements for a first phase of development the accompanying text of CEAAP policy CE/6 identifies the need for a food store, of a similar size to the Budgens store on Cherry Hinton Road (500sqm net sales area). However, policy CE/6 was written more in the context of the comprehensive development of the wider Cambridge East allocation which would include a separate district centre for the wider development and does not consider the present situation where a first phase development would essentially be a stand-alone development for a potentially significant amount of time. It is therefore necessary to consider the need for the scale of food store (1,500 sqm) being proposed by the applicant and its potential impacts.

8.49 For this reason and given the proximity of this development to the City Council's administrative boundary, GVA Grimley have been employed by the City Council specifically to consider the impact of the proposed size of store following the 2013 City Council study that identified no additional need for convenience retail floorspace of this scale, including food retail, to the east of Cambridge and which has informed the emerging Cambridge Local Plan that is still subject to the ongoing Local Plan Examination process. The 2013 Study showed that this part of Cambridge is well served by standard food operators in terms of supermarkets. GVA were instructed to consider whether the size of the proposed food store was consistent with the CEAAP provisions, taking into account the previous retail study referred to above and the NPPF. To inform this, GVA carried out a Retail Assessment in relation to the potential impacts of the proposed food store on nearby defined retail centres, both within the south and eastern parts of the City and SCDC, including Ditton Lane and Barnwell Road. The assessment area was defined in this way because the proposed retail foodstore is intended to be a discounter although the operator for this cannot be confirmed at this stage. Discount food operators have materially different levels of turnover and numbers of product lines than mainstream food store operators therefore their likely impacts are different. GVA therefore assessed the impacts on the basis of a discount food operator only and their likely catchment area.



- 8.50 The conclusion of the study is that a discount food store of the size proposed would derive the majority of expenditure from large foodstores /supermarkets in the eastern and southern parts of Cambridge and that the impacts on nearby local and neighbourhood centres would not undermine either the viability of convenience goods stores within these areas or their roles in supporting the centres.
- 8.51 On this basis, the proposed food store is considered acceptable in retail policy /impact terms, subject to the food store being occupied as a discounter operation. This would be subject to an appropriately worded condition as recommended by GVA (Condition 62). Should a standard food retail operation come forward, this would need to be reassessed in the context of the City Council's retail policies and evidence base and its impact on nearby local and neighbourhood centres as well as the retail centres within the south and eastern parts of Cambridge.
- 8.52 One of the public representations referred to the scale of the foodstore, which they considered too small to serve the development. This comment is not supported by officers given the above considerations as outlined.
- 8.53 The masterplan allows for flexibility within the local centre so that residential units could be accommodated above the retail and community uses. There is also flexibility for the residential units along the Newmarket Road frontage to accommodate alternative uses at ground floor. As referenced in the section above, this was as a result of the Quality Panel who suggested that activity could be generated on this frontage and commercial units could benefit from passing custom.

#### **Other uses including Community facilities and Health**

- 8.54 It is recognised in the CEAAP that the proposed development north of Newmarket Road may come forward significantly in advance of the rest of the development of the whole Cambridge East area (paragraph D5.8 of the CEAAP). A key objective of the CEAAP is to ensure that the first phase of development (i.e. the Wing proposals) is an attractive and sustainable place to live and sits within the potential for wider development of the Cambridge East area

- and responds to existing facilities in Cambridge city, especially Barnwell and Abbey Wards.
- 8.55 The location, size and quantum of uses in the local centre and other community uses was informed by engagement at pre-application “Enquiry by Design” events hosted by the applicant, and discussion with Councils’ officers. A detailed local community audit was carried out by the applicant (included with the planning application as technical appendix C3 of the EIA), showing that existing community facilities could be reached by Wing residents (and that facilities at Wing could be reached by existing residents). Policy CE/9 supports the principal of collocating community facilities.
- 8.56 Whilst the exact quantum of community space, its build specification and future management would be detailed in the final S106, the Planning Statement submitted as part of the planning application contains details of the proposed floor areas for community facilities. This would include 200 sqm of community hall space (equivalent in size to a main hall at a primary school), a parish office, a sports pavilion and a pavilion to include a café.
- 8.57 The Cambridge City and South Cambridgeshire District Council Infrastructure Delivery Strategy (2012), prepared as part of the evidence base for the emerging Local Plans, notes that 111 sqm of community space is expected per 1,000 population. The relevant section of the planning statement that accompanied the planning application comments that assuming a population in the region of 3,185 people (i.e. 2.45 people per house), this generates a requirement for 354 sqm. The community hall, sports pavilion, and parish office would provide 460 sqm of space. The proposed community floor space is considered to be acceptable to support the development of a successful community. Proposed condition no. 6 would ensure that the internal floor space proposed in the Planning Statement would be secured as part of reserved matters planning applications.
- 8.58 Discussions between the applicant and officers have considered the potential for some of the community space (specifically the community hall) to be accommodated within the primary school. This would be with a view to delivering flexible and adaptable school buildings that could be used

daily for primary education and in the evenings and weekends, serving as a space for all-ages education, community groups and clubs. If the school buildings were to accommodate the community hall, it is recommended that the S106 would include a requirement for a community access agreement to ensure community access to the facility in evenings/weekends/outside of term time. An indicative design for the school prepared by the applicant proposes for a separate entrance to allow this happen. The County Council has confirmed in their comments that any uses beyond those that could be accommodated by the school building needed for education purposes would then require a land take of more than 2.3 ha proposed in the parameter plans.

- 8.59 The land use parameter plan would allow for a community hall to be part of the school buildings or as a separate building at the local centre. Which of these options is considered to be most appropriate and achievable would be considered further in the preparation for detailed proposals to be submitted for the school and local centre.
- 8.60 The location of a community hall facility may influence its management arrangements. If it were co-located with the school, it could be managed by the school operator (yet to be confirmed). A separate facility would require a different management approach. However, at this stage, it is proposed that the developer will need to provide a detailed management and maintenance strategy including community access arrangements, proposed hours of opening, charging strategy etc to be secured through the S106 agreement.
- 8.61 Whatever is finally agreed it is recognised that the layout of the local centre has sufficient flexibility to accommodate the necessary community provision. Fen Ditton Parish Council has indicated that it may consider having a parish office in the local centre. Such a use would not be a planning requirement and as such it would need to be progressed further with the applicant and the Parish Council. Art studios or a gallery are also proposed as part of the local centre and potentially a micro library.
- 8.62 The CEAAP recognises that community services and facilities to support new development need to be properly and effectively managed and maintained if they are to

provide high quality facilities for the community in the long term. It is also important that a feeling of community ownership is developed for all community facilities and that they are managed to ensure accessibility for all. The Planning Statement submitted as part of the planning application includes a commitment from the applicant (Marshall) to retain long term involvement and stewardship of the development. In addition to managing the design and delivery process, Marshall intends to retain ownership of the public spaces and community facilities. Details of the management approach have not been finalised, and the Planning Statement makes reference to the potential for some form of community trust or estate management company. The full details of this would need to be secured through the S106 and it is recommended that the objectives suggested in the Planning Statement, including that any costs passed onto residents (for example through a service charge) are not prohibitive, are adhered to in drafting the S106.

- 8.63 Policy CE9(11) of the CEAAP requires the incorporation of a planning obligation to include early provision of community development workers and youth workers for Phase 1 North of Newmarket Road. A contribution towards provision of a combined community development worker/youth worker has therefore been secured (on the basis of overall viability implications), as set out in the S106 Heads of Terms appendix E. The expectation is that this resource would be managed by South Cambridgeshire District Council, with detailed arrangements for management to be secured through the S106.

### **Library**

- 8.64 In relation to Policy CE/9 of the CEAAP, paragraph D5.25 considers library provision for Phase 1 North of Newmarket Road either through a temporary facility or through expansion or improvement of existing libraries at Barnwell Road and Cherry Hinton, subject to assessment.
- 8.65 No justification has been provided by the County Council for a specific off-site improvement / extension scheme to serve this proposed development. Accordingly, no financial obligation is being sought through the S106 process; this position has been arrived at through negotiation based on

temporary / mobile provision to serve the needs of the residents of the proposed development. The applicant has expressed an interest in setting up a micro-library within the site and if appropriate this would be progressed when reserved matters applications for the local centre are considered in more detail. It is also notable that a number of potential uses for the pavilion building on the western edge Beta Square are proposed. These include a community café, gym and office space and would be considered in more detail when a reserved matters application for the building is submitted.

- 8.66 Any proposals for development across the wider airfield site or further large scale planning applications within the Cambridge East Area Action Plan area would need to be considered individually in relation to their potential impacts and requirements.

### **Health**

- 8.67 Health provision in the area has been raised as a concern by a number of the public responses and the NHS recognises that the East Barnwell Health Centre is close to capacity. The advice from the NHS property is that they would not support a satellite surgery on Wing or the relocation of the existing facility to the new development. This is based on the fact that the greatest need for medical services comes from the Abbey Ward. Therefore any new or enhanced facility needs to be located within that Ward.
- 8.68 The draft S106 includes a contribution of £200,000 towards off-site primary health provision. This is a figure that has been negotiated between officers and the applicant in the context of the overall S106 package of community facilities. NHS Property is in discussions about the relocation of the existing facility to the Abbey Stadium site as part of the emerging Grosvenor sporting village/Abbey Stadium linked proposals. However, the sporting village proposals would be a Departure application and the current proposed phasing of the Abbey Stadium proposals means that delivery of an NHS health facility on the Stadium site is not assured and could be a number of years away. Whether the Wing contribution is spent enhancing the existing facility or would go towards a new facility elsewhere in the Ward is dependent on the outcomes of these negotiations.

8.69 The needs for improvements to the existing Health Centre, or a replacement facility, are recognised. Through a S106 contribution the applicant would mitigate the impact of Wing based on a specific project identified by NHS property. The S106 will be drafted to ensure that the contribution could go towards alternative projects, which would mitigate the impact of the development, depending on the outcomes of the aforementioned negotiations.

8.70 In conclusion, the proposed mix of uses is considered to be acceptable in principle and to be in accordance with relevant CEAAP and SCDC policies, subject to further details coming forward through reserved matters. On this basis, the submitted Land Uses Parameter Plan is considered to be acceptable.

## **Open Space, Landscape, Ecology**

### **Open Space**

8.71 The CEAAP sets out the open space standards for the development within Appendix 3. These are set out in the table below and the proposed open space provision highlighted against this. A total of 23.6ha of green space is proposed across the site, which would be made up of the following:

<b>Type of Open Space</b>	<b>Amount proposed/compliance with CEAAP standards</b>	<b>CEEAP standard</b>
Formal Open Space/outdoor sports facilities: Outdoor Sports	3.8 ha – potentially accommodating 5 football pitches/	1.2ha per 1,000 people = 3.74 ha based on 2.4 people per house.

Formal Open Space: Provision for Children and Teenagers	1.0ha - 24 LAPs (non- equipped Local Areas of Play) 3 LEAPs (Local Equipped Areas of Play) 1 NEAP (Neighbourhood Equipped Area of Play)	0.3 ha per 1,000 people = 0.936 ha
Allotments	1.7ha - equates to approximately 68 allotments (at 250 sqm each)	0.4 ha per 1,000 people = 1.248 ha
Informal Open Space	12.0ha	1.8 ha per 1,000 people = 5.616 ha
Water features and SuDs	0.5ha	
Tree Belts / Woodland	4.6ha	
<b>Total</b>	<b>23.6ha</b>	

8.72 The table shows that the CEAAP standards for open space are met in all aspects by the proposed development.

8.73 The informal open spaces would include a linear park threaded through the centre of the site (Gregory Park), urban squares, a managed woodland with informal openings for play (Kingsley Woods), a continuous walking cycling route and an informal open space between the northern woodland and the built development edge.

8.74 CEAAP policy CE/13 (Landscape Strategy) requires the retention and enhancement of the existing tree belt that defines parts of the northern and western boundaries of the site and would separate the residential areas from the sport pitches to the east. It is proposed to manage the eastern section of the tree belt as more of a parkland setting in order to provide greater natural surveillance of the sports pitches, and the LEAP that is to be located within it. Even managed in this way the tree belt would still provide significant screening of the residential properties when viewed from the east.

- 8.75 The retention of the tree belt would also help to reduce the visual impact of the site from the north and mitigate the impact upon the character and appearance of Fen Ditton village. Although the existing open space presently has a visual amenity value the development of the site to meet the strategic housing needs of the sub-region have been accepted and the development would provide a range of public spaces across the site that will be more accessible than agricultural land. It is recommended that a condition (condition number 12) is imposed to ensure details of landscaping are submitted for approval for local authorities.
- 8.76 The largest public open space is the westernmost square, referred to as Beta Square. There were discussions about whether this should be located further east so that it had more of a relationship with Market Square including during the Quality Panel meetings.. However, the applicant expressed a strong preference for the square to be located nearer to the aerospace buildings so it could also be of amenity value to their staff. Given the fact that there are no details of the car showroom area the Quality Panel questioned whether the western edge of Beta Square would be suitably enclosed. As a result of this Beta Square now includes a tall, mixed use pavilion building that would help to better define the public space and provide greater activity throughout the day. It is therefore considered that the location of the square is acceptable in the context of the masterplan.
- 8.77 In order to reduce the amount of surface car parking it is proposed to accommodate an underground car park underneath Beta Square to serve some of the residential units that would surround it. This would allow better use of land and should result in greater active frontages surrounding the public space as there would be less private driveways serving individual units or communal parking courts. The numbers of units for the site has been worked out based on a number of parking spaces being accommodated underground. The size of the underground car park has been reduced during the course of the application process. If this underground car park could not be achieved, then it is likely to have an impact upon the number of dwellings that could be delivered across the site and require the masterplan to be revisited to accommodate the additional car parking capacity



- 8.78 The Market Square is proposed to have more hard-landscaping than the other open spaces, which would then serve as an extension to some of the uses within the local centre such as the primary school, cafes, etc. There would be pedestrian access from Market Square through to the P&R, which should result in more custom for the uses within the local centre from P&R users.
- 8.79 Policy CE/20 Public Open Space and Sports Provision of the CEEAP sets out that a development of 1300 homes (approx. 3,185 people) shall generate a requirement of 1 ha of play areas. The Wing masterplan incorporates 0.54ha of 'local areas of plays' (LAPs) for two to six year olds, 0.23ha of 'local equipped areas of play' (LEAPs) for two to eight year olds and 0.22ha of 'neighbourhood equipped areas of play' (NEAPs) for eight to fourteen year olds so this is in accordance with CEAAP policy CE/20.
- 8.80 An illustrative plan in the Landscape Strategy chapter in the submitted Design and Access Statement shows that the development will meet the requirements of walking distance to the LAPs, LEAPs and NEAPs to be in accordance with CEAAP policy CE/20. This provision for children and teenagers will be secured primarily through the requirement for a strategy for youth provision and children's play for the whole site (condition number 15), and through Condition 7 (part g) site-wide Phasing Plan, Condition 8 (part k) Design Code and Condition 14 Local areas of play.

### **Formal Sports/Outdoor Sports Facilities**

- 8.81 The proposal includes on-site provision for outdoor sport, equating to 3.8 hectares, on the area known as 'The Plains'. The landscape masterplan indicates that this could accommodate two senior pitches and 3 junior/mini pitches. The Plains would also contain a pavilion and car parking.
- 8.82 Three tennis courts are proposed to the southern part of the application site that is located within the City Council boundary. The tennis courts will occupy 0.3ha in total and they form part of the outline application made to the City Council.

- 8.83 These tennis courts are strongly supported as they will improve the quality, accessibility and capacity of sports facilities in the local area. They are also in line with national and local planning policies; both the NPPF and the Cambridge City Local Plan 2006 recognise the importance of access to high quality sport and recreation opportunities to the health and well-being of communities.
- 8.84 In order to maximise the use of the site that falls outside of the public safety zone at the end of the runway, and prevent any significant built development east of the tree belt, all of the sports provision is proposed to the east of the site. The rectangular shaped Plains area would allow the optimal layout of sports pitches.
- 8.85 A shallow earth bund is proposed to the east of the sports pitches to protect the nearby watercourse from disturbance. It would also provide a feature for spectators to watch sports from and would be kept low enough for grass cutting and maintenance of the adjacent award drain. The sports pitches would not be floodlit because any lighting would be too close to the runway lights and could impact upon the operation of the airport.
- 8.86 As mentioned previously the layout of the site, and the location of the sports pitches in particular, has been influenced by the operational requirements of the airport. Sport England has suggested a condition relating to the management of the playing fields, which will be dealt with as part of the S106 obligation relating to public open space maintenance and management.
- 8.87 The applicants have made it clear that they would like to retain ownership of the tennis courts but no details are known about how it will be managed or maintained. Therefore, S106 provision will be made to ensure this information is secured through a management strategy for open space and sports facilities.

### **Allotments and open space**

- 8.88 To the north of the sports pitches would be the allotments, which would act as a buffer to the properties on High Ditch Road. Concerns have been raised about the security of this area and the isolated nature of the allotments and sports

- pavilion. The parameter plans allow for residential units to be accommodated above the sports pavilion and allotment building and the impact of this in terms of the scale of the buildings and their visual impact would be considered at the detailed design stage. Sport England recognised that this would help to reduce the potential for any anti-social behaviour associated with the pavilion.
- 8.89 As part of the city application, 0.3ha of land has been set aside (located directly above the tennis courts) for allotment space. It is also proposed to include a store room and toilet facilities for the allotment uses, and ancillary car parking space.
- 8.90 Allotment space is a valuable community asset that provides a sustainable source of food, a resource for health, social inter-action and a resource for bio-diversity. Ensuring that there is adequate open space and allotments is a key aim of the Cambridge Local Plan 2006, and the Cambridge East Area Action Plan. This aspect of the proposal, therefore, complies fully with policy CE/20 of the Cambridge East Area Action Plan
- 8.91 The public open/green space represents another limb of the proposal to the City Council that is also welcomed. Green spaces play a vital role in providing opportunities for leisure and exercise which benefit the physical and mental health of residents, workers and visitors. Green spaces also make a significant contribution to improving, protecting and enhancing biodiversity, mitigating climate change and counteracting the consequences of the urban heat island effect. The green space provided here is in accordance with the standards set out in Appendix 3 of the Cambridge East Area Action Plan.
- 8.92 In addition, the applicants have also identified (in the Design and Access Statement) two areas of land (one within the open space and the other adjacent to the tennis courts) where local areas of play can be accommodated. This is something that is supported because it will mean that the resident children will not have to travel too far to use their nearest play facilities.
- 8.93 Whilst the applicant's commitment to delivering play space on site is very commendable, it should be noted, that neither

none of the outline documents define what each play area will be and what age group they will cater for. A condition is therefore required to ensure that complete details of the play spaces are submitted for the Council's approval during the reserved matters application. Condition numbers 7 (Phasing part (g)), 8 Design code part (k) and condition 14 Local areas of Play are proposed to achieve this. Similarly, and as with the tennis courts, a condition will be attached that ensure that the management, maintenance and security details of the allotments and open space form part of the reserved matters application (condition number 15).

### **Off Site Sports**

- 8.94 Wing provides sufficient sports pitches within the site to meet the CEAAP open space and recreation standards. Therefore, no contribution to off-site sports facilities has been sought.

### **Indoor Sports Provision**

- 8.95 The CEAAP does not contain indoor sports standards. However, there is an expectation that the Cambridge East development as a whole will deliver a range of indoor sports facilities (for instance, paragraph 4 of policy CE/20 requires that the main public indoor sports facility will be based at the secondary school), Consideration was given to the potential for an off-site S106 contribution towards indoor sport (including a contribution towards swimming pool facilities, partly in response to the consultation comments given by Sport England). Although Sport England provided indicative figures for a S106 contribution, no development in the vicinity has been identified to mitigate the potential impact of the proposed Wing development and therefore the recommendation is that no payment is sought. The same is true for other potential off-site indoor sports facilities.

### **Management/maintenance of open space and sports facilities**

- 8.96 The CEAAP recognises the importance of appropriate long term management arrangements for open space and sports facilities. It is recommended that the S106 agreement includes provision for this to ensure that appropriate measures are in place for ongoing management and

maintenance, including how community access is secured for all facilities.

- 8.97 Although Cambridge City Council would normally seek to secure management of open space within its boundary, in this instance, given that the development proposals within the Cambridge City Council administrative area form a smaller element of a much larger development, the City Council's Streets and Open Spaces Team have confirmed that it would be more practical for this open space to be managed in conjunction with that within the wider Wing Development, subject to securing details including community access arrangements and fall back provisions through the S106 agreement.
- 8.98 It is recommended that details of the management and maintenance arrangements are agreed between officers and the applicant for inclusion in the S106 agreement.

### **Ecology and Biodiversity**

- 8.99 The main areas of ecological interest within or adjacent to the site are the tree belt alongside High Ditch Road and those of the P&R. The existing ditch running through the centre of the site is to be retained and managed for its ecological value as a wildlife corridor and as a water attenuation feature. At the detailed planning stage further consideration can be given to features such as bird and bat boxes on some of the buildings and condition 17 will require the submission of a scheme of ecological enhancement for each of the individual land parcels as they come forward.
- 8.100 The County Council's Ecology Officer questioned whether an area of land near to the site, within the applicant's ownership, could be used as a habitat for wildlife. Unfortunately, due to the operational requirements of the airport this was not an option as it could encourage flocking birds in close proximity to the runway. The impacts upon ecology are considered to be acceptable and with appropriate measures once built out the site has the potential to increase biodiversity above that of the intensively managed agricultural land.

### **Emergency Services**

8.101 Cambridgeshire Constabulary and Cambridgeshire Fire and Rescue have not sought any contributions from the S106.

### **Drainage and Utilities**

8.102 A surface water strategy was submitted with the Outline application. The strategy explains how it will incorporate a number of SUDs features to ensure the best practice. The site is located in flood zone 1 by the EA, a flood zone 1 is defined by having less than 1 in 1,000 annual probability of river or sea flooding. The SUDs proposal which have been integrated into the proposed landscape are designed to control the surface water from the site, providing storage for surface water up to and including the 1 in 100 year plus an allowance of 30% for climate change event.

8.103 Gregory Park would provide the main water attenuation feature within the development site. The proposals are not considered to have a detrimental impact upon the water environment and surface water will be retained on site during heavy rain events so as not to result in flooding outside the site.

8.104 Additionally the proposed SUDs mitigate the existing flooding issue in Thorpe Way Ditch by providing storage for surface water and discharging at a reduced rate. It is proposed to construct the surface water attenuation structures associated with the catchments and ensure that it is operational before any development takes place in area. . It is proposed that maintenance will be carried out regularly by an Estate Management Company or a Community Trust of all the proposed SUDS features, details to be secured through the Section 106 agreement.

8.105 The Cambridge City Council drainage Officer advised that a site wide surface water drainage strategy to be secured by condition will be needed. This will be secured through condition 10: Site-wide surface water drainage strategy which states that with the submission of the first reserved matters application(s) a detailed site-wide surface water drainage strategy for the site. Condition number 38 will require a drainage strategy for each Reserved Matters application area; this condition requires that management arrangements for all SUDS infrastructure are clarified for approval by the Local Planning Authority.

8.106 Although one of the public representations raised concerns about flooding of High Ditch Road the drainage proposals for the site would ensure that any impact of surface water flooding are effectively mitigated through the attenuation of water on site.

## **Transport**

8.107 Chapter 12 Traffic and Transport of the submitted Environmental Statement includes a traffic assessment for the land north of Newmarket Road. The applicant's traffic assessment shows that the main areas affected once the development is completed will be users of bus network and users of walking and cycling networks however the traffic assessment concludes that these impacts will be minor beneficial and minor to moderate beneficial. While the magnitude of impact on changes in traffic flow, congestion and delays on local road networks will be negligible. The applicant's traffic assessment used sensitivity of receptors to traffic effects in relation to traffic flows in certain key areas (e.g. schools, shopping area with roadside frontage, roads with narrow footways etc.) combined with percentage of change in total traffic, HGV or hazardous load flows in order to create the significance criteria. So the criteria relies on various strands of information and factors but if looked at in the simplest form of change in total traffic:

- Large = change in flows exceeding 90%
- Medium = change in flows of 60%-90%
- Small = 30%-60%
- Negligible = less than 30%

Further on in the Traffic and Transport chapter, it explores the mitigation for these impacts. It will be mitigated by a range of improvements to surrounding infrastructure which will include:

- A contribution to a new crossing on the Ditton Lane arm of the junction with Newmarket Road
- Upgrading the existing Pelican crossing on Ditton Lane immediately south of its junction with Fison Road to a Toucan crossing
- A contribution towards the River Cam pedestrian and cycle bridge near to the proposed Cambridge Science Park Station.

- 8.108 The traffic assessment concludes with this mitigation, the proposed development will have a minor to moderate impact positive impact on pedestrian and cycling facilities. The sensitivity of users of the local road network to changes in traffic flows, congestion and delays is medium, however the expected magnitude of the effect on users following mitigation, particularly at the Airport Way/ Church Road junction, is negligible. So the conclusion reached from the assessment is that there will be a negligible effect on users of the local road network.
- 8.109 The transport consequences of Wing have been assessed using data extracted from the County Council's Cambridge Sub-Regional Model (CSRМ), with flows from this then feeding into local junction models developed by the applicant. Forecasts have been prepared for 2026. The modelling shows that, due to Newmarket Road being close to capacity at peak times, traffic from Wing may displace some traffic to elsewhere on the network at peak times. One of the routes that would be impacted upon is Airport Way, to the east of the airport. A planning condition (number 56) requires the applicant to provide a roundabout or signalised junction on Airport Way at the junction with Church Road, Teversham, the details of which will need to be agreed with the County Council through the usual technical approvals processes.
- 8.110 Other off-site improvements mainly relate to cycling infrastructure and include provision of toucan crossings at the Ditton Lane/Newmarket Road junction and at Ditton Lane/Fison Road, and potential improvements to the 'Horse Paddocks' path linking Ditton Lane to Stourbridge Common. Toucan crossings should be secured by conditions (conditions numbers 57 and 58). The S106 Heads of Terms also includes a contribution of £475,000 towards the new cycle bridge across to the north Cambridge Station and £2.27m towards public transport, pedestrian and cycle improvements for Newmarket Road. There is also a contribution of £250,000 over 7 years towards public transport to allow provision of a bus service to the Biomedical Campus and Hills Road area of the City in order to mitigate the impact of the development through the promotion of sustainable forms of transport. This service would complement the existing services provided to the City Centre from the adjacent park and ride site.



- 8.111 One of the fundamental reasons for releasing land on the fringes of Cambridge for development is that new residents would have more sustainable transport options to meet their daily needs. Although it is accepted that not all residents would use sustainable means of transport they would at least have the option to walk, cycle or catch the bus when travelling into Cambridge. The submission and approval of a Travel Plan, followed by implementation and monitoring would be secured through the S106 to promote the use of sustainable means of transport to encourage a modal shift away from lone occupancy motor vehicles.
- 8.112 It is recognised that to secure enhancements to the Jubilee Way heading in the direction of Cambridge it would require third party land to widen sections of it. This is not something that can be secured through the S106 as it would be out of the applicant's control. Alternative ways of crossing Ditton Lane were discussed with the County Council, including an underpass, but there was not sufficient land available. In response to the Local Access Forum's comments the toucan crossing identified in conditions 57 and 58 is the only improvement that could be delivered based on the constraints around the existing crossing point.

### **Car and Cycle Parking**

- 8.113 The Design and Access Statement includes a parking strategy including an indicative sketch of the underground car park beneath Beta Square that could accommodate up to 300 vehicles. The strategy proposes that the majority of the parking spaces would be provided 'on plot' with a range of parking typologies being proposed. Parking would be provided at one space for 1 and 2 bed dwellings and two spaces for larger dwellings, in accordance with the standards set out in the CEAAP.
- 8.114 Similarly, non-residential parking provision would be provided in accordance with the parking standards set out in the CEAAP. Further details of how parking would be accommodated on plot and in the streets would be secured through the design code process.
- 8.115 The applicant proposes to promote cycling as an important part of Wing and it is proposed to provide two high quality,

secure cycle spaces for the first bedroom of each residential unit with an additional space for each extra bedroom. Again, details of these spaces would be secured through the design code process.

### **S106, Affordable Housing and Viability**

8.116 It is essential that Wing delivers an appropriate percentage of affordable housing as well as provision of services and infrastructure to meet the needs of the new community to ensure that development is acceptable in planning terms. Other Fringe Site residential developments have all delivered 40% affordable housing in accordance with policy target. The Cambridge sub-region is an area of acute housing need, with a significant gap between average incomes and house average house prices.

8.117 The CEAAP policy CE/7 (Cambridge East Housing) identifies that “The starting point for negotiations concerning the provision of affordable housing at Cambridge East will be 40% or more ..... However, this is a major and complex development which has a wide variety of requirements covering infrastructure and services, and a balance may need to be struck between competing requirements, in the light of economic viability.”

8.118 The balance referenced above means that in the event of development viability issues, the quantum of S106 /infrastructure requirements including affordable housing provision, as well as the phasing of such requirements, have been taken into account.

### **Section 106 Contributions**

8.119 Discussions surrounding the S106 contributions for Wing started in summer 2013 and the latest S106 draft Heads of Terms document (see Appendix E) contains a list of requirements that officers believe would mitigate the impacts of the development. The current S106 package of approximately £28m works out at approximately £22k per dwelling, which is comparable with other Cambridge fringe sites.

8.120 A summary of the key issues relevant to the S106 is presented below. The requested S106 contributions have

been closely scrutinised to ensure that they are appropriate and meet the CIL tests in mitigating the likely impacts of the development, particularly given the pressure on viability and affordable housing, as explained below.

8.121 In this context, the relevant CIL tests (as set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended) are legal tests for when S106 may be used. The tests are:

- necessary to make the development acceptable in planning terms;
- directly related to the development, and;
- fairly and reasonably related in scale and kind to the development.

8.122 To ensure that the CIL tests were met and that the funding for infrastructure sought through the S106 process related solely to that infrastructure that is required to mitigate the anticipated impacts of the proposed development, a number of initial requests for funding were removed from the overall package (indoor sports contribution for instance).

8.123 The phasing of payments was also carefully considered by officers to ensure that trigger points to be included in the S106 agreement for the provision of facilities by the developer or for payment of funds, were at the point at which facilities/funding was required and not too early.

### **Affordable Housing**

8.124 The following sections detail the negotiations that have taken place to allow a recommendation to be put forward by officers in relation to the level of affordable housing the proposed development could deliver. Several documents are included as appendices to this report that have informed the discussions between officers and the applicant.

<b>Appendix Title</b>	<b>Appendix Reference</b>
Simon Bird QC advice 2015	H
Simon Bird QC advice 2016	I
Report from Councils' viability consultants December 2015	J
Letter from Councils' viability consultants March 2016	K
Revised affordable housing statement	L

8.125 These appendices are advice from the QC Simon Bird, a comprehensive report from the Councils' viability consultants (Carter Jonas and Bespoke Properties Ltd) and a letter from the same consultants. The report from the Councils' viability consultants contains a letter received from the applicant setting out their view of the viability position for the proposed development. Also included as an appendix is the applicant's amended affordable housing statement.

8.126 Initially, the applicant requested whether priority could be given to lower earning employees of the applicant for some of the affordable housing units. There have also been meetings with Fen Ditton Parish Council to discuss whether a Local Lettings Policy could be used to accommodate people on the waiting list for affordable properties in Fen Ditton on Wing. As the Cambridge East site has been released from the Green Belt to meet the strategic housing needs of the Cambridge sub-region the affordable housing would go towards meeting the wider needs of SCDC and the City Council via the joint allocation process of Homelink. Therefore, it would not be appropriate to seek to prioritise people on the Fen Ditton waiting list or employees of the applicant. Notwithstanding this there is nothing to prevent these people applying for affordable housing via the Homelink Housing register and their applications would be considered alongside other people in housing need. This is the approach that has been taken on previous Fringe site developments.

8.127 This site has a particular set of characteristics that make it different to the other Cambridge fringe sites developments due to the large area of brownfield land and requirement to relocate existing businesses for the site, coupled with the costs of demolition and decontamination. The CEAAP

policy CE/7 acknowledges this and anticipated that these factors may affect the overall viability and affordable housing position for the site.

- 8.128 The original application submission proposed 40% affordable housing, based on a 50/50 tenure split affordable rented/intermediate housing. However, subsequently, during the course of the application process, the applicant identified that the relocation costs for the North Works site, which would be required to enable the site to be developed, would have an impact upon the viability of the development if it were required to provide 40% affordable housing at a 50/50 tenure split. In addition to the North Works relocation costs the existing engine testing facility also needs relocating, which would further impact upon the viability of the scheme.
- 8.129 Accordingly, to ensure that policies CE/7 and CE/33 were properly applied, officers have investigated a number of aspects to allow the determination of an appropriate S106 and affordable housing package. The following sections of this report give details of these aspects and, summarise the advice received, and provide officer recommendations.

### **Relocation Costs**

- 8.130 The relocation costs identified have a significant impact on the overall viability of the development. Policy CE/33 (Infrastructure Provision) of the CEAAP states “The appropriate level of contributions sought from the development will take into account costs which fall to the development, including the relocation of the airport and associated activities and elements of the North Works site.” This wording reflects the fact that the CEAAP was drafted at a time when the relocation of the airport was a “live” possibility then being explored. Therefore, the wording was drafted in the context of the wider comprehensive Cambridge East development coming forward, assuming a site-wide S106 strategy, including in relation to relocation costs. Since the CEAAP was adopted, the position has changed and the airport will not be relocated in the immediate future but is safeguarded for development post 2031. This has meant that the relocation costs such as the North Works can only be considered in the context of this development specifically.

- 8.131 The Councils and the applicant sought joint expert legal advice on the interpretation of this policy and what was appropriate to be included as relocation costs. Simon Bird QC advised that it was the role of the Council to reconcile the competing objectives of relocation costs and planning requirements as well as what were 'allowable costs' under the viability review and the balance between alternative tenures of affordable housing. These costs are those that are required to facilitate the relocation and not the costs that might be incurred at some stage in the ordinary run of business, which are not sensibly allowable. This point is relevant to the future of the engine testing bay as discussed below.
- 8.132 The independent cost consultants appointed by the Councils have scrutinised the relocation costs and believe that the costs are broadly reasonable, given the level of understanding at this stage, and should therefore be included in the viability assessment.
- 8.133 The financial model produced by the applicant includes costs of all the replacement buildings that would have to be provided either on another part of the airport site or elsewhere as a result of the relocation strategy and an allowance for land purchase costs. These relocation costs, identified in policy CE/33, are necessary to provide the incentive for the applicant to deliver the site.
- 8.134 The NPPG advises that a site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. The modelling demonstrates that although the site could deliver 40% affordable housing that would be with a tenure split of 5% affordable rent with 95% intermediate housing. It is considered that this tenure split would not be acceptable due to the acute need to maximise deliverer of affordable rent properties. The model also demonstrated that an overall figure of 25% affordable housing could be delivered with a tenure split of 30% affordable rent with 70% intermediate housing.
- 8.135 In October 2015, the applicant put forward a 'Without Prejudice offer' to the Councils whereby they are prepared

to go beyond the 25% affordable housing (30/70 split in favour of intermediate housing), which represents their view on the true viability position as presented in the submitted viability appraisal, to offer an overall percentage of 30% affordable (30/70 split in favour of intermediate housing). In doing so, the applicant is prepared to accept a reduction in land value in return for certainty, on the basis that any permission is not subjected to a periodic review of viability. This is explained further below in the section on review mechanisms.

### **Construction Costs and Sales Income**

8.136 The Councils' cost consultants have identified a number of potential differences in scheme costs. The majority of these have been accepted by the applicant but there are some areas within the site wide infrastructure costs and relocation costs where there are residual areas of uncertainty. However, the consultants recognise that there are some areas where the costs identified by the applicant appear to be slightly low, more particularly in relation to the acquisition of land costs and refurbishment car showroom works, whilst other work areas such as demolition are slightly high. On balance, the Councils' consultants consider the costs to be broadly reasonable.

### **Market Land Value**

8.137 The applicant has provided a Red Book valuation of the site, which includes the value of both the greenfield and brownfield land that could be achieved if it were to be sold as a single plot. The valuation of the land includes a reduction in the overall land value based on the presence of the engine testing bay, which whilst in situ would prevent the south-eastern part of the site being considered acceptable for residential development.

8.138 Although the applicant is also the land owner it is standard practice for any developer to achieve the value of a development site, as well as a profit from the development, when considering the viability of a scheme. Without the applicant receiving the value of the land then it is unlikely that there would be sufficient incentive for bringing the site forward for development.

## **'Betterment'**

- 8.139 The Councils' consultants have raised a query in relation to perceived 'betterment' to the applicant arising from the occupation/ownership of the new buildings that would accommodate the relocated businesses, which may not be reflected when looking only at scheme costs and revenues. This is in the context that some of the existing buildings on the site would have on-going maintenance costs due to their age and would possibly need to be replaced at some point in the future. If this were a material consideration, then the value of the new buildings could be used to offset some of the costs of relocation.
- 8.140 Counsel advice to the Councils concluded that whilst there may have been an initial attraction of seeking to argue that the relocating business should give credit to reflect the enhanced capital value benefit which relocation could result in, there is no sound or proper basis for requiring such credit to be given and there is no policy support in the Cambridge East Area Action Plan for seeking offset of this kind.
- 8.141 There are no precedents of where such 'betterment' has been secured elsewhere and expert legal advice has been sought as to whether it should be a material consideration. This legal advice sought by the applicant and the Councils concludes that it is not reasonable to pursue any form of 'betterment' through enhanced capital value arising from the provision of the required new build relocation facilities. The Councils were also advised that unless proper allowance is made for those costs the relocation would not take place and it means ensuring that the applicant is provided with sufficient incentive to relocate. The Councils' viability consultants concurred with this view.

## **Review Mechanism**

- 8.142 The Councils' viability consultants and the initial advice from Simon Bird QC (January 2015) originally recommended that a review mechanism be built into the S106 if the percentage of affordable housing being offered by the applicant was below the policy target of 40%. A number of S106 agreements for major housing development sites across the UK now include viability review mechanisms,



designed to allow for the potential for the scheme to offer additional S106 benefits at a future date. This is particularly relevant in the case of affordable housing as in most cases it is this element of a S106 package that is directly affected (i.e. reduced from the policy target) to allow for other generally financial and infrastructure based requirements to be provided.

8.143 It is also clear from the NPPG that S106 obligations should not be an impediment to development being brought forward and it is therefore balancing the need to encourage/expedite development and securing the maximum reasonable amount of S106 obligations that must be achieved.

8.144 A viability review mechanism within the S106 could be used to allow the potential to secure a higher percentage of affordable housing, or an improved tenure split, in later phases of the development, should the overall viability of the scheme improve over time (i.e. if the return to the developer was more than currently estimated by the viability model as a result of house values increasing by more than costs).

8.145 The applicant has questioned the appropriateness of including a viability review mechanism for the Wing project, and the applicant's 'Without Prejudice offer' (at 30% affordable housing), is conditional on the explicit exclusion of such a periodic viability review. The applicant advanced a number of grounds which they claim, taken together, would make it inappropriate to include any periodic review mechanism in the S106 agreement. In summary, these grounds are:

- The applicant's viability appraisal assumes a shortfall in land value. Any such review would need to first allow recovery of this land value;
- Given that the major infrastructure (save the Engine testing facility) is heavily phased towards the end of the programme, conventional review mechanisms would operate too late in the development process to deliver any meaningful benefit in terms of on site delivery of affordable housing; and

- The North Works relocation costs (which are the principal rear-end loaded cost) will not be understood fully until the relocations are complete.
- 8.146 Officers recognise that the Wing scheme is very different to other strategic developments, which more commonly experience significant up front costs, to deliver site infrastructure, including roads, utilities and drainage. In this case, the abnormal costs are very significant and late in the project programme, in addition to more common upfront infrastructure costs.
- 8.147 In light of this legal advice was sought as to the reasonableness of requiring a review mechanism and the risks associated with such a mechanism and Counsel, in this case, deferred to the Councils' viability consultants. The Councils' consultants considered that whilst they recognised the risk that the early phases of development may be delivered with a level of affordable housing below the policy target, and that the costs of the North Works relocation might then result in even further reductions in the later stages of development, they accept that reviews against individual phases would not be workable and that the omission of a review mechanism would give greater certainty to the developer which, in turn, would speed up the delivery of the site.
- 8.148 Given the complexity of the development a simple review mechanism based only on construction costs and sales income would not be appropriate as a significant cost of the development relates to the relocation costs. Certainty over the exact level of relocation costs would only come towards the end of the development; for a review mechanism to consider all of these costs it would have to operate once these costs were known, which would potentially only be once the development is largely completed, by which point there may be no opportunity to deliver any increase in affordable housing levels on site.
- 8.149 Although Counsel was not aware of any such mechanism finding support in relevant policy or in any decision of the Secretary of State, or any application appeal, he advised that officers took advice from the Councils' viability consultants as to whether there may be some form of 'claw back' mechanism that would operate late in the

development and that would allow, subject to viability, for an affordable housing commuted sum to be paid to the Councils to reflect earlier below-policy-target level of affordable housing.

- 8.150 The Councils' consultants advised that such a mechanism might be appropriate for smaller, less complex schemes, but would not be suited to a scheme that included such extensive relocation costs and infrastructure issues. Further, based on the applicant's claim that they are offering affordable housing at a level well above that which is presently viable, the Councils' consultants advised that any such claw back review mechanism would need to recover this 'shortfall' first before any commuted sum would be payable, thus reducing the chances of such a commuted sum payment being made. In conclusion, the Councils' consultants agreed with Counsel and advised that any such claw back mechanism would not be practicable.
- 8.151 For the reasons explained above and based on the complexities and unique circumstances associated with the Wing development the Councils' consultants do not consider that it would be practical to require a conventional viability review mechanism within the S106.

### **Start on site mechanism**

- 8.152 As a commitment to early delivery, the applicant is offering a mechanism which would trigger a full re-run of the viability assessment in the event of certain development timescales not being met. This would be triggered if the applicant failed to deliver a specific amount of development (for instance a certain number of dwellings to be constructed to floor slab level) within an agreed period (for example two years from the approval of the Design Code, first stage Reserved Matters for the relevant units and discharge of all relevant planning conditions). This development milestone would ensure the timely delivery of the site by necessitating the investment in infrastructure that would be needed to deliver the development.
- 8.153 The Councils' viability consultants independently recommended this approach and Counsel advised that the approach had merit and would provide a safeguard in the event of a delay.

- 8.154 The specific amount of development required within an agreed period would need to achieve an appropriate balance between ensuring that swift progress was made with delivery of the site, and allowing for the complexities of the first stages of construction, for example archaeological work and the relocation of the Engine Run-up Bay (see section below).
- 8.155 Officers recommend that such a delivery mechanism is included in the S106 to accompany any planning permission granted and that the exact wording of the obligation can be finalised as part of the drafting of the S106.
- 8.156 Counsel also raised the prospect of this delivery mechanism continuing throughout the course of the development such that a review mechanism would apply in the event of any delay in bringing forward later phases. The Councils' viability consultants also considered that this might have merit, i.e. to effectively extend the delivery mechanism to future phases of development but for the reasons explained earlier in this report, the applicant does not think this is workable in practice and has not accepted this. Officers have considered the risk that the applicant simply develops the greenfield parts of the site without carrying out the costly relocation and demolition works necessary to allow the brownfield parts of the site to be delivered. To guard against this a negative covenant restricting the occupations of properties would be included in the S106 based on milestones for the demolition and remediation of the North Works site.

### **Cascade Mechanism**

- 8.157 The applicant has suggested the use of a cascade mechanism to enable the tenure split on individual phases of the development to be flexed through agreement between the applicant and the Councils. This flexibility would allow for:
- 1) the applicant/developer to submit an alternative tenure mix for the affordable housing in a development parcel for the Councils' approval;

- 2) if the applicant/developer proposed the inclusion of Starter Homes (instead of a proportion of intermediate housing), the applicant/developer would need to demonstrate how any additional income arising from the introduction of Starter Homes would be used to increase the proportion of affordable rented units (again, instead of a proportion of intermediate housing).
- 8.158 The principle of including a cascade mechanism in the S106 is supported by the Councils' viability consultants and the legal advice the Councils took; a cascade mechanism would allow for the potential to achieve a higher percentage of affordable rented units. This flexibility would need to be within the context of the overall value of affordable housing and could potentially result in the overall percentage of affordable housing reducing to provide a tenure split with a higher percentage of affordable rent.
- 8.159 Any variation from the headline figure, of 30% affordable housing at a tenure split of 30% affordable rent and 70% intermediate units, would require approval from the Councils. It is suggested that any such formal request should come back to the JDCC for determination.
- 8.160 If a cascade mechanism were used and some of the phases secured an alternative tenure split then the overall level of affordable housing across the site would potentially change. The advice from the Council's viability consultants is that any cascade mechanism should be worded so that should the opportunity arise for the agreed value of affordable housing to deliver a higher percentage of affordable rent, within the overall 30% of affordable housing, then this would not be precluded.
- 8.161 Simon Bird questioned whether alternatively the cascade mechanism could also allow for the overall percentage of affordable housing to increase above 30%. The applicant is prepared to agree to flexibility in tenure split within any given phase, but does not accept an increase in the headline percentage of affordable housing within that phase. This is for the reasons stated previously including the applicant's offer of a reduction in land value in the 'Without Prejudice offer' in exchange for certainty. In addition, the applicant has said that due to the restriction on sales values of starter homes, any increase in affordable housing value is likely to be

limited and therefore can be addressed most appropriately through changes in tenure split.

- 8.162 The number of affordable rent units that would be delivered can be seen in the context of the overall percentage of affordable housing. As mentioned above, if a higher number of affordable rent units were proposed, this would be achievable through the cascade mechanism, though it could result in a reduction in the overall percentage of affordable housing.

### **Engine Run Up Bay (ERUB)**

- 8.163 In order to enable residential units to be occupied in the south-eastern part of the site noise from the existing arrangements for ERUB needs to be mitigated. The existing facility is a large earth bund to the south of Newmarket Road, which when used to test aircraft undergoing maintenance at the airport results in significant noise being generated. This activity presently has a detrimental impact upon existing City and South Cambs residents.
- 8.164 As a result of Wing it is proposed to relocate engine testing to elsewhere within the airport site, which would require a purpose built structure in order to attenuate the effect of noise from engine testing. This would need to be subject to a separate planning application which would be assessed on its merits.
- 8.165 The viability model includes the cost of this new facility and there is still some uncertainty about the final cost as it would be a bespoke structure that would likely to be enclosed on all sides and large enough to accommodate the aircraft that use the existing facility. The document prepared to identify the cost of the new facility assumed a facility that would allow business as usual in terms of hours of operation with comparable levels of activity that would ensure that the operation of the runway is not impaired. Simon Bird advised that there is no evidence to suggest that what is proposed exceeds what would be required in any sensible relocation of the facility and that he can see no reasonable grounds for disallowing the reasonable costs of the proposed facility.

- 8.166 As this is such a significant piece of infrastructure Simon Bird has questioned whether there is merit in the Councils considering a review mechanism that would be triggered once the actual costs of the new facility are known. However, he identified that any review would need to work 'both ways' and could result in a reduction in the percentage of affordable housing should the cost of the engine testing facility be more than is currently estimated in the viability assessment. Alternatively, he advised that there may be merit in the Councils securing details of the specification of the new facility to ensure that what is built reflects that which have been appraised in the viability assessment.
- 8.167 Consultants have advised that the Councils' should seek to secure that engine testing at the existing facility ceases and to secure the relocation of the ERUB with reference to the specification of the new facility rather than seek to include a viability review mechanism in the S106 related to the ultimate cost of the facility. The consultants consider that the uncertainty related to the cost of the new facility is too great for this to be a reasonable approach. The applicant has agreed to this approach and it is recommended that a suitably robust specification is agreed and included within the S106 agreement such that the Councils have confidence that the facility will be delivered to the required specification.

### **Revised Affordable Housing Statement**

- 8.168 In line with the applicant's 'Without Prejudice offer' of October 2015, the applicant has indicated that they would provide 30% affordable housing overall with a split of 30% affordable rent and 70% intermediate housing subject to there being no periodic review mechanism in the S106. Essentially in exchange for avoiding the risk associated with a review mechanism, the applicant is accepting the risk of delivering 5% more affordable housing (or 65 units) than is demonstrated as being viable based on the submitted model. This would be achieved by accepting a reduction in the market land value of the site.

Overall % affordable housing	Units	Affordable Rent	Shared Ownership
40	520	26 (5%)	494 (95%)
30	390	117 (30%)	273 (70%)
23	299	149 (50%)	150 (50%)

8.169 Although the Councils' consultants do not specifically agree with all aspects of the viability appraisal they recognise that on a development of this scale only small adjustments would be necessary in a sensitivity analysis to demonstrate that such a shortfall is possible. In that case they point out that should a review mechanism be required then the 'shortfall' would need to be recovered before any additional value from the site was realised. The table below shows the potential levels of affordable housing that could be delivered by the proposed development.

8.170 If a review mechanism was required, then the applicant has indicated that the appropriate baseline level of affordable housing would be 25% with a 30% affordable rent and 70% intermediate tenure split.

8.171 Although the percentage of affordable housing and tenure split proposed would be below that of the policy target, and those achieved on the other fringe sites, it is recognised that this is a result of the significant abnormal costs associated with the scheme – including the North Works relocations and the delivery of a purpose built ERUB.

8.172 The viability assessment demonstrates that if the scheme were to deliver the target percentage of affordable housing it would be unviable, such that there would be no incentive for the applicant to bring the site forward for development. Given the significant amount of businesses that need to be relocated to allow Wing to be delivered, and the policy requirement for those costs to be taken into consideration, on balance, officers consider the percentage of affordable housing to be acceptable. This position is recommended only in the context of the mechanisms described above being secured through the S106.

### **Affordable Housing Conclusion**

8.173 After a comprehensive consideration of the viability position of the scheme and the complexities of the site itself, and



having regard to the legal advice sought, the Councils' consultants consider that it would not be practicable to require a conventional viability review mechanism within the S106. The consultant's view is that the offer clarified by the applicant in the Affordable Housing Statement addendum is within an acceptable range of possible outcomes. Whilst it might be possible to seek further alterations to improve the overall position, there is no guarantee that this would be successful, and the consultants advise that this could cause considerable delay.

8.174 Accordingly, the advice is that a S106 agreement should be structured such that it secures the following:

- A headline percentage of 30% affordable housing (with a tenure split of 30/70 in favour of intermediate housing);
- A 'cascade mechanism' to provide the opportunity to adjust the tenure split to increase the level of affordable rent units by either replacing a proportion of intermediate units (this would result in an overall reduction in the percentage of affordable housing) or, should alternative affordable housing products result in increased income to the scheme, increase the percentage of affordable rent units whilst maintaining the overall percentage of affordable housing at 30%;
- A 'start on site' mechanism that would trigger a full re-run of the viability assessment in the event of certain development timescales not being met. It is proposed that the exact wording of this mechanism will be finalised as part of drafting of the S106 agreement;
- A negative covenant restricting the occupations of a quantum of properties (including market and affordable homes) based on milestones for the demolition and remediation of the North Works site;
- A mechanism to secure the relocation of the Engine Run-up Bay to an agreed specification and the cessation of the use of the existing earth bund for engine testing.

#### **Other S106 contributions or requirements**

8.175 The S106 Heads of Terms also includes contributions towards maintenance of the award, air quality monitoring community development works, community chest and requirements for fibre optic to the home and marketing of a nursery within the site.

- 8.176 The applicant is seeking there to be an obligation in the S106 to submit a local labour scheme for each phase to the Council for approval prior to the commencement of construction of that phase. The obligation would require the developer to use reasonable endeavours to promote the objectives of the scheme during the construction of that phase subject to employment law and other restrictions. The target of the scheme is for 25% of construction workers to be from the local area unless otherwise agreed with the Council. Further details will be provided at the detailed drafting stage of the S106.

### **Archaeology and Heritage**

- 8.177 Policy CE/18 and CE/19 relate to archaeology and built heritage and recognise the importance of ensuring a full understanding of the site and its context and ensuring that the full archaeological implications of the proposed development are understood and measures put in place to mitigate these.
- 8.178 Parts of the site are of high archaeological interest and appropriate investigations would be secured by way of a condition (number 49) to take place before the site is developed.
- 8.179 The nearest heritage asset to the site is the art deco style Grade II listed former Airport Control Building to the south of Newmarket Road. Notwithstanding the fact that it is outside the application site the development has been designed to provide distance views of the listed building and the proposed works to Newmarket Road, forming part of the development, would have the potential to enhance the setting of the building. The development does not harm the building or its setting but preserves and has the potential to improve the setting of the building. Due to the existing tree belt and the distance of the site from Fen Ditton village the development would not impact upon the setting of the Fen Ditton Conservation Area or any of its listed buildings.
- 8.180 Subject to the imposition of the condition relating to an archaeological mitigation strategy (condition number 49), the proposals are considered to be acceptable in planning terms.

## **Waste and bin storage**

- 8.181 Waste collection would be carried out using standard wheelie bins and money would be secured on a phase by phase basis for the necessary bins through the S106. The draft S106 includes a contribution towards public bins and dog waste bins, which would be located within the public areas.
- 8.182 The County Council originally sought a contribution towards the Household Waste Recycling Centre at Milton. However, due to restrictions on the pooling of S106 contributions this contribution can no longer be sought.
- 8.183 A 'bring site' is also proposed within the Local Centre and a S106 obligation is included within the draft S106 heads of terms to secure funding for this.

## **Construction**

- 8.184 A condition (number 39) would be used to secure a Construction Environment Management Plan (CEMP) to ensure that construction activities and construction traffic do not have an unacceptable impact upon neighbour amenity and highway safety. This would be more of a detailed document than the outline CEMP that was submitted with the application.
- 8.185 The access to the sports pitches is proposed to be the main access for heavy construction vehicles during the build out of the site. Given the existing and proposed landscape buffer between properties on High Ditch Road and the Fison Estate adherence to an appropriately worded CEMP should be able to successfully mitigate any impact upon neighbour amenity resulting from construction noise and dust.
- 8.186 The CEMP would need to detail an agreed route for heavy construction vehicles and given the location of the haul road access, and the often congested nature of Ditton Lane, it would be most appropriate for this construction traffic to access the site from east by travelling westwards along Newmarket Road. The impact of construction traffic coming through Fen Ditton has been raised as a concern

and can be addressed through the submission of a CEMP.

### **Public Art**

- 8.187 At the pre-application stage a public art group was established, which led to the submission of a detailed public art strategy as part of the outline application. As a result of the 2014 amendments this strategy has since been replaced with a less detailed document, which allows greater flexibility for the delivery of public art across Wing as it develops. As a result of the viability discussions no contribution is being sought towards public art. Instead the delivery of public art across the site will be conditioned (condition number 35) to be in accordance with the submitted strategy.

### **Impact on Adjacent Properties and Neighbour Amenity**

- 8.188 The nearest residential properties are several houses on High Ditch road to the northeast and those of the Fison Road estate to the west. The condition (condition 39) requiring details of the Construction and Environment Management Plan would reduce the impact upon nearby residential properties during the construction phase. The proposed location of the haul road to the southeast of the site means that the impact of construction traffic on neighbor amenity would be reduced.
- 8.189 In terms of noise from the occupation of the development the retention of the perimeter tree belt would allow for a generous, green buffer between any of the proposed residential properties and existing ones. The lack of floodlighting means that the sports pitches would only be used intensively during daylight hours. The allotments to the north would act as a buffer between the sports pitches and the High Ditch Road properties and the retained tree belt to the east would reduce any impact of noise from the pitches on the future residents.
- 8.190 The consolidation of the car showrooms to the southwestern corner of the site would not result in any change to the use of that part of the site and the impact

upon the nearby residential properties resulting from the use of the existing access road would remain the same.

### **Renewable Energy and Sustainable Construction**

- 8.191 The applicant's aim is to create an 'exemplar community' by create flexible spaces via the adoption of London Space standards, embed climate resilience into the design via landscaped SUDS measures and a fabric first approach to buffer extreme temperatures. They also proposed to adopt the aims and objectives of BREEAM Communities to guide the latter design stages and ensure that quantifiable goals are set where possible. The County BREEAM standard for the primary school would be 'Very Good' and the S106 contributions would deliver a school to these standards. If the aspiration is to achieve 'Excellent' then those additional costs and requirements would need to be met by the applicant in full.
- 8.192 The water consumption modelling shows that the target reductions can be met via efficient fixtures. Rainwater harvesting would also be included on the commercial buildings. The applicant is looking at rainwater harvesting schemes, particularly for the commercial buildings, and a condition (condition 11) will be used to secure a water minimisation strategy across the site. In addition, conditions will secure details of how each individual development parcel will ensure water usage is minimised (condition 29).
- 8.193 The fabric first approach adopted in the Energy Statement would move the development's carbon footprint 2% beyond the building regulation's required Target Emission Rate. Meeting the current carbon reduction targets set out in building regulations without renewables would be a challenge and moving beyond them is a significant improvement on current best practice. The Energy Statement includes options to incorporate renewable technologies such as ground source, air source and solar thermal panelling on commercial and apartment buildings. This would deploy renewable sources of energy where they can have the greatest impact and would have the potential to reduce the development's carbon emissions by a further 2-3%.

- 8.194 Initially a Photo Voltaic (PV) array was proposed on land adjacent to the airport runway. The applicant has since confirmed that this is no longer an option due to the operational requirements of the airport.
- 8.195 Officers recognise that whilst the proposals go significantly beyond the intent of CEAAP policy CE/24 (Energy) they do not adhere fully to the wording of detailed requirements (i.e. 10% renewable energy delivered on site). The proposed approach would reduce on site emissions by approximately 5% (via passive design measures and on site technologies). Had the proposed PV come forward then it would have off-set a further 25-30% of emissions. In the absence of this part of the proposal a condition (condition number 11) will be attached to the consent requiring the submission of a site wide sustainability strategy. This strategy would require the consent of the Local Planning Authority and would need to build on the proposals in the Sustainability Statement, Energy Statement and Water Conservation Strategy submitted with the application and demonstrate that the aims of CEAAP policies CE/22 (Land Drainage, Water Conservation, Foul Drainage and Sewage Disposal) and CE/24 would be met.
- 8.196 The greater clarity requested by Fen Ditton Parish Council about what would be delivered in terms of renewable energy would be detailed in the proposed sustainability strategy.

### **Noise and Contamination**

- 8.197 The CEAAP (policy CE/26 Noise) recognises that for development north of Newmarket Road a major noise source would be the aircraft engine run-up bay currently located immediately south of Newmarket Road.
- 8.198 The impact of noise on the amenity of new residents has been identified as a concern with regards to the proposed properties along the Newmarket Road frontage and those nearest to the Market Square. This noise is presently generated by traffic on Newmarket Road and operations at the airport. Without the relocation of the engine testing bay the noise levels experienced by the south-eastern corner of the site would mean that residential units would

not be permitted. Therefore, the residential use of this part of the site would only be acceptable once the existing engine testing bay is no longer in use.

- 8.199 Noise contours based on the use of the airport runway and Newmarket Road have demonstrated that noise levels experienced by new residents living around the Market Square and Newmarket Road would be higher than elsewhere in the site but would still be acceptable. The proposed modifications to Newmarket Road would mean that the residential units along the frontage would be set back behind the parallel road from the carriageway of Newmarket Road.
- 8.200 As a result of the historic use of parts of the North Works site ground work contamination has been identified as a result of exploratory works to inform the Wing Environmental Impact Assessment. Environmental Health officers from SCDC and the City Council have been working with the applicant's consultants and are confident that the redevelopment of the site would not result in an adverse impact upon human health to new or existing residents. This view is dependent on conditions (46 and 47) being attached to the planning consent requiring additional survey and investigations to be carried out and to secure mitigation measures.
- 8.201 Subject to appropriate conditions (specifically numbers 21, 22 and 23 relating to noise impact assessments and identification of mitigation measures required) the proposals are considered to be satisfactory and meet the requirements of relevant policies in the CEAAP.
- 8.202 It is further recommended (as discussed above in the Section 106 sections of this report) that the cessation of aircraft testing at the existing run-up bay and the construction of a new facility are controlled through the S106.

### **Phasing of the Development**

- 8.203 It is anticipated that the proposed development would be delivered over a number of years (expected to be around three years of enabling works and demolition and around nine years of homes and associated infrastructure

construction). Policies CE/33 and CE/34 require the timely delivery of infrastructure, services, landscaping and open spaces so that the new community's needs are met as they arise. Policy CE/30 requires the early delivery of strategic woodland, tree and hedgerow planting at the beginning of each major phase. This principle is considered to be reflected in the applicant's intention to build from the east, starting with the local centre and adjacent blocks, and working northwards and westwards. This would allow time for the relocation of businesses from the North Works site.

- 8.204 As is standard practice with large scale housing sites, it is recommended that a phasing plan is secured by condition (condition number 7); further, that the discharge of this condition is not delegated to officers but is brought to the Joint Development Control Committee for consideration.

#### **Matters Raised by Fen Ditton Parish Council**

- 8.205 A number of the matters raised by the Parish Council are addressed in the relevant sections of this report. Those that have not been covered previously are considered below.
- 8.206 The Parish Council has questioned the capacity of the parish cemetery to accommodate additional burials that might occur as a result of Wing. Further information has been requested from the Parish Council about the capacity of the existing cemetery. There has not been any clarity as to whether there is capacity or not and what land could be used to accommodate an extension of the existing burial ground. In the absence of this information it has not been possible to secure money towards a burial ground extension. Moreover, it is not clear whether it would be necessary to make the development acceptable, especially as no such provision has been secured for the other fringe sites.
- 8.207 Previously the Parish Council has questioned whether it could have a role in the management of community facilities and land. Although not detailed in the application documents the S106 could be drawn up to allow for this eventuality. This is a matter that would need to be discussed between the Parish Council and the applicant.



From a planning point of view an appropriate mechanism is required for the maintenance and management of community facilities and this would be secured through the S106.

- 8.208 The proposal connects into footpath 9 which links the site to Fen Ditton village. In addition, the proposal includes a potential access to Fen Ditton road by way of a footpath to the northwest of the site. To access the village this footpath would need to cross land not owned by the applicant. The applicant is reviewing whether this link can be achieved. It has been questioned whether parking could be provided near to this footpath. Although there would be a leisure route through the tree belt the provision of parking on the Fen Ditton side of the tree belt, on land not owned by the applicant, is not considered necessary.
- 8.209 The Parish Council has requested that S106 contributions from Wing not go towards the proposed cycle bridge over the river. Although not part of the proposed development the Transport Assessment identifies that the bridge would be used by Wing residents to access the new station. On that basis the County Council has requested a contribution towards it. If, for some reason the bridge were not delivered then there would be a mechanism in the S106 to ensure that the contribution went towards another scheme to enhance cycle infrastructure or if no such scheme were identified then it could go towards affordable housing.

### **Third Party Representations**

- 8.210 The majority of representations related to the impact of traffic, primarily on Newmarket Road and Airport Way. Although one of the representations questions the transport modelling data in terms of trips by different modes the Transport Assessment has been accepted by the County Council. A number of the other comments relating to building density, building heights, the ERUB, flooding, cycling infrastructure, impact upon the character of Fen Ditton, visual impact, impact upon wildlife, loss of open space, scale of retail provision, primary and secondary education and the access onto Newmarket Road have been considered in the relevant sections of this report.

- 8.211 There will be an obligation in the S106 to promote a nursery on site and the provision of Lifetime Homes and 2% of wheelchair accessible homes will also help address the needs of elderly and disabled residents. An indicative parking strategy has been included in the Design and Access Statement and more detailed matters such as parking provision, bin and cycle storage and building design will be addressed through the Design Coding, to be secured through a condition (condition 8), which will then influence the detailed designs of the individual land parcels.
- 8.212 Although raised by a third part reduction in house prices would not be a material planning consideration and there is no reason to believe that the development would result in an increase in antisocial behaviour. The Police Architectural Liaison Officer supports the master plan and will be consulted at the Design Code and detailed applications stage to ensure that spaces where antisocial behaviour could occur are designed out.
- 8.213 A S106 contribution will secure air quality monitoring equipment to ensure that the impact upon new and existing resident during construction is limited. The Construction and Environment Management Plan would also reduce the impact of noise and dust during construction. The documents of the Environmental Statement are considered acceptable and the potential impact upon residents of further traffic along Newmarket Road would not be significant enough to outweigh the benefit of providing additional housing on an allocated site. There is no policy requirement for the development to provide a direct access onto the A14 and there is no requirement based on the traffic modelling that has been carried out. Similarly, there is presently no policy requirement for plots for self-builders to be provided on the site.
- 8.214 No details of bus services to serve the development would be provided at the outline stage but a contribution towards bus service enhancements have been included in the S106 Heads of Terms. Moreover, the width of the primary road network is such that it could accommodate buses should a bus service be routed through the development

in the future. Further details of the road networks will be secured through the Design Code.

### **Other Matters**

- 8.215 The Fire and Rescue Service has requested that adequate provision be made for fire hydrants. This will be secured by way of a condition (condition 53) requiring details to be submitted at the detailed planning stage.
- 8.216 A number of detailed issues were raised by the City Council in their original comments on the outline application. These have largely been addressed through the submission of further information and discussions. The concerns raised about the impact of the larger food store have been addressed by the GVA report and issues in relation to affordable housing provision are addressed in the affordable housing section earlier in the report. Any additional matters will either be subject to conditions or secured through the S106 agreement.

## **9.0 CONCLUSION**

- 9.1 The proposals are considered to be in accordance with the Cambridge East Area Action Plan (2008) vision and policies in that the proposals would contribute to the creation of a distinctive sustainable community on the eastern edge of Cambridge.
- 9.2 The proposals are for the first phase of development on land north of Newmarket Road and it is considered that in accordance with the Cambridge East Area Action Plan (2008) the proposals would ensure that this phase of Cambridge East could function independently as a stand-alone neighbourhood whilst the airport is still operating but is also capable of integrating with wider development in the longer term.
- 9.3 Accordingly, officers are seeking delegated authority to agree any amendments to the access drawings based on the proposals for the new Petrol Filling Station and delegated authority to negotiate the detail of the S106 and further minor changes to wording of the conditions with the applicant.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

## **11.0 PROPOSED CONDITIONS**

**Wing, Land north of Newmarket Road**

**Explanatory notes and terms:**

“Development Parcel” means a phase or part of the development excluding “Enabling Works” and “Strategic Engineering and Landscape Elements”. For instance this would include housing, employment, local centre, primary school site, allotments, playing pitches.

“Enabling Works” include, but are not exclusively limited to, surveying, environmental and hazardous substance testing and sampling (including the making of trial boreholes, window sampling and test pits in connection with such testing and sampling), soil tests, remediation works, pegging out, tree protection, ecological survey and mitigation works, archaeological investigation, demolition and removal of buildings and other structures, and similar related works

“Strategic Engineering and Landscape Elements” include principal foul and surface water drainage infrastructure works, other utilities provision, accesses from Newmarket Road, primary roads, the linear attenuation feature, land re-profiling and ha-has, strategic landscape works and planting, and similar related works.

**Development in accordance with plans**

- 1. The development hereby permitted shall be carried out in accordance with the following approved plans save for only minor variations where such variations do not deviate from this permission nor have any additional or materially different likely significant environmental effects to those assessed in the Environmental Statement accompanying the application:  
12-592\_PL\_01\_Location\_Plan Revision B  
12-592\_PL\_02\_Aerial\_Plan Revision A  
12-592\_PL\_03\_Demolition\_Plan Revision A**

0060\_GA\_005K\_Boulevard\_east (sheet 1 of 2)  
0060\_GA\_005K\_Boulevard\_west (sheet 2 of 2)  
0060\_GA\_006E\_Construction\_Access  
12-592\_PL\_04\_Land Use\_PP Revision F  
12-592\_PL\_05\_Building\_Heights\_PP Revision C  
12-592\_PL\_06\_Access\_Movement\_PP Revision D  
12-592\_PL\_07\_Landscape\_Open\_Space\_PP Revision C  
REASON: To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990 and to ensure the details of the development are acceptable to the Local Planning Authority.

### **Time limits**

- 2. The first application for approval of reserved matters shall be made to the Local Planning Authority no later than 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. The commencement of each Development Parcel pursuant to this outline permission shall begin before the expiration of two years from the date of the last reserved matter of that Development Parcel to be approved.**  
REASON: To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.
- 4. Application(s) for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 12 years from the date of this permission.**  
REASON: To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004 and provide a consistent approach to the development of the site alongside adjoining developments.

### **Reserved matters**

- 5. No development on any individual Development Parcel or Strategic Engineering and Landscape Element shall commence, apart from Enabling Works, until approval of the details (where appropriate) of the appearance,**

**landscape, layout and scale (hereinafter called the reserved matters) within that Development Parcel or related to that Strategic Engineering and Landscape Element has been obtained from the Local Planning Authority in writing. The development shall be carried out as approved.**

REASON: To ensure that all necessary details are acceptable. In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004

**6. The development pursuant to this permission of the uses listed below shall not exceed the following development levels:**

**Use class / type of use - Quantum**

- **Primary school (D1), potentially including community hall**  
- 2.3 ha primary school site
- **Community hall of 200 m<sup>2</sup> gross internal floorspace**
- **Foodstore (A1) - Up to 1,500sqm gross internal floorspace**
- **Petrol Filling station**
- **Flexible mixed-use units (A1 – 5, B1, D1, D2) - Up to 3,000 m<sup>2</sup> gross internal floorspace**
- **Park pavilion comprising: café, public wc's, park store, offices, and gym (A1 – 5, B1, D1, D2) - 2,600 m<sup>2</sup> of which 1,600 m<sup>2</sup> offices gross internal floorspace**
- **Sports pavilion (D2) - 200 m<sup>2</sup> gross internal floorspace**
- **Allotment clubhouse and amenities (D2) - 200 m<sup>2</sup> gross internal floorspace**
- **Replacement car dealerships (sui generis) - Up to 4 ha**

REASON: To ensure that the development is implemented within the approved parameters upon which the Environmental Statement is based, in accordance with LDF policies DP/1, DP/2 and DP/3.

**Prior to or concurrent with first reserved matters application**

**Phasing**

- 7. Prior to, or concurrently with the submission of the first reserved matters application(s) a site-wide Phasing Plan which accords with the S106 triggers shall be submitted to the Local Planning Authority for approval.**

**No development shall commence apart from Enabling Works until such time as the site-wide Phasing Plan has been approved in writing by the Local Planning Authority.**

**The site-wide Phasing Plan shall include the sequence of providing the following elements:**

- a) Re-provision of the Petrol Filling Station**
- b) Major infrastructure including all accesses, primary roads, segregated footpaths and cycleways and timings of such provision.**
- c) Residential development parcels (including numbers and reference to indicative delivery dates);**
- d) The local centre**
- e) The primary school and children's nursery**
- f) Surface water drainage features, SUDS and foul water drainage network;**
- g) Formal and informal public open space, provision for children and teenagers, playing fields, and allotments**
- h) The sports pavilion, allotment club house and pavilion building in Beta Square**
- i) Strategic electricity, telecommunications, potable water mains provision and gas networks.**
- j) Structural landscape planting.**
- k) Environment mitigation measures**

**The site-wide Phasing Plan shall also include a mechanism for reviewing and amending the sequencing of the above elements.**

**The development shall be carried out in accordance with the site-wide Phasing Plan unless otherwise agreed in writing by the Local Planning Authority.**

**REASON:** To clarify how the site is to be phased to assist with the determination of subsequent reserved matters applications and in order to ensure that the community spaces are provided in time to cater for the needs and impacts arising out of the development in accordance with Cambridge East Area Action Plan policies CE1 and CE2,

which set out the vision and development principles for the delivery of the community

## **Design Code**

- 8. Prior to, or concurrently with, the submission of the first of the reserved matters application(s), a site-wide Design Code shall be submitted to the Local Planning Authority for approval.**

**No development shall commence apart from Enabling Works and Strategic Engineering and Landscape Elements (save for strategic landscaping) until the Design Code has been approved in writing by the Local Planning Authority.**

**The Design Code shall be prepared in accordance with the approved parameter plans established in this outline permission and having regard to the Design and Access Statement and the approved parameter plans and shall include the following:**

- a) The overall vision of the development;**
- b) The character and heights established through the approved parameter plans, reference to the phasing of Development Parcels.**
- c) The street hierarchy, including the principles and extent of the highway that would be potentially be offered for adoption, along with traffic calming measures;**
- d) Typical street cross-sections which will include details of tree planting, tree species, underground utility/service trenches, and on street parking;**
- e) How the design of the streets and spaces takes into account mobility and visually impaired users;**
- f) Block principles to establish use, density and building typologies. In addition, design principles including primary frontages, pedestrian access points, fronts and backs and threshold definition shall be provided;**
- g) Key groupings and other key buildings including information about height, scale, form, level of enclosure, building materials and design features;**
- h) Approach to incorporation of ancillary infrastructure/buildings such as substations, pumping stations, pipes, flues, vents, meter**



- boxes, external letterboxes, fibres wires and cables required by statutory undertakers as part of building design;
- i) Details of the approach to vehicular parking across the site including the location and layout of parking for people with disabilities and for each building type, including details of a design approach for access points into and the ventilation of any undercroft/underground parking;
  - j) The approach to cycle parking for all uses and for each building type, including the distribution (resident/visitor parking and location in the development), type of rack, spacing and any secure or non-secure structures associated with the storage of cycles;
  - k) The approach to the character and treatment of the retained woodland, and new structural planting in the key public open spaces and along the primary and secondary streets;
  - l) Outdoor sports and children's play space strategy including the formal playing fields, NEAP, LEAPs and LAPs;
  - m) The approach to the treatment of footpaths, cycleways and bridleways through the site;
  - n) The conceptual design and approach to the public realm (making reference to the public art strategy, materials, signage, utilities and any other street furniture);
  - o) The conceptual design and approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs, so as to maximise energy efficiency, minimise light pollution and avoid street clutter, in general accordance with the lighting statement approved as part of this outline permission;
  - p) Details of waste and recycling provision for all building types and recycling points;
  - q) Utility routes, type and specification;
  - r) Measures to demonstrate how the design can maximise resource efficiency and climate change adaptation through external, passive means, such as landscape, orientation, massing, and external building features;

- s) **Details of measures to minimise opportunities for crime;**
- t) **Measures to show how design will address/minimise the impact of noise (from traffic, aircraft etc.) on future residents;**
- u) **Details of the Design review procedure and of circumstances where a review of the Design Code shall be implemented.**

**The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who should use the Design Code, and how to use the Design Code.**

**All subsequent reserved matter applications shall accord with the details of the approved Design Code and be accompanied by a statement which demonstrates compliance with the code.**

REASON: To ensure high quality design and coordinated development in accordance with policies CE/1, CE/2, CE/13, CE/14 of the Cambridge East Area Action Plan 2008; and to facilitate continuity through cumulative phases of development in accordance with Policy DP/5 of the South Cambridgeshire Development Control Policies Document, Local Development Framework, 2007

## **Site-wide Strategies**

### **Site-wide Biodiversity Management Plan**

9. **Prior to, or concurrently with, the submission of the first reserved matters application(s) a site-wide biodiversity management plan shall be submitted to the Local Planning Authority for approval. The plan shall set out how the development will secure the ecological measures and mitigation set out in paragraphs 9.164 – 9.166 and 9.205-9.220, and tables 13.1 and 13.2 of the Environmental Statement, dated December 2013.**

REASON: To enhance ecological interests in accordance with policies CE/16 and CE/17 of the Cambridge East Area Action Plan 2008.

### **Site-wide surface water drainage strategy**

10. **Prior to, or concurrently with, the submission of the first of the reserved matters application(s) a detailed site-**

**wide surface water drainage strategy shall be submitted to the Local Planning Authority for approval. This shall complement the Site Wide Phasing Strategy and generally accord with the Strategic Surface Water Drainage Strategy for the site as set out in Chapter 11 and Technical Appendix H of the Environmental Statement, dated December 2013 and within paragraph 1.24 and Figure 11.3 of the Addendum to Environmental Statement dated August 2014, and be based on sustainable drainage principles.**

**The surface water drainage strategy shall include:**

- Evidence based details of existing and proposed drainage routes.**
- Details of existing infiltration rates where appropriate.**
- Detailed calculations for any proposed storage requirements, including precautionary factors for biodiversity habitat requirements, if ponds are proposed, and for potential future impermeable expansion areas or extensions that may connect to the system. The calculations must include an appropriate allowance for climate change in accordance with the NPPF.**
- Detailed calculations for any proposed discharge rates to the receiving watercourse.**

**Any drainage details including SUDS must comply with Advice Note 6 'Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS) (available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)). Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality.**

**The scheme shall be implemented in accordance with the phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority. All reserved matters applications shall be designed in accordance with the approved scheme and the development shall be carried out in accordance with the approval details unless otherwise agreed in writing by the Local Planning Authority.**

**REASON:** To prevent the exacerbation of flooding outside the site by ensuring the satisfactory storage and disposal of surface water from the site in accordance with policy CE/22 of the Cambridge East Area Action Plan 2008.

## **Site-wide Sustainability Strategy**

**11. Prior to, or concurrently with, the submission of the first reserved matters application for the first Development Parcel, a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, carbon emissions and water conservation. It will have regard to sections 4.4 and 4.6, and chapter 5 of the Sustainability Statement and Water Conservation Strategy (December 2013) and section 4 of the Energy Statement (December 2013) as updated by pages 1 and 2 of the Sustainability Statement and Water Conservation Strategy and Energy Statement Addendum (August 2014). The strategy will also explain the measures that will make the development an exemplar community having regard to page 1 of the Addendum to the Sustainability Statement and Water Conservation Strategy and Energy Statement (August 2014).**

**REASON:** In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with policies CE/22, CE/24 and CE/28 of the Cambridge East Area Action Plan 2008.

### **Details required with reserved matters submissions**

#### **Landscape details**

**12. Within any reserved matters application for landscape submitted pursuant to this permission the details required by condition 5 shall include detailed landscape designs and specifications for the Development Parcel or Strategic Engineering and Landscape Element to which the reserved matters application relates. The details must comply with Advice Note 3, 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)).**

**The details shall include such of the following as are relevant to the submission for that Development Parcel or Strategic Engineering and Landscape Element:**

**Soft Landscape**

- a) **Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants.**
- b) **1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of the relevant area of the site.**
- c) **The landscape treatment of roads (primary, secondary, tertiary and green) through the relevant area of the site.**
- d) **A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs.**
- e) **The planting and establishment of structural landscape to be provided in advance of all or specified parts of the relevant area of the site as appropriate.**
- f) **Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features.**
- g) **Drainage details including SUDS – such schemes must comply with Advice Note 6 ‘Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS) (available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)).**
- h) **Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882 : 2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works.**
- i) **A specification for the Topsoil Strip, storage, re-spread and remediation in accordance with Defra :**

## **Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.**

### **Hard Landscape**

- j) Full details, including cross-sections, of all bridges and culverts.**
- k) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets.**
- l) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways.**
- m) Details of all hard surfacing materials (size, type and colour)**

**No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Parcel and each Strategic Engineering and Landscape Element shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.**

REASON: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings and to avoid endangering the safe movement of aircraft and the operation of Cambridge Airport through the attraction of birds and an increase in the bird hazard risk of the application site in accordance with policies CE/14 and CE/15 of the Cambridge East Area Action Plan 2008.

### **Tree protection**

- 13. Any reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element shall include details of the trees to be removed and retained within that Development Parcel or Strategic Engineering and Landscape Element; and the tree protection measures to be put in place in respect of those trees to be retained within that Development**

**Parcel or Strategic Engineering and Landscape Element, in accordance with BS5837:2012. Tree removal within that Development Parcel or Strategic Engineering and Landscape Element shall be in general accordance with plans Arbtech AIA 01 (West) Arbtech AIA 01 (East) of the Arboricultural Impact Assessment or as otherwise agreed in writing with the Local Planning Authority. The development of a Development Parcel or Strategic Engineering or Landscape Element shall be carried out in accordance with the tree protection measures approved for that Development Parcel or Strategic Engineering and Landscape Element**

**REASON:** To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with policies DP/1 and NE/6 of the adopted Local Development Framework 2007.

#### **Local areas of play**

- 14. Any reserved matters application for a Development Parcel containing residential development shall include details of any LAP(s) (Local Area of Play) to be provided within that Development Parcel together with details of the dwellings served by each LAP and the timetable for laying out the LAP(s) for approval. The LAP(s) shall be laid out in accordance with the details and timetable approved by the Local Planning Authority.****REASON:** To ensure that appropriate facilities for youth and children's play provision are provided in relation to the development of the site, in accordance with policies SF/10 and SF/11 of the adopted Local Development Framework 2007.

#### **Youth facilities and children's play provision**

- 15. Prior to or concurrently with the submission of the first of the reserved matters application(s) for residential development, a Strategy for Youth Facilities and Children's Play provision, in accordance with the principles set out in the Design and Access Statement and Planning Statement, shall be submitted to the Local Planning Authority for approval. The strategy shall include sufficient details to demonstrate the implementation of that strategy including specifications, location and phasing. Development shall take place in accordance with the approved strategy.**

REASON To ensure that appropriate facilities for youth facility and children's play provision are provided in relation to the development of the site. Cambridge East Area Action Plan Policy CE/20

## **Allotments**

**16. Any reserved matters applications for a Development Parcel or Strategic Engineering and Landscape Element which incorporate allotment provision shall where appropriate include the following details:**

- a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost**
- b) Proposed management arrangements**
- c) Access and parking arrangements to allow easy and safe access to the allotments**
- d) Details of the allotment clubhouse / store;**
- e) Boundary treatment, including security arrangements for the allotments;**
- f) Water supply, including use of stored rainwater and SuDS for watering crops.**

**The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.**

REASON: To ensure that appropriate allotments are provided in relation to the development of the site in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008.

## **Biodiversity Measures**

**17. Any reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element shall include details of the ecological measures and mitigation incorporated into that Development Parcel or Strategic Engineering and Landscape Element in accordance with the approved site-wide biodiversity management plan and a timetable for their implementation. The ecological measures and mitigation within that Development Parcel or Strategic Engineering**



**and Landscape Element shall be implemented as approved in accordance with the approved implementation programme for that Development Parcel or Strategic Engineering and Landscape Element.**

**REASON:** To ensure that the development enhances the biodiversity value of the site in accordance with policy CE/16 of the Cambridge East Area Action Plan 2008.

## **Lighting**

- 18. Concurrently with each reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element which includes any form of illumination an artificial lighting scheme for that Development Parcel or Strategic Engineering and Landscape Element, to include details of any external lighting of that Development Parcel or Strategic Engineering and Landscape Element such as street, floodlighting, security / residential lighting and a programme for their delivery, as well as an assessment of impact on any sensitive residential premises on and off site, shall be submitted to the Local Planning Authority. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the Development Parcel or Strategic Engineering and Landscape Element and on the boundary of the Development Parcel or Strategic Engineering and Landscape Element and at future adjacent properties, including consideration of Glare (direct source luminance / luminous intensity in the direction and height of any sensitive residential receiver) as appropriate, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals “Guidance Notes for the Reduction of Obtrusive Light GN01:2011” including resultant light intrusion / trespass, source glare / luminaire intensity and building luminance.**

**No development shall commence on a Development Parcel or Strategic Engineering and Landscape Element**

**which includes any form of lighting until the artificial lighting scheme for that Development Parcel or Strategic Engineering and Landscape Element has been approved in writing by the Local Planning Authority.**

**The approved lighting scheme for a Development Parcel or Strategic Engineering and Landscape Element shall be installed, maintained and operated in accordance with the approved details / measures for that Development Parcel or Strategic Engineering and Landscape Element unless the Local Planning Authority gives its written consent to any variation.**

REASON: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with National Planning Policy Framework (NPPF) paragraphs 120, 125 and policy CE/2 of the Cambridge East Area Action Plan 2008. It is also necessary to control the permanent lighting arrangements on this development to avoid confusion with aeronautical ground lights which could endanger the safe movement of aircraft and the operation of Cambridge Airport. For further information please refer to Advice Note 2 'Lighting Near Aerodromes' (available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)).

### **Walking and cycling provision**

**19. Each reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element shall include details of the pedestrian and cycle routes for that Development Parcel or Strategic Engineering and Landscape Element. No building shall be occupied or activity brought into use within the relevant Development Parcel or Strategic Engineering and Landscape Element until the approved pedestrian and cycle routes relating to that building or activity (as appropriate) has been carried out.**

REASON: To ensure that the development promotes walking and cycling in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

### **Parking**

**20. Each reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element**

**shall include details of car parking for that Development Parcel or Strategic Engineering and Landscape Element. No building shall be occupied or activity brought into use within the relevant Development Parcel or Strategic Engineering and Landscape Element until the approved parking provision relating to that building or activity (as appropriate) has been laid out.**

**REASON:** To ensure an appropriate level of car parking provision, and to ensure that highway safety and amenity is not compromised by unsightly on street parking in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

## **Noise**

- 21. With any reserved matters application for layout of a Development Parcel containing residential development there shall be submitted to the Local Planning Authority for approval either: (i) a noise statement explaining why a noise assessment and noise attenuation/insulation scheme is not required in respect of the residential units within that Development Parcel or (ii) a noise assessment and if necessary a noise attenuation/insulation scheme for the residential units in that Development Parcel to protect occupants from noise emanating from the A1303 Newmarket Road, primary internal roads, the local centre and petrol filling station, and flying operations at Cambridge Airport, as appropriate.**

**Where required, the noise attenuation/insulation scheme for a Development Parcel containing residential units shall demonstrate that the internal noise levels recommended in British Standard 8233:2014 “Sound Insulation and noise reduction for buildings-Code of Practice” (or as superseded) shall be reasonably achieved in respect of the residential units within that Development Parcel and shall include a timescale for the phased implementation of the scheme, as necessary. If a noise attenuation/insulation scheme is required for a Development Parcel the said scheme as approved shall be fully implemented in respect of a residential unit within that Development Parcel before that residential unit is occupied and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.**

REASON: To ensure that sufficient noise attenuation is provided to all residential properties to protect residents from the impact of the A1303 Newmarket Road and continued flying operations at the airport, to safeguard the amenity and health of future residents in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008.

- 22. Prior to the commencement of construction, full detail of a mitigation scheme to address the impacts on air quality arising from the development shall be submitted to, and approved in writing by the Local Planning Authority. The Air Quality mitigation scheme approved shall be implemented in accordance with the approved details before the first occupation of the development and shall thereafter be retained as such.**

REASON: To protect human health in accordance with policy CE/27 of the Cambridge East Area Action Plan (2008)

- 23. No development, hereby approved, shall commence in relation to any Development Parcel incorporating uses other than residential dwellings or landscaping, until an operational noise impact assessment for that Development Parcel including, where appropriate, a scheme for the insulation of any building(s) or use(s) and associated plant / equipment, and / or noise mitigation measures within that Development Parcel to minimise the level of noise emanating from the said building(s) or use(s) and associated plant / equipment has been submitted to and approved in writing by the Local Planning Authority.**

**The approved scheme of insulation / mitigation for a Development Parcel incorporating uses other than residential dwellings and landscaping shall be fully implemented in respect of a particular use, building or plant / equipment in that Development Parcel before that relevant use, building or plant / equipment is commenced (in relation to uses), occupied (in relation to buildings) or used (in relation to plant / equipment) and shall thereafter be maintained in accordance with the approved details.**

REASON: To protect the health and quality of life / amenity of nearby properties in accordance with policy in accordance with National Planning Policy Framework (NPPF)

paragraphs 109, 120, 123 and policy NE/15 of the adopted Local Development Framework 2007.

## **Waste**

- 24. Prior to or concurrently with any reserved matters application for a Development Parcel the details required by condition 5 shall be accompanied by full details of the appropriate on-site storage facilities for waste (including waste for recycling) within that Development Parcel, including where appropriate:**
- a) The detailed position and layout of bin stores and confirmation of acceptable drag distances**
  - b) The provision of home composting facilities**
  - c) For apartments, confirmation of the capacity of the communal bins**
  - d) Proposals for lighting of the communal bin compounds**
  - e) Confirmation, including a tracking diagram, that all bins can be accessed by waste collection vehicles**
  - f) Arrangements for the provision, on-site storage, delivery and installation of waste containers for each dwelling prior to occupation of that dwelling.**
- The RECAP Waste Management Design Guide will be utilised to ensure the development design will provide adequate space for internal and external waste storage.**

**No development shall commence on a Development Parcel until the details of on-site storage facilities for waste for that Development Parcel have been approved in writing by the Local Planning Authority.**

**The approved facilities for each building that will be used for residential, commercial or employment purposes within a Development Parcel shall be provided prior to the occupation, use or opening for business of that building and shall be retained thereafter unless alternative arrangements are agreed in writing by the Local Planning Authority.**

**REASON:** To ensure the provision of waste collection infrastructure on site and to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008.

## **Affordable housing**

**25. Any reserved matters application for a Development Parcel including housing shall include a plan showing the distribution of market and affordable units (all tenures), including a schedule of dwelling type and size (by number of bedrooms) within the Development Parcel for which approval is sought. The affordable housing units shall be provided in accordance with the approved details.**

REASON: To ensure that there is a mixed and balanced distribution of tenure types across the development in accordance with policy CE/7 of the Cambridge East Area Action Plan 2008.

## **Market Housing Mix**

**26. The submission of any reserved matters application relating to a Development Parcel which includes residential development, pursuant to this outline permission, shall be accompanied by a schedule of the mix of market dwellings proposed within that Development Parcel demonstrating how the proposed mix relates to the overall mix of market dwellings within all Development Parcels which already have reserved matters approval and taking into account the indicative mix of dwellings detailed within the Planning Statement and local knowledge of market demand. The market dwellings within each Development Parcel for residential development shall be constructed in accordance with the approved market mix for that Development Parcel.**

REASON: To ensure that the overall mix of dwellings across the site as a whole is based on the indicative housing mix stated in the Planning Statement, which seeks to ensure development contains a mix of residential units providing accommodation in a range of types, sizes and affordability, to meet local needs, in accordance with policy CE/7 of the Cambridge East Area Action Plan 2008.

## **Sustainable Design and Construction**

**27. All non-residential buildings, except for those exempt from BREEAM standards and the primary school, shall**

**achieve BREEAM 'Excellent'. The primary school shall achieve a minimum of BREEAM 'Very Good'. 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 by the Local Planning Authority, each reserved matters application containing a non-residential building which is not exempt from BREEAM standards will be accompanied by a pre-assessment setting out how the standard will be met.**

**REASON:** In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with policies CE/22, CE/24 and CE/28 of the Cambridge East Area Action Plan 2008.

**28. Prior to the occupation of any non-residential building which is not exempt from BREEAM standards, or within 6 months of occupation of that building, 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 respect of that building. Where the certificate shows a shortfall in credits for the required BREEAM rating, a statement shall be submitted identifying how the shortfall will be addressed.**

**REASON:** In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings.

**Cambridge East Area Action Plan Policies CE22, 24 and 28.**

**29. Prior to the occupation of the first dwelling within a Development Parcel, a water efficiency specification for each dwelling type within that Development Parcel, based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to the local planning authority. This shall demonstrate that all dwellings within that Development Parcel are able to achieve a design standard of water use of no more than 110 litres/person/day and that the development of that Development Parcel shall be carried out in accordance with the agreed details for that Development Parcel.**

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction. Cambridge East Area Action Plan Policy CE22.

- 30. No development of a residential dwelling within a Development Parcel shall take place until evidence, carried out by a Licensed Code for Sustainable Homes/HQM Assessor or equivalent, has been submitted to the local planning authority demonstrating that all proposed dwellings within that Development Parcel meet only the energy requirements associated with Level 4 of the Code for Sustainable Homes (Ene 01) and that the development of that Development Parcel shall be carried out in accordance with the agreed energy requirement details for that Development Parcel.**

REASON: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings. Cambridge East Area Action Plan Policy CE22, 24, 28.

- 31. Prior to or concurrently with any reserved matters application for a Development Parcel containing residential units a statement shall be submitted to and approved in writing by the Local Planning Authority which demonstrates how the residential units within that Development Parcel achieve a standard equivalent to level 4 of the Code for Sustainable Homes.**

**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.**

**No residential units within a Development Parcel shall be occupied until the statement for that Development Parcel has been approved in writing by the Local Planning Authority. The residential units within that Development Parcel shall be constructed in accordance with the approved statement.**

REASON: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with policies CE/22, CE/24 and CE/28 of the Cambridge East Area Action Plan 2008.



**32. Any reserved matters applications for residential, employment, retail, education, community buildings or the local centre shall include details of how the proposals accord with the site-wide sustainability strategy.**

REASON: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with policies CE/22, CE/24 and CE/28 of the Cambridge East Area Action Plan 2008.

### **Local centre**

**33. Within any reserved matters application that includes the local centre or part thereof, details shall be provided of the car and cycle parking provision to serve the local centre or relevant part thereof, and where relevant, details of the ‘bring’ recycling facility, and pedestrian and cycle access to the park and ride site.**

REASON: To ensure adequate parking provision, connectivity and provision of recycling facilities in accordance with policies CE/3, CE/6 and CE/11 of the Cambridge East Area Action Plan 2008.

### **Cycle storage**

**34. Any reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element containing a residential unit, non-residential building or public open space shall include details of facilities for the parking of bicycles. The facilities relating to a residential unit, non-residential building or public open space shall be provided in accordance with the approved details before the use of that residential unit, non-residential building or public open space commences and shall thereafter be retained and shall not be used for any other purpose.**

REASON: To ensure appropriate provision for the secure storage of bicycles in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

### **Public Art**

**35. Prior to or concurrently with any reserved matters application for a Development Parcel a Public Art**

**Delivery Plan for that Development Parcel shall be submitted to the Council for approval which accords with the approved Addendum to the Public Art Strategy dated August 2014. If no Public Art is proposed within a Development Parcel then the Public Art Delivery Plan for that Development Parcel should comprise a short statement explaining this and referring back to the Public Art Strategy.**

**No building on a Development Parcel shall be occupied until the Public Art Delivery Plan for that Development Parcel has been approved in writing by the Council.**

**Where the approved Public Art Delivery Plan for a Development Parcel contains the provision of Public Art, that Public Art Delivery Plan shall be implemented in accordance with the details and programme approved as part thereof.**

**REASON:** To ensure that the site provides public art in a satisfactory way that relates to the agreed Public Art Strategy in accordance with policy CE/9 of the Cambridge East Area Action Plan 2008.

### **Access to High Ditch Road Ditch**

**36. A 5m wide maintenance strip will be provided to the west of the High Ditch Road Ditch for maintenance purposes (as shown on figure 11.3 of the ES Addendum, August 2014). The proposed sports field bund will not be located within 5m of the western bank of High Ditch Road Ditch in order to comply with maintenance requirements.**

**Any reserved matters applications for the Development Parcel or Strategic Engineering and Landscape Element which includes land proposed for the maintenance strip immediately to the west of the High Ditch Road Ditch shall include details of this maintenance strip and access to it. Following its provision, the approved access shall then thereafter be retained, unless otherwise agreed in writing with the Local Planning Authority.**

**REASON:** to allow maintenance in order to safeguard against the risk of flooding in accordance with policy NE/11 of the adopted Local Development Framework 2007.

## **Access to Thorpe Way Ditch**

**37. Details of an access to Thorpe Way Ditch for maintenance purposes shall be submitted to and approved in writing by the Local Planning Authority as part of the reserved matters application for the relevant Development Parcel or Strategic Engineering and Landscape Element which includes land adjacent to the Thorpe Way Ditch. The approved access shall thereafter be delivered and retained at all times, unless otherwise agreed in writing with the Local Planning Authority.**

**REASON:** to allow maintenance in order to safeguard against the risk of flooding in accordance with policy NE/11 of the adopted Local Development Framework 2007.

## **Detailed Strategies**

### **Detailed surface water proposals**

**38. Any reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element shall include details of surface water drainage in relation to that Development Parcel or Strategic Engineering and Landscape Element, which must be in accordance with the approved detailed site-wide surface water drainage strategy.**

**The proposals for a Development Parcel or Strategic Engineering and Landscape Element shall include in respect of that Development Parcel or Strategic Engineering and Landscape Element where appropriate:**

- details of the design, location and capacity of all such SUDS features including where appropriate the ha-ha and central water feature**
- ownership, long-term management/maintenance and monitoring arrangements/responsibilities, including detailed calculations to demonstrate the capacity of receiving on-site strategic water retention features without the risk of flooding to land or buildings.**
- Drainage details including SUDS – such schemes must comply with Advice Note 6 ‘Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS) (available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)).**

- **The strategy should also demonstrate that the exceedence of the designed system has been considered through the provision of overland flow routes.**

**The development on a Development Parcel or Strategic Engineering and Landscape Element shall be carried out in accordance with the approved details for that Development Parcel or Strategic Engineering and Landscape Element and no building pursuant to the particular reserved matters for which approval is being sought shall be occupied or used until such time as the approved detailed surface water measures for that building have been fully completed in accordance with the approved details.**

REASON: In order to safeguard against the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses is appropriate and monitored and to promote the use of sustainable urban drainage systems to limit the volume and pace of water leaving the site in accordance with policy NE/11 of the adopted Local Development Framework 2007.

### **Prior to commencement of development**

#### **Site-Wide Construction Environmental Management Plan (CEMP)**

**39. Prior to the commencement of development, a site-wide Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with and give effect to the principles included in sections 5 – 10 of the Outline CEMP dated December 2013 and paragraph 1.26 of the environmental statement addendum (August 2014) submitted with the outline planning application and shall include, but not be limited to:**

- a) Construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers.**

- b) Location of contractors compound and method of moving materials, plant and equipment around the site.**
- c) Construction and 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 procedures for deviation.**
- d) Prior notice and agreement procedures for works outside agreed limits and hours.**
- e) Delivery and collection times for construction purposes.**
- f) Ecological restrictions and considerations including:
  - a. Any removal of trees, scrub or hedgerow shall not take place in the bird-breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been submitted to and approved in writing by the Local Planning Authority.**
  - b. No building shall be demolished or tree removed which has been identified as having the potential to support roosting bats until a detailed bat survey has been carried out of that building or tree. Should any buildings or trees be found to support bats, a detailed mitigation strategy will be developed and implemented under licence from Natural England.**
  - c. Details of the precautionary measures to ensure that contravention of legislation does not occur with respect to badgers****
- g) Noise and Vibration (including piling) impact / prediction assessment, monitoring, recording protocols and consideration of mitigation measures in accordance with BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded) including the use of best practical means to minimise noise and vibration disturbance from construction works.**

- h) Dust suppression management and wheel washing measures, including the deposition of all debris on the highway**
  - i) Material management strategy - soil will be stripped, handled, stored and reinstated using best practice procedures, in accordance with appropriate guidelines, such as DEFRA's 2009 Code of Practice for the Sustainable Use of Soils on Construction Sites. Any material used for landscaping, piling or engineering, purposed should be free of contamination and suitable for use.**
  - j) Lighting details during construction.**
  - k) Drainage control measures including the use of settling tanks, oil interceptors and bunds**
  - l) Screening and hoarding details.**
  - m) Access and protection arrangements around the site for pedestrians, cyclists and other road users during construction.**
  - n) Arrangements for community liaison, complaints, and identification of a dedicated point of contact**
  - o) Consideration of ecological and other sensitive receptors**
  - p) Membership of the Considerate Contractors Scheme**
  - q) Details of cranes and other tall construction equipment (including the details of obstacle lighting) – Such schemes shall comply with Advice Note 4 'Cranes and Other Construction Issues'(available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/))**
  - r) Control of activities likely to produce dust and smoke etc**
  - s) Details of temporary lighting – Such details shall comply with Advice Note 2 'Lighting Near Aerodromes' (available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)).**
  - t) Height of storage areas for materials or equipment**
  - u) Control and disposal of putrescible waste to prevent attraction of birds**
  - v) Site restoration**
- Development shall be carried out in accordance with approved details.**

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 in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008; to avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981; to comply with the National Planning Policy for Waste October 2014 and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012; to ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) surrounding Cambridge Airport and endanger aircraft movements and the safe operation of the aerodrome; and to ensure the development does not endanger the safe movement of aircraft or the operation of Cambridge Airport through interference with communication, navigational aids and surveillance equipment.

#### **Site wide construction waste management plan (SWMP)**

- 40. Development shall not commence until a site-wide Construction Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. This shall be in general accordance with the outline construction site waste management plan submitted as part of the outline planning application. The SWMP shall include details of:**
- a. the anticipated nature and volumes of waste.**
  - b. Measures to ensure the maximisation of the reuse of waste.**
  - c. measures to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.**
  - d. any other steps to ensure the minimisation of waste during construction**
  - e. the location and timing of provision of facilities pursuant to criteria b/c/d.**
  - f. proposed monitoring and timing of submission of monitoring reports.**

- g. the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.**

**Unless otherwise agreed in writing, thereafter the management and monitoring of construction waste shall be undertaken in accordance with the agreed details.**

REASON: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.

### **Foul Drainage**

- 41. No development shall commence, apart from Enabling Work, until a Foul Water Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy should include a programme phasing the delivery of such works. The said works shall be constructed and completed in accordance with the approved plans/specification and the approved programme for their phased delivery.**

REASON: To prevent environmental and amenity problems arising from flooding and ensure that sufficient capacity exists within the sewerage network to meet the needs of the development in accordance with policies NE/8, NE/9 and NE/10 of the adopted Local Development Framework 2007

### **Prior to commencement on a specified part of the site**

#### **Bird Hazard Management Plan**

- 42. Development shall not commence on any Development Parcel or Strategic Engineering and Landscape Element until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority for that Development Parcel or**



**Strategic Engineering and Landscape Element. The submitted plan shall include details of:**

- **monitoring of any standing water within the Development Parcel or Strategic Engineering and Landscape Element temporary or permanent**
- **if relevant sustainable urban drainage schemes (SUDS) within that Development Parcel or Strategic Engineering and Landscape Element – such schemes shall comply with Advice Note 6 ‘Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)).**
- **if relevant the management of any flat/shallow pitched/green roofs on buildings within the Development Parcel or Strategic Engineering and Landscape Element which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8 ‘Potential Bird Hazards from Building Design’ (available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/))**
- **the reinstatement of grass areas**
- **maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow**
- **which waste materials can be brought on to the Development Parcel or Strategic Engineering and Landscape Element/what if any exceptions e.g. green waste**
- **monitoring of waste imports**
- **physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste**
- **signs deterring people from feeding the birds.**

**The Bird Hazard Management Plan for a Development Parcel or Strategic Engineering and Landscape Element shall be implemented as approved from the commencement of development on that Development Parcel or Strategic Engineering and Landscape Element, and shall remain in force for the life of the development on that Development Parcel or Strategic Engineering and Landscape Element. No subsequent alterations to**

**the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.**

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Cambridge Airport in accordance with policy DP/2 of the adopted Local Development Framework 2007

### **Detailed construction waste management and minimisation plan**

- 43. Prior to the commencement of development on any Development Parcel or Strategic Engineering and Landscape Element a Detailed Waste Management and Minimisation Plan (DWMMP) in respect of that Development Parcel or Strategic Engineering and Landscape Element shall be submitted to and approved in writing by the Local Planning Authority. The DWMMP shall include details of such of the following as are relevant to that Development Parcel or Strategic Engineering and Landscape Element:**
- a) construction waste infrastructure, including an inert / construction material recycling facility to be in place during all phases of construction**
  - b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste.**
  - c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.**
  - d) any other steps to ensure the minimisation of waste during construction**
  - e) the location and timing of provision of facilities pursuant to criteria a/b/c/d.**
  - f) proposed monitoring and timing of submission of monitoring reports.**
  - g) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.**

**The Detailed Waste Management and Minimisation Plan for each Development Parcel or Strategic Engineering and Landscape Element shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.**

REASON: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.

#### **Odour and noise management from North Works prior to its demolition**

- 44. No development (apart from Enabling Works) shall commence on any Development Parcel until an odour and noise management and monitoring plan has been submitted to and approved in writing by the Local Planning Authority for that Development Parcel.**

**The plan shall provide for the management and monitoring of odour and noise levels arising from the aircraft and vehicle spraying facilities whilst these operations continue at the existing North Works site in so far as they impact upon the relevant Development Parcel. The plan shall include a methodology and programme for its delivery. The approved plan for a Development Parcel shall be implemented from the first occupation of that Development Parcel.**

REASON: To ensure that an appropriate environment is created for residents in accordance with policy DP/2 of the adopted Local Development Framework 2007.

- 45. Prior to, or coincident with the submission of any Reserved Matters Application for any non-residential buildings within a Development Parcel details of equipment relating to that non-residential building within that Development Parcel for the purpose of extraction and/or filtration and/or abatement of fumes and or odours including the operation of any in vessel composting, shall be submitted to and approved in**

**writing by the Local Planning Authority. The approved extraction/filtration/abatement scheme/s for a particular non-residential building within a Development Parcel shall be installed before the use of that non-residential building hereby permitted is commenced and shall be and retained thereafter. Any approved scheme / system shall not be altered without prior approval.**

**Any approved fume filtration/extraction system installed, shall be regularly maintained in accordance with the manufacturers specification to ensure its continued satisfactory operation to the satisfaction of the Local Planning Authority.**

**REASON: To ensure that an appropriate environment is created for residents in accordance with policy DP/2 of the adopted Local Development Framework 2007.**

#### **Ground conditions and remediation works (EA)**

- 46. No development, apart from Enabling Works on a Development Parcel or Strategic Engineering and Landscape Element shall take place until a remediation strategy for that Development Parcel or Strategic Engineering and Landscape Element which includes the following components to deal with the risks associated with contamination within that Development Parcel or Strategic Engineering and Landscape Element has been submitted to and approved, in writing, by the Local Planning Authority:**
- 1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the relevant area of the site indicating potential sources, pathways and receptors, including those off site. A proposed scope of intrusive investigation works for that development parcel based on the conceptual model shall be included.**
  - 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.**
  - 3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long-term monitoring and maintenance plan as necessary.**

**No occupation of any building within a Development Parcel or use of a Strategic Engineering and Landscape Element shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3) (other than any long-term monitoring and maintenance plan) for that Development Parcel or Strategic Engineering and Landscape Element has been submitted to and approved in writing by the Local Planning Authority.**

**For each Development Parcel or Strategic Engineering and Landscape Element any long term monitoring and maintenance plans deemed necessary in (3) shall be updated and be implemented as approved.**

REASON. To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

**47. If, during development of a Development Parcel or Strategic Engineering and Landscape Element, contamination not previously identified is found to be present at the site of that Development Parcel or Strategic Engineering and Landscape Element then no further development of that Development Parcel or Strategic Engineering and Landscape Element (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.**

REASON: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

#### **Construction method statement (CMS)**

**48. Prior to the commencement of development on any Development Parcel or Strategic Engineering and**

**Landscape Element, a detailed Construction Method Statement (CMS) relating to that Development Parcel or Strategic Engineering and Landscape Element shall be submitted to and approved in writing by the Local Planning Authority. The CMS shall demonstrate how the construction of that Development Parcel or Strategic Engineering and Landscape Element accords with the Construction Environmental Management Plan (CEMP). In addition the CMS shall in respect of that Development Parcel or Strategic Engineering and Landscape Element also provide a specific construction programme and a plan identifying: the contractor site storage area/compound; screening and hoarding locations; site lighting; wheel washing and dust suppression measures; the need or otherwise for a concrete crushing machine on site; access arrangements for vehicles, plant and personnel; building material, plant and equipment storage areas; contractor parking arrangements for construction and personnel vehicles; and the location of contractor offices. Thereafter the development of that Development Parcel or Strategic Engineering and Landscape Element shall be undertaken in accordance with the agreed details for that Development Parcel or Strategic Engineering and Landscape Element.**

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 in accordance with policy DP/2 of the adopted Local Development Framework 2007.

## **Archaeology**

**49. No development, apart from Enabling Works, in each of the Areas identified as A, B or C in the Archaeological Mitigation Strategy (Technical Appendix D5 of the Environmental Statement) shall commence until a programme of archaeological fieldwork has been carried out in respect of that particular Area in accordance with a written scheme of investigation that has been submitted to and approved in writing by the Local Planning Authority.**

REASON: To ensure the implementation of an appropriate archaeological Investigation, recording, reporting and

publication in accordance with policy CH/2 of the adopted Local Development Framework 2007.

### **Playing Fields**

**50. The playing pitches shall not be laid out unless and until:**

- a) A detailed assessment of ground conditions of the land proposed for the new playing pitches identified on the approved Landscape Open Space Parameter Plan has been undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and**
- b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The works shall be carried out in accordance with the approved scheme.**

REASON: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008.

### **High Ditch Road Ditch**

**51. Prior to the commencement of development on any Development Parcel or Strategic Engineering and Landscape Element which includes the proposed headwall along High Ditch Road Ditch a detailed mitigation strategy for the protection of water voles will be submitted to and approved in writing by the Local Planning Authority for the element of the Ditch that is within that Development Parcel or Strategic Engineering and Landscape Element.**

**Mitigation and compensation measures likely to be included in the water vole mitigation strategy are:**

- Suitable design and location of the proposed headwall along High Ditch Road Ditch to avoid**

- **killing/injuring/disturbance of water voles; or damage/destruction to water vole habitat**
- **Habitat management prior to works to that section of the Ditch to displace water voles from the working area, if present in that section of ditch**
- **Construction activities to the headwall at an appropriate time of year so as to avoid sensitive times of the year for water voles, such as the breeding season (March to October)**
- **Identification of as smaller working area as possible to minimise damage and disturbance of water vole habitat**

**The development of the proposed headwall along High Ditch Road within that Development Parcel or Strategic Engineering and Landscape Element shall be carried out in accordance with the approved details.**

REASON: To ensure that sufficient mitigation is in place for the protection of water voles and the enhancement of their habitat REASON: To ensure that an appropriate environment is created for residents in accordance with policy NE/6 of the adopted Local Development Framework 2007.

### **Petrol Filling Station**

**52. The re-provision of the Petrol Filling Station hereby permitted shall not commence, apart from Enabling Works, until such time as a scheme to install underground tanks has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The underground tanks shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the Local Planning Authority.**

REASON: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

### **Prior to occupation**



## **Fire hydrants**

**53. No building within any Development Parcel shall be occupied until a scheme for the provision and location of fire hydrants to serve that Development Parcel to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the phasing and delivery programme contained therein.**

REASON: To ensure an adequate water supply is available for emergency use.

## **Access**

**54. No dwelling shall be occupied until a road and/or footway linking that building to a public highway network is complete to binder course level; and main services are installed and are available for connection to the said building.**

REASON: To ensure a safe means of access to residential properties in accordance with policy DP/2 of the adopted Local Development Framework 2007.

**55. No dwelling shall be occupied until details of the proposed cycleway forming part of the development along the disused railway linking the site to the B1047 (as shown on parameter plan 12-592\_PL\_06\_Access\_Movement\_PP) together with a programme for its delivery have been submitted to and approved in writing by the Local Planning Authority. The cycleway shall be constructed in accordance with the approved details and the approved delivery programme.**

REASON: To promote the use of cycling throughout the development in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

## **Off Site Works**

**56. No dwelling shall be occupied until details of the proposed improvement to the junction of Airport Way with Church Road Teversham together with a programme for its delivery have been submitted to and**

**approved in writing by the Local Planning Authority. The junction improvement shall be constructed by the applicant in accordance with the approved details and the approved delivery programme.**

REASON: To ensure that sufficient measures are in place to mitigate the impact from vehicular traffic from the development in accordance with policy CE/10 of the Cambridge East Area Action Plan 2008.

**57. No dwelling shall be occupied until details of the proposed Toucan Crossing at the junction of Ditton Lane with Fison Road together with a programme for its delivery have been submitted to and approved in writing by the Local Planning Authority. The Toucan Crossing shall be constructed by the applicant in accordance with the approved details and the approved delivery programme.**

REASON: To promote the use of cycling throughout the development and beyond in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

**58. No dwelling shall be occupied until details of the proposed Toucan Crossing at the junction of Ditton Lane with Newmarket Road together with a programme for its delivery have been submitted to and approved in writing by the Local Planning Authority. The Toucan Crossing shall be constructed by the applicant in accordance with the approved details and the approved delivery programme.**

REASON: To promote the use of cycling throughout the development and beyond in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

## **Parking**

**59. No dwelling within each Development Parcel hereby permitted, shall be occupied until the parking spaces for that dwelling have been laid out in accordance with the details approved as part of the relevant reserved matters approval.**

REASON: In the interests of highway safety in accordance with Policies DP/3 and TR/2 of the adopted Local Development Framework 2007.

## **Other requirements**

- 60. All planting, seeding or turfing in the approved soft landscaping details shall be carried out in the first planting season following the completion of the appropriate element of development.**  
**Any trees, plants, turf or seeded areas which within a period of 10 years from planting for strategic planting and 5 years from planting for all other planting are removed or are noticeably damaged or diseased, or have failed to establish or make reasonable growth, shall be replaced in the next planting season with others of the same size and species, unless the LPA gives written approval of a variation to the type of planting.**  
REASON: In the interests of accurately establishing the quality and value of trees and hedges on or adjacent to the site and the implications for development in accordance with policies CE/14 and CE/15 of the Cambridge East Area Action Plan 2008.

## **Piling**

- 61. Piling or any other foundation designs and investigation boreholes using penetrative 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 protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

## **Foodstore**

- 62. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any other Order amending, revoking and re-enacting that order), the foodstore premises in the local centre shall not be used other than for a limited assortment discount retail foodstore only and for no other purpose within Class A1.**

REASON: To ensure that the development does not have an impact upon the provision of retail at the nearby local centres in accordance with policy CE/6 of the Cambridge East Area Action Plan 2008.

### **Access**

**63. There will be no motor vehicle access to the site from High Ditch Road to the north, or from the Fison Road Estate to the west of the site unless otherwise agreed with the Local Planning Authority.**

REASON: To ensure that private motor vehicle traffic would not have an adverse impact upon the highway safety and amenity of Fen Ditton village in accordance with policy CE/12 of the Cambridge East Area Action Plan 2008.

### **Playing Fields**

**64. The playing fields hereby approved shall be used for outdoor sport and for no other purpose (including without limitation any other purpose in Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) , or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**

REASON: To protect the playing facilities from loss and/or damage, to maintain the quality of and secure the safe use of sports facilities in accordance with policy CE/20 of the Cambridge East Area Action Plan 2008.

### **Informatives**

To satisfy the noise insulation scheme condition for the residential building envelope and traffic noise, the applicant / developer must ensure that the residential units at are acoustically protected by a noise insulation scheme, to ensure the internal noise level within the habitable rooms, and especially bedrooms comply with British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice" derived from the World Health Organisation Guidelines for Community Noise: 2000. The code recommends that a scheme of sound insulation should provide internal design noise levels of 30 LAeq (Good) and 40 LAeq (Reasonable) for living rooms and 30 LAeq (Good) and 35 LAeq (Reasonable) for bedrooms. Where sound

insulation requirements preclude the opening of windows for rapid ventilation and thermal comfort / summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria. Compliance with Building Regulations Approved Document F 2006: Ventilation will also need consideration.

S23 Land Drainage Act consent will be required for all connections to the award drain. The relevant consenting authority in this case is Cambridgeshire County Council – Flood and Water Management section.

The Food & Health & Safety Team, South Cambridgeshire District Council, for advice concerning the proposed premises design/layout, Food and Occupational Safety/Welfare Regulations/requirements and Food Premises Registration, Tel No: 01954 713111.

Anglia Water, Tel No: 0800 145145 regarding the installation of a grease trap for the foul water. If drains are to be altered the foul water from the kitchen should be passed through fat/oil/grease interceptor facilities (prior to entering any shared private drain and/or the public sewer), designed and constructed to the satisfaction of the Local Planning Authority (LPA).

It is suggested that documentary evidence including receipts, invoices and copies of any service contracts in connection with the maintenance of the extraction equipment, is kept, preferably at the premises and is available for inspection by officers of the Local Planning Authority, to facilitate monitoring of compliance with condition 38.

A limited assortment discounter is a retailer as defined in Part 1 of the Groceries Market Investigation (Controlled Land) Order 2010

By certification evidence, condition 29 means the information required to be submitted to demonstrate compliance with the requirements of ENE 01 of the Code for Sustainable Homes.

## Conditions for 13/1837/OUT

### 1. Development shall be carried out in accordance with plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

- 12-592A\_PL\_01\_Location\_Plan Revision B
- 12-592A\_PL\_02\_Aerial\_Plan Revision A
- 12-592A\_PL\_03\_Demolition\_Plan Revision A
- 0060\_GA\_006E\_Construction\_Access
- 12-592A\_PL\_04\_Land Use\_PP Revision B
- 12-592A\_PL\_05\_Building\_Heights\_PP Revision B
- 12-592A\_PL\_06\_Access\_Movement\_PP Revision B
- 12-592A\_PL\_07\_Landscape\_Open\_Space\_PP Revision B

**REASON:** To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990 and to ensure the details of the development are acceptable to the Local Planning Authority.

### 2. Time limits

**Application(s) for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 12 years from the date of this permission.**

**REASON:** To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004 and provide a consistent approach to the development of the site alongside adjoining developments

### 3. Time limits

**The commencement of this outline permission shall begin before the expiration of two years from the date of the last reserved matter to be approved.**

**REASON:** To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

#### **4. Reserved matters**

**No development shall commence until approval of the details of the appearance, landscaping, layout and scale (hereinafter called the reserved matters) has been obtained from the Local Planning Authority in writing. The development shall be carried out as approved.**

**REASON:** To ensure that all necessary details are acceptable. In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004

#### **5. Allotments**

**Any reserved matters application pursuant to the outline permission, which incorporates allotment provision shall include an allotments strategy with the following details:**

- a) Management guidelines to show how the allotments will be managed and how the provision of plots will potentially adapt following the occupation of the allotments and community gardens to meet the needs of future plot holders and local residents;**
- b) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders and access to areas for the communal storage of, for example, manure and compost.**
- c) Shadow studies to the allotments, taking into account proposed landscaping and boundary treatment and buildings both within and adjacent to the site demonstrating that adequate levels of sunlight, rainfall and nutrition will be available to the allotments;**

- d) Provision of good quality soil to British Standard or equivalent for the allotments, with structure and texture to allow free drainage and cropping;**
- e) Access and parking arrangements to allow easy and safe access to the allotments, including regular access by plot holders and for the occasional delivery of bulk goods. This should include vehicular access and a turning area, access for those with disabilities and cycle and vehicle parking on site and / or within the adjacent residential area;**
- f) Permeability of the sites to encourage access to communal areas, enjoyment of biodiversity and natural surveillance whilst maintaining security and integrity of food growing areas and standing crops;**
- g) Location and form of the communal buildings including secure storage for tools, seeds and crops serving allotments and community gardens, provision for administration with toilet provision, possibly including a composting toilet;**
- h) Boundary treatment, including security arrangements for the allotments;**
- i) Location of communal areas;**
- j) Water supply, including use of stored rainwater and SuDS for watering crops;**
- k) A programme for delivery of the allotments**

**No development apart from enabling works agreed in writing by the local planning authority shall commence until such time as the Allotments Strategy has been approved in writing by the local planning authority. The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved programme for delivery contained within the approved allotments strategy. Following**



**their provision, the allotments shall be managed in accordance with the management guidelines contained in the approved allotments strategy unless the local planning authority gives its written consent to any variation**

**REASON:** To ensure that appropriate allotments are provided in relation to the development of the site, in compliance with policy CE20 of the Cambridge East Area Action Plan 2008

#### **6. Tennis courts and open space management plan**

**Any reserved matters application pursuant to this outline permission which incorporate tennis courts and/or open space shall provide a tennis courts and open space management plan with the following details (where appropriate):**

- a) **Management guidelines to show who will manage the tennis courts**
- b) **How the tennis courts will be managed**
- c) **How the tennis courts will be clean and maintained**
- d) **showing how the tennis courts will be safe and secure**
- e) **landscape maintenance for the open space**
- f) **Hours of use of the tennis courts**
- g) **Access and parking arrangements to allow easy and safe access to the tennis courts. This should include vehicular access and a turning area, access for those with disabilities and cycle and vehicle parking on site and / or within the adjacent residential area;**
- h) **A programme for delivery of the tennis courts and open space**
- i)

**No development apart from enabling works agreed in writing by the local planning authority shall commence until such time as the tennis courts and open space management plan has been approved in writing by the local planning authority. The provision of tennis courts and open space shall be carried out in accordance with the approved details and accordance with the approved programme for delivery contained within the approved management plan. Following their provision, the**

**tennis courts and open space shall be managed in accordance with the approved management plan unless the local planning authority gives its written consent to any variation**

**REASON:** To ensure that appropriate sports facilities and open space are provided in relation to the development of the site, in compliance with policies CE20 of the Cambridge East Area Action Plan 2008

#### **7. Local areas of play**

**Any reserved matters application shall include details of any LAP(s) (Local Area of Play) to be provided within the development together with a timetable for laying out the LAP(s) for approval. The LAP(s) shall be laid out in accordance with the details and timetable approved by the Local Planning Authority.**

**REASON:** To ensure that appropriate facilities for youth and children's play provision are provided in relation to the development of the site, in accordance with policies CE/20 of the Cambridge East Area Action Plan

#### **8. Walking and cycling provision**

**Each reserved matters application shall include details of the pedestrian and cycle routes for the development. No building shall be occupied or landscape area brought into use until the approved pedestrian and cycle routes relating to that building or landscape area (as appropriate) has been carried out.**

**REASON:** To ensure that the development promotes walking and cycling in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

#### **9. Drainage**

**No development shall commence, apart from Enabling Work, until a Foul Water Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy should include a programme phasing the delivery of such works. The said works shall be constructed and completed in accordance with the approved plans/specification and the approved programme for their phased delivery.**

**REASON:** To prevent environmental and amenity problems arising from flooding and ensure that sufficient capacity exists within the sewerage network to meet the needs of the development in

accordance with policies NE/8, NE/9 and NE/10 of the adopted Local Development Framework 2007

#### **10. Environment Agency**

**No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:**

- 1) A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.**
- 2) The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.**
- 3) Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.**

**No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3) (other than any long term monitoring and maintenance plan) has been submitted to and approved in writing by the local planning authority. Any long term monitoring and maintenance plan deemed necessary in (3) shall be updated and be implemented as approved.**

**REASON:** To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

## **11. Construction Environmental Management Plan (CEMP)**

**Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to:**

- a) Construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers.**
- b) Location of contractors compound and method of moving materials, plant and equipment around the site.**
- c) Construction and 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 procedures for deviation.**
- d) Prior notice and agreement procedures for works outside agreed limits and hours.**
- e) Delivery and collection times for construction purposes.**
- f) Ecological restrictions and considerations including:
  - i. Any removal of trees, scrub or hedgerow shall not take place in the bird-breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been submitted to and approved in writing by the Local Planning Authority.**
  - ii. No building shall be demolished or tree removed which has been identified as having the potential to support roosting bats until a detailed bat survey has been carried out of that building or tree. Should any buildings or trees be found to support bats, a detailed mitigation strategy will be developed and implemented under licence from Natural England.****

- iii. **Details of the precautionary measures to ensure that contravention of legislation does not occur with respect to badgers**
- g) **Noise and Vibration (including piling) impact / prediction assessment, monitoring, recording protocols and consideration of mitigation measures in accordance with BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded) including the use of best practical means to minimise noise and vibration disturbance from construction works.**
- h) **Dust suppression management and wheel washing measures, including the deposition of all debris on the highway**
- i) **Soil management strategy - soil will be stripped, handled, stored and reinstated using best practice procedures, in accordance with appropriate guidelines, such as DEFRA's 2009 Code of Practice for the Sustainable Use of Soils on Construction Sites**
- j) **Lighting details during construction.**
- k) **Drainage control measures including the use of settling tanks, oil interceptors and bunds**
- l) **Screening and hoarding details.**
- m) **Access and protection arrangements around the site for pedestrians, cyclists and other road users during construction.**
- n) **Arrangements for community liaison, complaints, and identification of a dedicated point of contact**
- o) **Consideration of ecological and other sensitive receptors**
- p) **Membership of the Considerate Contractors Scheme**
- q) **Details of cranes and other tall construction equipment (including the details of obstacle lighting) – Such schemes shall comply with Advice Note 4 'Cranes and Other Construction Issues'(available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/))**
- r) **Control of activities likely to produce dust and smoke etc**
- s) **Details of temporary lighting – Such details shall comply with Advice Note 2 'Lighting Near**

- Aerodromes' (available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)).**
- t) Height of storage areas for materials or equipment**
  - u) Control and disposal of putrescible waste to prevent attraction of birds**
  - v) Site restoration.  
Development shall be carried out in accordance with the approved details.**

**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 in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008 and to avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981. To ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) surrounding Cambridge Airport and endanger aircraft movements and the safe operation of the aerodrome. To ensure the development does not endanger the safe movement of aircraft or the operation of Cambridge Airport through interference with communication, navigational aids and surveillance equipment.

## **12. 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.

### **13. 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

### **14. 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.

### **15. 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

## **16. 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.

## **17. 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.

### **Informatives**

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

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. 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.

## **Contact details**

To inspect any related papers or if you have a query on the report please contact:

Author's Name: Edward Durrant

Author's Phone Number: (01954) 713266

Author's Email: [edward.durrant@scambs.gov.uk](mailto:edward.durrant@scambs.gov.uk)

## **APPENDIX A: GOVERNMENT AND REGIONAL GUIDANCE AND ADVICE**

### **National Planning Policy Framework (NPPF) March 2012**

The National Planning Policy Framework (NPPF) 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. The document was published on 27 March 2012 and immediately became a material consideration for planning applications. It replaces PPGs and PPSs, and other guidance. The document encourages positive, balanced decisions, emphasizes the primacy of the development plan and local decision making

## **APPENDIX B: CAMBRIDGE EAST AREA ACTION PLAN AND SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL LOCAL DEVELOPMENT FRAMEWORK PLAN POLICIES**

### **Cambridge East Area Action Plan 2008**

CE/1	The Vision for Cambridge East
CE/2	Development Principles
CE/3	The Site for Cambridge East
CE/4	The Setting of Cambridge East
CE/6	Local Centres
CE/7	Cambridge East Housing
CE/8	Cambridge East Employment
CE/9	Community Services, Facilities, Leisure, Arts and Culture
CE/10	Road Infrastructure
CE/11	Alternative Modes and Parking
CE/12	Transport for North of Newmarket Road
CE/13	Landscape Principles
CE/14	Landscaping within Cambridge East
CE/15	Linking Cambridge East to its Surroundings
CE/16	Biodiversity
CE/17	Existing Biodiversity Features
CE/18	Archaeology
CE/19	Built Heritage
CE/20	Public Open Space and Sports Provision
CE/21	Countryside Recreation

CE/22	Land Drainage, Water Conservation, Foul Drainage and Sewage Disposal
CE/23	Telecommunications Infrastructure
CE/24	Energy
CE/25	Sustainable Building Methods and Materials
CE/26	Noise
CE/27	Air Quality
CE/28	An Exemplar in Sustainability
CE/29	Construction Strategy
CE/30	Early Delivery of Strategic Landscaping
CE/31	Management of Services, Facilities, Landscape and Infrastructure
CE/32	Cambridge Airport Safety Zones
CE/33	Infrastructure Provision
CE/34	Timing/Order of Service Provision

### **South Cambridgeshire Local Development Framework 2007**

DP/1	Sustainable Development
DP/2	Design of New Development
DP/3	Development Criteria
NE/6	Biodiversity
NE/14	Lighting Proposals
CH/4	Development Within the Curtilage or Setting of a Listed Building

### **South Cambridgeshire draft Local Plan 2013**

SS/3	Cambridge East
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## **APPENDIX C: SUPPLEMENTARY PLANNING DOCUMENTS AND MATERIAL CONSIDERATIONS**

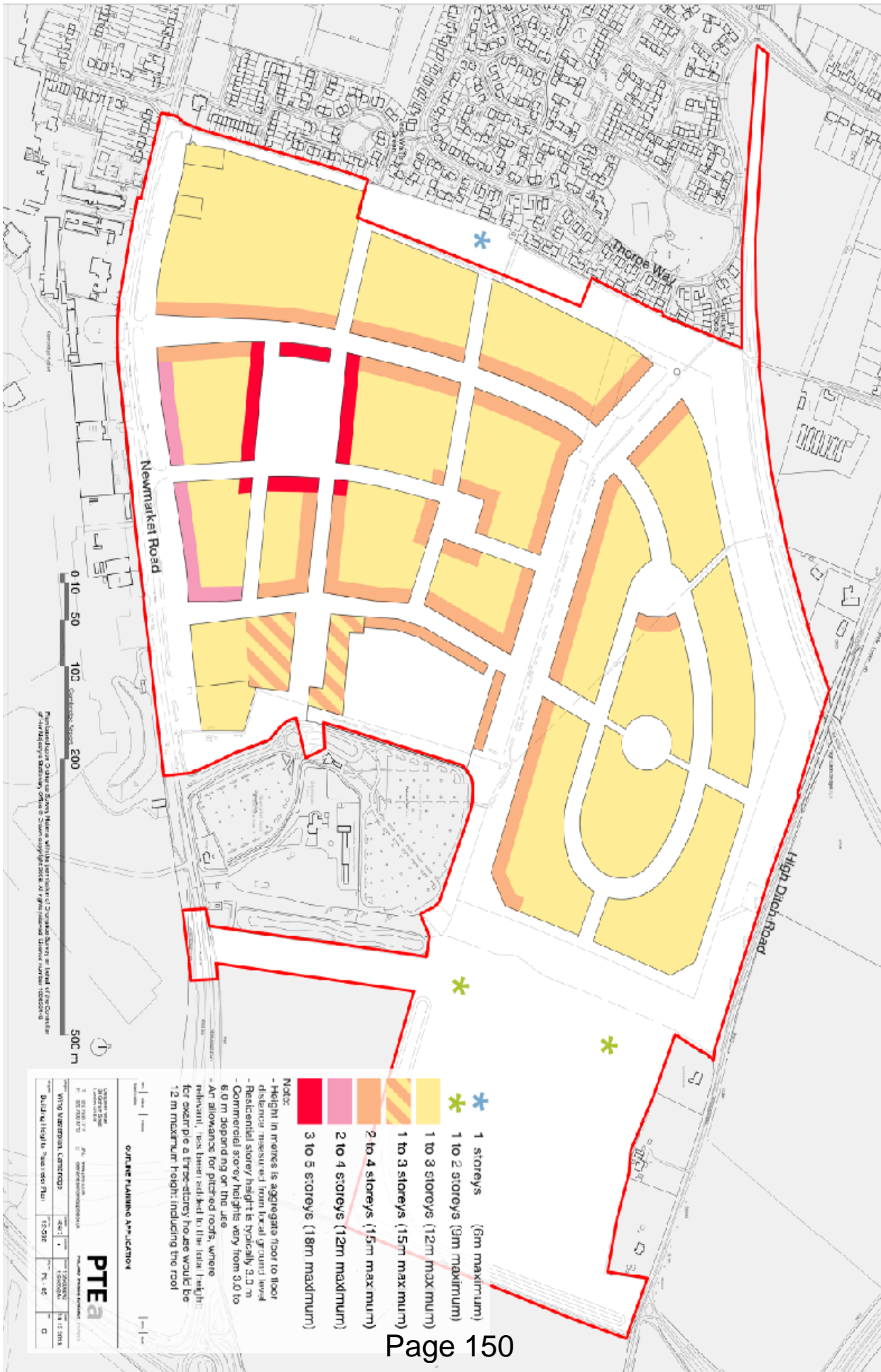
### **Supplementary Planning Documents**

Cambridge City Council (January 2008) - Affordable Housing  
Cambridge City Council (January 2010) – Public Art

### **Material Considerations**

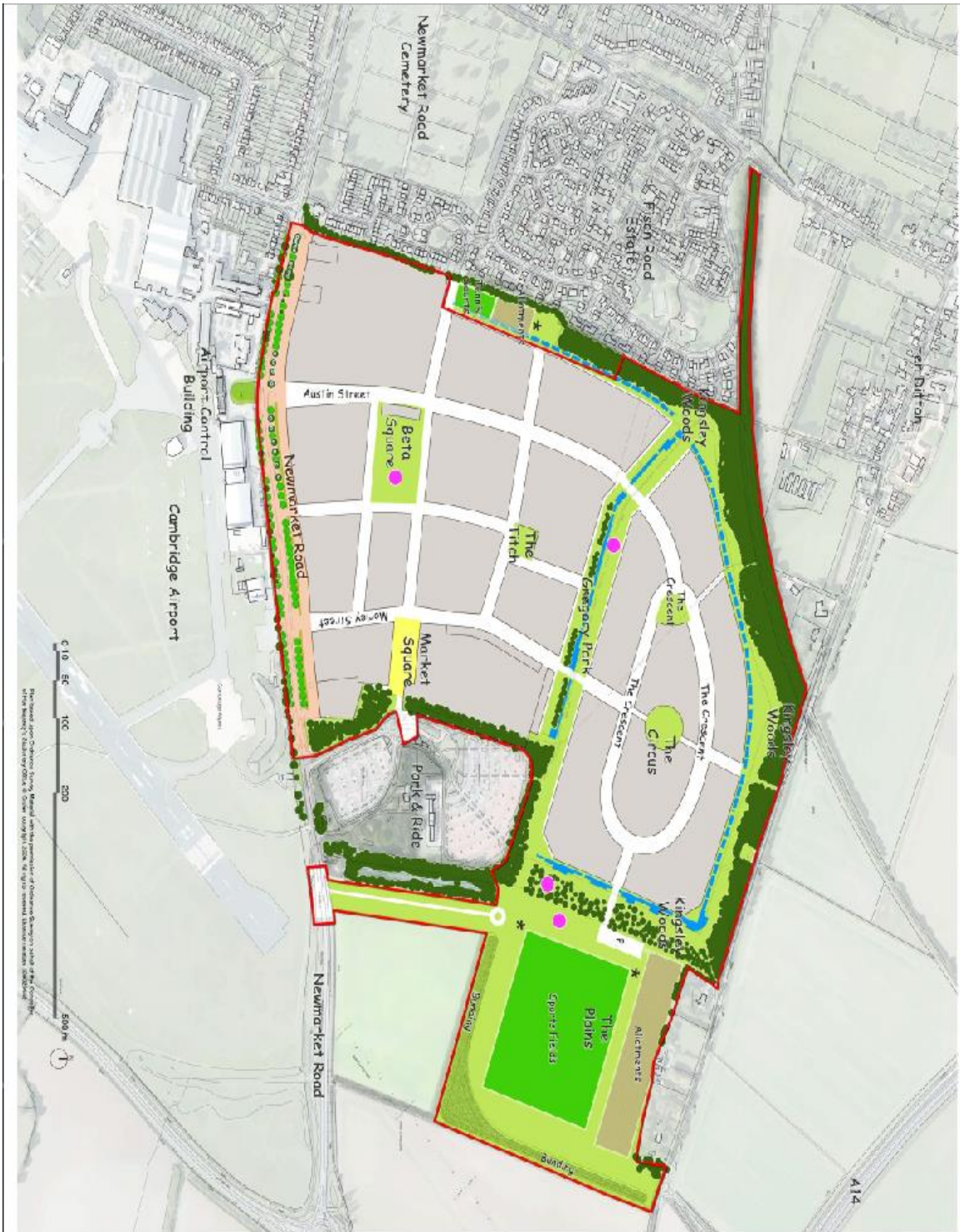


# APPENDIX E: BUILDING HEIGHTS PARAMETER PLAN





# APPENDIX G: LANDSCAPE & OPEN SPACE PARAMETER PLAN



**\* General location of sports pavilion and allotment clubhouse / store room**

**Legend:**

- Urban blocks
- Squares / hard open space
- Informal open space, landscape & habitats
- Formal recreation / sport pitches
- Equipped areas of play
- LEAPS & NEAPS
- Allotments
- Water features: ha-ha's & stream/canals
- Existing trees & tree groups to be retained
- TPO trees
- Newmarket Road improvement

**Total Open Space shown on this Plan:** 23.6 ha

**Outdoor Sports Facilities:** 3.8 ha

**Allotments:** 1.3 ha

**Play Areas (LEAPS, LAPE etc):** 1.0 ha

**Informal Open Spaces:** 5.7 ha

**Total Open Space Requirement:** 11.3 ha

**Outline Planning Application Total Site Area:** 64.8 ha

**CULTURAL PLANNING AFFILIATION:**

**PT&A**

**Scale:** 1:10,000

**North Arrow:** [Symbol]

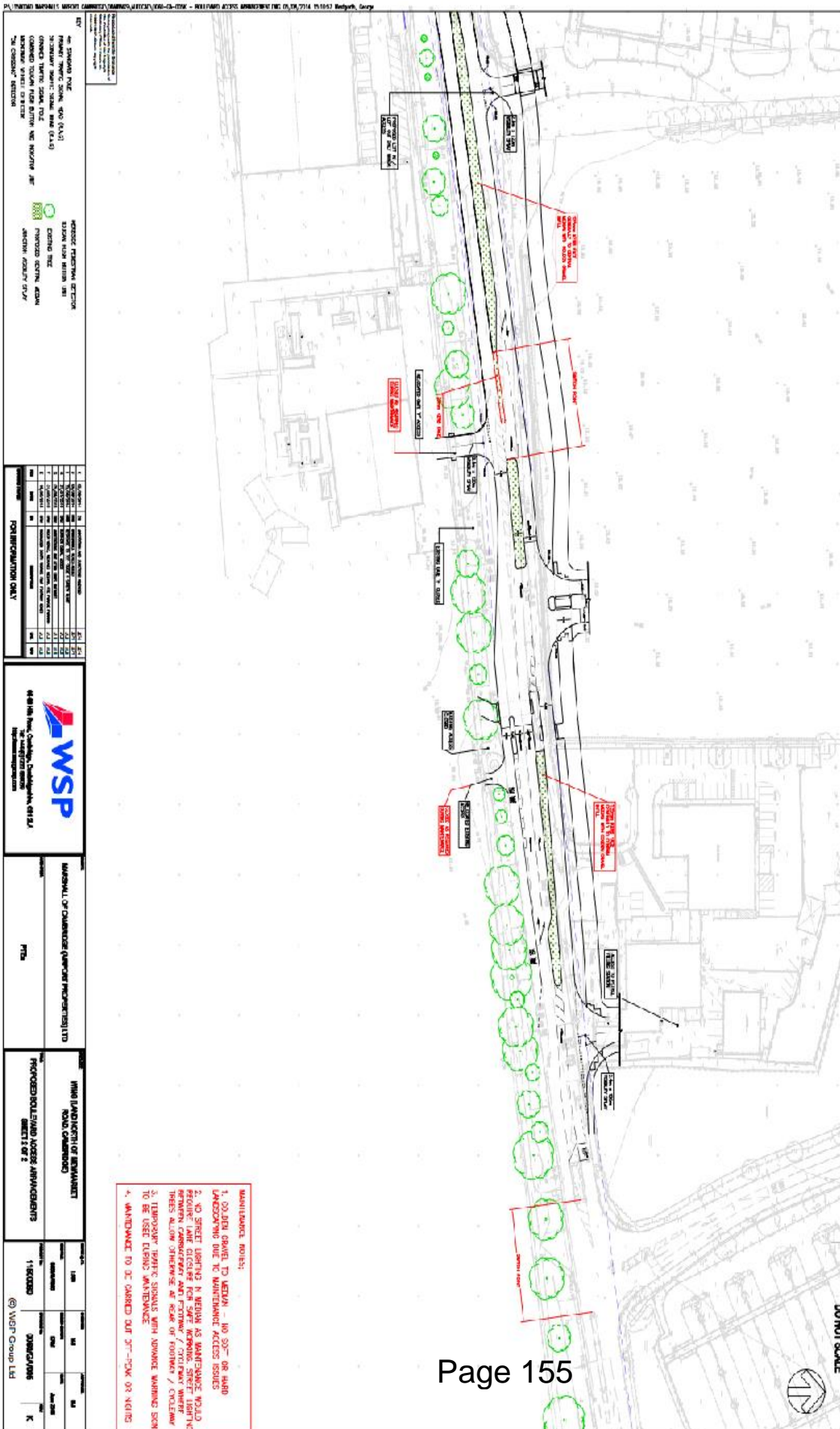


# APPENDIX H: ILLUSTRATIVE MASTERPLAN LAYOUT





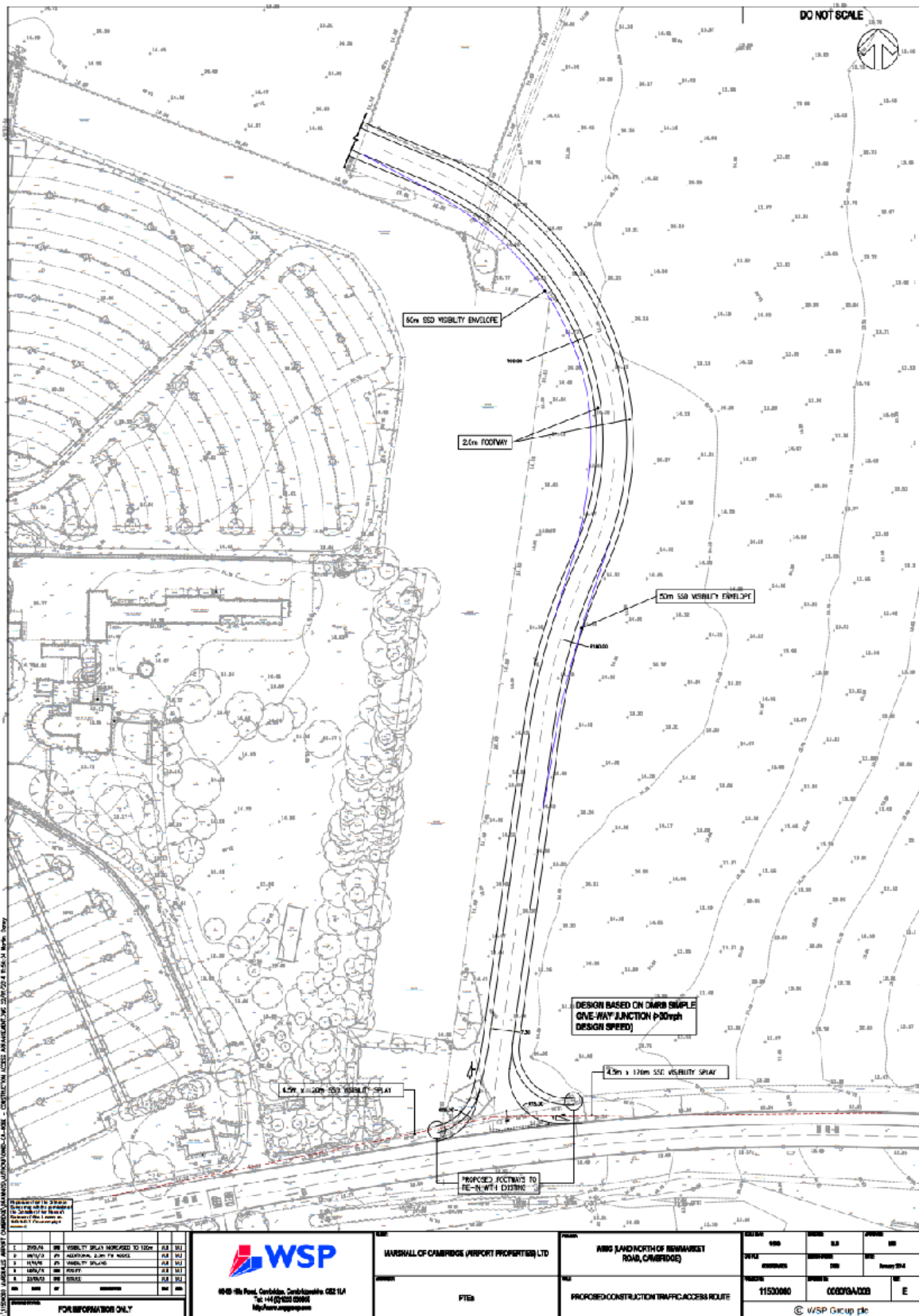
# APPENDIX J: PROPOSED BOULEVARD ACCESS ARRANGEMENTS 2 OF 2



**MAINTENANCE NOTES:**

1. DO NOT ALLOW TO EXCEED - 10' TO 15' OR HARD LANDSCAPING DUE TO MAINTENANCE ACCESS ISSUES.
2. NO STREET LIGHTS IN AREA AS MAINTENANCE HOLES BEFORE LATE DISCOVER FOR SAFE REMOVAL STREET LIGHTS BETWEEN CONCRETE PAVEMENT / SIDEWALK / CYCLEWAY WHERE TREES ALLOW OTHERWISE BE BEHIND OF FOOTWAY / CYCLEWAY.
3. TEMPORARY TRAFFIC SIGNALS WITH ADVANCE WARNING SIGNS TO BE USED DURING MAINTENANCE.
4. MAINTENANCE TO BE CARRIED OUT 5:30-7:30 PM ON WEDNESDAYS.

# APPENDIX K: PROPOSED CONSULTATION TRAFFIC ACCESS ROUTE







<b>Draft Section 106 Heads of Terms schedule – Wing</b>					
	<b>Planning Obligation</b>	<b>Details of obligation</b>	<b>Cost or percentage to Wing/Marshall</b>	<b>Comments</b>	<b>Trigger</b>
	<b>Affordable Housing</b>				
<b>1</b>	<b>AAP policy requirement</b>	30% of all residential accommodation on site will be affordable.		The tenure split is 70% intermediate housing and 30% affordable rented housing. A cascade mechanism will enable amendments to the affordable housing provisions to react to changes in affordable housing (including the introduction of starter homes) and demand from RPs. The cascade mechanism will be worded in such a way that should additional value be attributed to the affordable housing then the tenure split could change in favour of affordable rent without the overall percentage decreasing. However, without an increase in the value of the affordable housing then any increase in the percentage of affordable rent would result in an overall reduction in the level of affordable housing.	None
<b>2</b>	<b>Affordable housing clustering</b>	Obligation to restrict size of clustering of affordable housing and apartments.		Standard approach taken on Cambridge Fringe Site developments in line with City Council SPD.	
	<b>Education</b>				
<b>3</b>	<b>Secondary education</b>	Capital contribution to offsite facility.	£5.9 million total cost, based on £26,013 per place.	Current forecasts are for 1.5FE. Final scale of need and contribution will need to be determined based on housing mix.	40% at 500 dwellings 30% at 800 dwellings 30% at 1000

					dwellings
4	<b>Primary school capital</b>	2FE Primary school - accommodation will need to include provision of two class bases to meet pre-school requirements for 3-4year olds.	Land + contribution (£8,450,000) or provision of free school (CNW model)	<p>Based on the current forecast information, the cohort sizes combined with existing legislation requirements (Infant Class Size) mean that the school will need to operate as a 2FE school size to enable suitable organisation. Given this, the response to mitigate the impact of the development is for a 2FE school.</p> <p>Developer building the school – three options:</p> <ul style="list-style-type: none"> <li>• Developer to build the school and transfer to the County Council, an appropriate clause to be included in the agreement to indemnify the County Council against any claims or losses suffered.</li> <li>• If Marshall are identified as the sponsor of the school then, as with the University, they could be responsible for the delivery of the school as either a Free School or Academy.</li> <li>• Options for architects appointed and the involvement of Marshall in selecting the Design Team for the scheme can be arranged within the County Council's existing framework, an undertaking from Marshall would</li> </ul>	If contribution - 10% on commencement; 65% after 12 months; and 25% after 24 months (or based on an occupancy figure) Indexation based on BCIS



				be required to meet any additional fees arising.	
5	<b>Primary school revenue (RPI)</b>	Any initial support contributions will depend on the status of the school. Its catchment may extend further than Wing, requiring other public funding streams.	Start-up cost = £40,000 + revenue funding based on formula similar to NWC. (indicative figure of £250,000 – not required if delivered by Marshall)	<ul style="list-style-type: none"> <li>• Additional long term support funding will not be required if dedicated as a free school. – Subject to potential changes in DfE funding arrangements.</li> <li>• Payments upon opening of school then generally in 12-24 month periods</li> </ul>	Payment 1 term before the opening of the school
6	<b>Children’s Centre</b>	Space to be provided		Potentially to be provided as part of the primary school.	With phasing of primary school.
7	<b>Nursery</b>	Marketing strategy for Unit at a commercial rent within the development to be agreed and then implemented. The unit is most likely in the local centre.	£0	This is for additional full day-care provision over and above the provision of pre-school accommodation.	Marketing strategy to be agreed and implemented with provision of the Local Centre or 400 <sup>th</sup> dwelling occupation whichever the sooner.
	<b>Transport/ Infrastructure</b>				
8	<b>Bus services</b>	Contribution to enhanced bus services	£250,000 over 7 years	Improve sustainable links to growing employment areas at Addenbrookes/ Hills Road, along with access to other facilities in the area.	Annual payment from 1 <sup>st</sup> occupation

9	<b>Newmarket Road frontage works</b>	5m wide off-road cycle/footpaths, Toucan crossings across site frontage and site accesses	S278 – developer to implement or financial contribution Estimated cost £1.65million	Requirements identified through the detailed design work and TA modelling.	In accordance with phasing of the development.
10	<b>Improved walking and cycling links</b>	Financial contribution	1. £70,000 (Horse Paddocks Jubilee Widening improvements)  2. £475,000 (Stourbridge common bridge)	Improved widening of section immediately west of Ditton Lane  The TA identifies that residents of Wing will use the proposed cycle bridge to access the new Cambridge North station	Contribution 1 to be paid prior to the occupation of the first dwelling. Contribution 2 to be paid prior to occupation of 300 <sup>th</sup> dwelling
11	<b>Newmarket Road corridor improvements</b>	Airport Way to Elizabeth Way Newmarket Road corridor improvements including bus priority and cycle and walking.	£2,270,000	This represents a proportionate contribution by the development towards the broader schemes identified through the City Deal:  <ul style="list-style-type: none"> <li>- Newmarket Road bus priority Elizabeth Way to Abbey Stadium</li> <li>- Newmarket Road bus priority, Abbey Stadium to Airport Way</li> <li>- Newmarket Road - Airport Way Park &amp; Ride</li> </ul>	Prior to occupation of 1000 <sup>th</sup> dwelling
12	<b>Travel plan and travel plan monitoring</b>	Implementation of travel plan. Financial contribution towards TFW Partnership.	£2,500 a year for 15 years		Implementation of travel plan from first occupation. £2,500 per year for 15yrs from 1 <sup>st</sup> occupation
13	<b>Fibre optic to the</b>	Onsite works.	Development cost		As the

	home				development is built out
	<b>Open Space/Recreation</b>				
14	<b>Sports pitches and pavilion</b>	To be provided in accordance with agreed specification.	Development cost		In accordance with the agreed phasing
15	<b>Maintenance of public open space, play areas, sports pitches, water attenuation features and allotments</b>	Land Trust or other form of management body proposed - financial contribution for management of open space over 10yr / 12yr period will be needed (exact period to be confirmed in s106).	Development cost	Fen Ditton to sit on trust (if used) and the parish precept would pay into it.	Upon transfer of the open space
	<b>Community/Social Facilities</b>				
16	<b>Health Care Facility</b>	Contribution towards securing off-site infrastructure	£200,000		Occupation of 200 <sup>th</sup> dwelling
17	<b>Community space</b>	Premises include: <ul style="list-style-type: none"> <li>• Community hall</li> <li>• Parish office</li> <li>• space for faith and public worship</li> <li>• Police touchdown space</li> </ul>	Development cost	Possibly located in the Primary School or as a separate unit in the Local Centre. Or a combination of the two. Lease to be given to primary school to secure public use.	With provision of the Local Centre or 300 <sup>th</sup> dwelling occupation whichever the sooner.
18	<b>Community development workers (community development, sports, youth)</b>	Phased financial contribution – in accordance with Policy CE/9 of the AAP.	£165,000	Indicative cost of £26,954pa (approx. £30k pa with on costs) for 3 years for a full time worker = £90k.  Indicative cost of £19,096pa (approx. £25k pa with on costs) for 3 years for 2 x part time @ 18 hours pw = £75k	Three payments to be made of £55,000 each. The first on start of the first dwelling. The second on first dwelling

				Flexibility would be needed for the timing of the workers. A payment of £55k requested at each trigger - we would look to appoint the cdw on the start of the first dwelling and could probably manage part time to start, with a view to full time on first occupation.	occupation date or 12 months after first payment whichever is the later. The third on 100th dwelling occupation date or 24 months after first payment whichever is the later.
19	<b>Community Chest</b>	Financial contribution.	£2,500	This figure was secured for Trumpington Meadows, which is comparable in terms of size, for community events and activities.	Occupation of 100 <sup>th</sup> dwelling
	<b>Waste</b>				
20	<b>Household waste receptacles</b>	Financial contributions generated using £75 per house and £150 per flat as stated in the Planning Obligations Strategy SPD.	£114,375	Calculated using the indicative housing mix: 915 x £75= £68,625 305 x £150= £45,750 Potential for alternatives may need including.	Normally paid by house builders at occupation stage of relevant development parcel
21	<b>Bring sites</b>	Land and financial contribution required for one bring bank per 800 dwellings.	£10,000 for the bank and £200 a year for ten years maintenance. Total figure of £12,000	Design and location of the bring site should be in accordance with the RECAP Waste Management Design Guide (Section 9.9). The developer will not be required to provide or service the banks. Each underground community recycling facility, excluding access roadways, will require a ground area in the region of 40/50 square metres.	As part of the delivery of the local centre or prior to the occupation of the 500 <sup>th</sup> dwelling, whichever is the later.
22	<b>Litter bins</b>	Financial contribution. We need to allow £600 per bin.	£9,000	The figure includes purchase, installation and associated admin and	1 year after commencement

		<p>Likely requirements would be: Beta Square 4x, Morley street 4 x, Gregory park 4 x.</p> <p>Kingsley Wood 4 dog bins at £450 each.</p>		<p>storages costs. The Council policy is for us to standardise on the bins used around the district. The number of bins across the site may need to be reviewed.</p> <p>Responsibility for maintenance and cleaning of bridleway and emptying of dog bins needs to be established.</p>	
23	<b>Award drain maintenance</b>	Financial contribution	£7,800	<p>The awarded drain is on the eastern boundary of the sports pitches and runs north south between High Ditch Road and Newmarket Road.</p> <p>With Wing it will be necessary to undertake works at least annually along the ditch. De-silting/Bed Weeding works will be required on a more frequent basis and it will be necessary to clear the downstream piped sections more regularly than when the land was in agricultural land. Current costs are estimated at £105 per year and the enhanced maintenance costs following the development will be £475 – an increase of £370 per year. Using an assumed rate of inflation of 2.5% with an investment rate of 5% and a 30 year period of maintenance, this represents a commuted sum of £7800.</p>	<p>Prior to earthworks starting near the award drain or first occupation whichever the sooner.</p>
	<b>Monitoring and Miscellaneous</b>				
24	<b>Air Quality Management Area – Monitoring</b>	Financial requirement	£25,000	A figure of £2,500 a year for acquiring a minimum of 96 diffusion tubes for each year and the cost for analysis by the	First payment due prior to commencement

				Environmental Service Group and for the officer's time at a maximum of 3hrs per month for changing the tubes, collating and interpreting the result with the other administrative work for the next ten years.	of the development then each year for a further 9yrs.
25	<b>S106 monitoring</b>	Funding towards officer(s)	£75,000 (£15,000 per annum for 5 years)		First payment on Commencement of development and then 4 further annual instalments
26	<b>Date of indexation</b>	Date of agreement or resolution.	N/A	Needs to allow for the review of costs depending on date of signing.	N/A
27	<b>Dwelling standards – lifetime homes and dwelling space standards</b>	On-site requirement - Unless otherwise agreed in writing with the Council any reserved matters for a development parcel which includes housing shall demonstrate how the new homes within that Development Parcel shall meet the construction standards of Lifetime Homes Standards and dwelling space standards within the London Housing Design Guide Space Standards 2010 (in line with the table at 4.1.1 of the 2010 Standards).	Development Cost		As the development is built out
28	<b>Local Labour Provision</b>	On-site requirement - To submit a local labour scheme for a development parcel to the Council for approval prior	Development Cost	The target of the scheme shall be for 25% of construction workers to be from the local area unless otherwise agreed with the Council.	Ongoing requirement during construction

		to the commencement of construction of that development parcel and then to use reasonable endeavours to promote the objectives of the scheme during the construction of that development parcel subject to employment law and other restrictions.			stage of the development
29	<b>Delivery Review Commitment</b>	A review of viability is to be undertaken if the delivery commitment is not met. The details of the commitment are set out on page 4 of the Marshall without prejudice letter of 26 November.	Development Cost	The specific wording of the obligation will be discussed with the applicant as part of the detailed drafting of the s.106 agreement	As the development is built out
30	<b>Engine Run-Up Bay specification</b>	Use of S106 to secure adherence to agreed specification for Engine Run-Up Bay to ensure delivery in accordance with agreed specification and the cessation of the use of the existing earth bund for engine testing		The specific wording of the obligation will be discussed with the applicant as part of the detailed drafting of the s.106 agreement	
31	<b>Occupation restrictions in relation to a quantum of properties in relation to milestones for demolition and remediation of</b>	Use of the S106 to ensure the continued delivery of the site beyond the green field sections.		The specific wording of the obligation will be discussed with the applicant as part of the detailed drafting of the s.106 agreement	To be agreed.

	<b>North Works site</b>				
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## **CAMBRIDGESHIRE QUALITY PANEL**

### REPORT OF PANEL MEETING

**Scheme:** Wing Masterplan

**Date:** 15<sup>th</sup> May 2013

**Venue:** Shire Hall Room 126, Cambridgeshire County Council offices, Cambridge

**Time:** 9:30-12:30

#### **Quality Panel Members**

Robin Nicholson (Chair)  
David Birkbeck  
Steve Platt  
Oliver Smith  
Canda Smith  
George Hazel

#### **Panel secretariat and support**

Antony Proietti (Cambridgeshire County Council)  
Judit Carballo (Cambridgeshire County Council)

#### **Local Authority Attendees**

Melissa Reynolds (South Cambridgeshire District Council)  
Edward Durrant (South Cambridgeshire District Council)  
Afrieen Patel (South Cambridgeshire District Council)  
Glen Richardson (Cambridge City Council)

#### **Applicant and Representatives**

Steve Sillery (Marshall)  
Emma Fletcher (Marshall)  
Andrew Baharrell (Pollard Thomas Edwards Architects - master planner)  
Robert Myers (Robert Myers Associates - landscape architects)  
Matthew Sanderson (Sanderson Sculptures - lead artist, public art strategy)



## 1. Scheme description and presentation

Architect/Designer	Pollard Thomas Edwards Architects
Developer	Marshall Group
Planning status	Pre-application, Masterplanning stage

## 2. Overview

The Marshall Group has commissioned a masterplan and development framework to be developed for a new eastern expansion to Cambridge. It is proposed that this new urban village, to be called 'Wing', will be a sustainable, mixed-use community, with strong ties to the immediate locality, to the City of Cambridge and to Marshall's adjoining businesses.

The site for Wing covers 63.6 hectares of land on the northern side of Newmarket Road directly opposite Cambridge Airport, to the South East of Fen Ditton Conservation Area and next to the Newmarket Road Park and Ride site. The Marshall Group owns the entire site, as well as the airport and other adjoining land.

In summary, it is proposed that the development will contain the following elements:

- Around 1300 new homes, 40% of which are to be affordable;
- New facilities for Marshall's motor car sales and related businesses employing some 500 people;
- A local shopping centre, including a food-store, farmer's market, support retail and replacement petrol filling station;
- A primary school and nursery;
- Other local community and education facilities, including a community centre, science centre, estate office, and potentially a health centre;
- High quality public realm, including a range of avenues, streets, lanes, courtyards and squares;
- Extensive landscape, amenity space, play space and sports fields;
- Integration with the existing Park and Ride facility.

The Prince's Foundation and Pollard Thomas Edward architects facilitated a series of Community Planning Workshops early in January 2013. This process allowed key stakeholders to contribute towards the developing proposals. In addition, Marshalls intend to undertake an exhibition prior to the submission of the outline planning application. The current timetable for which is submission of the application to SCDC in September 2013.

In terms of policy, an Area Action Plan (AAP) exists for this site, as part of the wider 'Cambridge East' area, which needs to be taken into consideration. SCDC are also currently working on a revised Local Plan.

Wing has a number of constraints, which include:

- Airport safeguarding area;
- Listed building to the South of Newmarket Road;
- Retention and relocation of some businesses and buildings.



### **3. Cambridgeshire Quality Panel views**

#### Introduction

The Panel welcomed seeing the proposal for this development at such an early stage. Quality Panel involvement early on provides an excellent opportunity to ensure that the Quality Charter principles are embedded into the core characteristics of the scheme and can then be taken through to the more detailed planning stages.

The Panel's advice reflects the issues associated with each of the four 'C's' in the Cambridgeshire Quality Charter.

#### Community

The Panel welcomed the plan for long-term stewardship and neighbourhood management for the site including the idea of having a permanent estate office on site that is in charge of the site maintenance. Retaining long term ownership in a site allows for its development and to establish a sense of community and neighbourhood. However, the Panel questioned the cost and service charge implications for new residents, which need to be not overly onerous.

New developments need to integrate with existing communities. This is despite the current views that are often held by existing residents whose attitudes are likely to change over time. The Panel noted that community facilities will play a key role in the relationship between the new and existing communities. For Wing the primary school and local centre will be particularly important. The Panel considered that the primary school was in the right location within the site (although they required further details on the orientation of buildings which is key consideration). Overall the Panel thought that the relationship of Wing to the existing communities looked good.

The Panel welcomed the intention for the primary school and shops in the local centre, to come forward early in the development. In particular the use of subsidised rents to encourage firms to move into the local centre early was praised by the Panel. This commercial element will help establish sustainable travel patterns early as well as adding a vibrancy to the development which otherwise may seem little more than a dormitory estate.

The Panel welcomed the idea of having a Health Centre on site and recommended further investigations about the site needs. The Health centre will be an important meeting place, particularly in the early years of the development.

The Panel noted that there are currently ongoing discussions regarding the location of the secondary school for which children from this development would attend. Although this is a key issue that still needs resolving it was outside the remit of the Panel for this meeting.

The Panel particularly welcomed the appointment of a public artist from early stages, who have already set up an independent art Steering Group. This is positive approach which should help to engage with existing communities, and therefore a good mechanism for achieving community cohesion. Naming is important factor, which can help establish a sense of place, and could be a consideration of this work.

The Panel questioned whether more green space could be located nearer the local centre shops. Experience elsewhere has shown that when people purchase lunch from shops they will often not walk far distances to then eat. There needs to therefore be a good relationship and proximity between the shops and public open areas.



Other comments that the Panel had on the community aspects of the scheme are as follows:

- Delighted with the intention to use London space standards;
- Concern about the noise that the airport generates, has this been fully considered?
- Query as to how allotments and sports pitches will fully integrate with the rest of the development.

### Connectivity

The Panel welcomed Wing's location and connectivity in relationship to the centre of Cambridge. The city centre is easily accessed by public transport and the routes are already in place with a local bus stop and links to the Newmarket Road and Park and Ride bus facilities. The Panel highlighted the Jubilee Cycle Lane that connects through from Cherry Hinton with the river and the easy cycling access to Cambridge centre. In addition, over the time there may be the opportunity for the site to connect with the future Chesterton Railway Station

The Panel agreed that the overall approach to transport as currently proposed is broadly correct. However, further work should be undertaken in order to identify how residents can be incentivised to use sustainable modes of transport and reduce car use. Examples includes; use of technology, and the use of car share schemes/car clubs/car lending schemes. The Panel suggested that a system of monitor and manage was used in order to identify whether mode share targets were being reached and if not implementing measures to address the problem.

The Panel made the other following comments:

- Maximise shared surface area, thereby minimising the amount of road space which is highway;
- Parking need to use maximum standards rather than minimum, which will allow greater flexibility later on;
- Noted that the main entrance will encourage high speeds, therefore need to be designed to reduce speeds;
- Access to the Park and Ride site. The Park and Ride have a lease with the County Council for another 19 years. But it would be important to consider walking access from the development;
- There is a 2002 study on the impact of traffic in Newmarket Road. The Panel queried if there is a current transport model/traffic survey and how the traffic will be managed.

### Character

The Panel welcomed the character proposed for the scheme, particularly the urban square and the woodland walk, and the layout of the roads with their distinctive, committed spaces. They also welcomed the intelligent, architectural precedents which had been considered.

However, a number of issues were raised. This included the retention of the car businesses and how this area relates to the new development. The Panel considered that the edge to the car businesses is a critical area that needs further work.



The Panel also considered that there was a need to ensure that streets were being created, rather than roads. As cars enter they should feel that they are the guest (Exhibition Road in London was given as a good example of where this has been achieved).

Of particular consideration was the main entrance. Panel members appreciated both its former layout (as shown at the Inquiry by Design event) and also its current layout. However, it was noted that the layout in its current form will encourage high speeds. Particular attention needs to be given to designing out/reducing speeds without the use of chicanes.

The Panel acknowledged the importance of naming streets and areas in a new development and considered that this gives as much character as buildings. The Panel welcomed Marshall's idea about running a series of surveys to get the names of other character areas such as streets, square, etc (noting that this had already been used to good effect when naming the site itself).

After the meeting the Panel discussed the issue of the perimeter blocks. They considered that shared spaces in private courts could be problematic and generate tensions with residents. It was suggested that further work is required on the organisation of the blocks and parking, with further details on the perimeter blocks being provided at a subsequent Panel meeting.

For illustrative purposes the Panel would welcome a 3D massing diagram to be produced to help understand the character of the 'island' area of the site, and would like to see this at a future Panel meeting.

## Climate

The Panel welcomed the intention to start with a fabric first approach in order to achieve sustainability standards and work towards Zero Carbon as regulatory standards increase. They acknowledged the difficulty of achieving Zero Carbon, particular given the specific site constraints, and appreciated that a number of different technologies had already been investigated. However, this is the reality and as an exemplar scheme further work needs to be undertaken to achieve this target.

The Panel made the other suggestions:

- Orientation needs to be considered, suggest work on this is provided at a future Panel meeting;
- That BREEAM Communities assessment not be used but instead funds were used on practical solutions;
- Berkeley Homes in Greenwich was used as an example of where a water permeable paving had been successfully incorporated;
- Further consideration of district heat/sustainability schemes using opportunities from the industry to south.

## **4. Conclusion**

The Panel highly commended the current strategy and proposals for the Wing development. In particular praising; the iterative process and community engagement work that has been undertaken so far to reach this stage of design, the approach to the long-term management of the scheme, proposed relationship with the existing communities,

setting up of art steering group, and early delivery of key social and community infrastructure.



The Panel made the following specific recommendations (further details of which can be found above):

- Further work needs to be undertaken in order to identify how residents can be incentivised in order to achieve predicted mode shares (e.g. use of technology, and the use of car share schemes/car clubs/car lending schemes);
- A system of 'monitor and manage' is used in order to identify whether mode share targets are being reached and if not implement measures to address the problem;
- Parking need to use maximum standards rather than minimum, which will allow greater flexibility later on;
- Main entrance will encourage high speeds, therefore needs further work in order to reduce car speeds;
- How the edge to the car businesses relates to the development needs further work;
- Streets to be created rather than roads where cars should feel like they are guests;
- Issue of the perimeter blocks – shared spaces in private courts could be problematic and generate tensions with residents. Further work is required on the organisation of the blocks and parking, with further details on the perimeter blocks being provided at a future Panel meeting;
- Panel would welcome a 3D massing diagram to be produced to help understand the character of the 'island' area of the site;
- Further work on how Zero Carbon can be achieved;
- Question whether more green space could be located nearer the local centre shops.

The Panel welcomes the intention of the applicant to return to the Panel at a later stage (proposed for September 2013, before application is submitted). Ongoing Panel input is important and will help to refine and develop the general principles which are being set out in this review.



## **CAMBRIDGESHIRE QUALITY PANEL**

### REPORT OF PANEL MEETING

**Scheme:** Wing Development

**Date:** 28<sup>th</sup> August 2013

**Venue:** Room 3B1/3B2, Castle Court, Cambridgeshire County Council

**Time:** 09:30 – 12:30

#### **Quality Panel Members**

John Worthington (Chair)  
Simon Carne  
David Prichard  
Canda Smith  
David Birkbeck

#### **Panel secretariat and support**

Antony Proietti (Cambridgeshire County Council)  
Judit Carballo (Cambridgeshire County Council)

#### **Local Authority Attendees**

Edward Durrant (South Cambridgeshire District Council)  
Afrieen Patel (South Cambridgeshire District Council)  
Sharon Brown (Cambridge City Council)  
Sarah Chubb (Cambridge City Council)

#### **Applicant and Representatives**

Steve Sillery (Marshall)  
Andrew Beharrell (PTE Architects)  
John Hicks (WSP - Highways)  
Michael Cross (Motts)  
Emma Fletcher (Marshall)  
Robin Saha (Choudhury -PTE Architects)  
Julia Jardine (Terrance O'Rourke planning)  
Robert Myers (Robert Myers Associates – Landscape architects)



## 1. Scheme description and presentation

Architect/Designer Pollard Thomas Edwards Architects  
Applicant Marshall Group  
Planning status Pre application stage

## 2. Overview

The site for Wing covers 63.6 hectares of land on the northern side of Newmarket Road directly opposite Cambridge Airport, to the South East of Fen Ditton Conservation Area and next to Newmarket Road Park and Ride site.

In terms of policy, South Cambridgeshire District Council (SCDC) and Cambridge City Council jointly adopted an Area Action Plan (AAP) in February 2008, as part of the wider 'Cambridge East' area. SCDC are also currently working on a revised Local Plan.

The Panel previously reviewed the Wing Masterplan in May 2013 and made a number of recommendations. These included the following:

- Further work needs to be undertaken in order to identify how residents can be incentivised to achieve predicted mode shares (e.g. use of technology, and the use of car share schemes/car clubs/car lending schemes);
- A system of 'monitor and manage' is used to identify whether mode share targets are being reached and if not implement measures to address the problem;
- Parking needs to use maximum standards rather than minimum, which will allow greater flexibility later on;
- Main entrance will encourage high traffic speeds, therefore needs further work to reduce vehicle speeds;
- How the edge to the car businesses relates to the development needs further work;
- Streets to be created rather than roads where cars should feel like they are 'guests';
- Issue of the perimeter blocks – shared spaces in private courts could be problematic and generate tensions with residents. Further work is required on the organisation of the blocks and parking, with further details on the perimeter blocks being provided at a future Panel meeting;
- Panel would welcome a 3D massing diagram to be produced to help understand the character of the 'island' area of the site;
- Further work on how Zero Carbon can be achieved;
- Question whether more green space could be located nearer the local centre shops.

In addition, Marshalls had organised a second public engagement event on the emerging Masterplan in July 2013, where input was sought from local residents, community representatives, Marshall employees and Council Members. Responses and feedback from these events have helped inform the revisions to the Masterplan, reviewed by the Panel at this meeting.

Marshalls is aiming to submit an outline planning application in October 2013, with a planning decision proposed for spring/summer 2014.





### 3. Cambridgeshire Quality Panel views

#### Introduction

The Panel were pleased to note that Marshalls had analysed and responded to the issues and recommendations received from the Quality Panel at the previous Panel meeting. The continuing dialogue with the applicant, as part of an iterative design process, was welcomed, as was reviewing the proposals at an early stage.

The Panel also commended the presentation materials, the consultation process, which had been undertaken, and the clear instructions that had been received of which issues the Panel could assist with.

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 close session discussions.

#### Community

The Panel were supportive of the vision for the scheme and Marshalls' commitment to building a Community. The Panel queried how the site planning encourages activity around community resources (open spaces, school, etc) and, although the scheme was particularly community-minded, it currently did not offer a focal point for the community. What is going to glue the scheme together?

Marshalls want to help the new residents come together as a community as early as possible, so the scheme needs a delivery vehicle to make this work. This should not be paternalistic but should encourage activities such as the allotment association, to build a community spirit typically supported by Cambridge residents. Encouraging travel through cycle use and even offering bike lessons is admirable. Could this be extended to a club based around cycling that gets people out at weekends and evenings as part of their exercise regime? These clubs work excellently using social media, can be incorporated into the marketing strategy and will work well with younger residents in the development.

The Panel considered that more details should be provided of Marshalls' approach to the development, which, although clear to the organisation, may not be explicit to others. Marshalls has a commendable history of community development, which should be referenced in their submissions and publicity, and included in their agenda and aims for developing a community. Furthermore the master planners should test how Marshalls' aspirations match the physical framework (e.g. how does the primary school relate to the playing fields).

The Panel noted the importance of naming in providing an identity and sense of place. It was acknowledged that the names suggested, as part of the scheme will not be finalised until after a formal consultation. Should the names be referenced to the Marshalls story or other more familiar themes?

The Panel noted that the Office for National Statistics predicts a shift towards smaller households. Future residents are likely to live in different ways from what is currently familiar. It is important that the proposals make living in "suburbia" an attractive offer, addressing social needs (care, social spaces, play and amenities).and opportunities for working from home.

The Panel welcomed the closer relationship with Fen Ditton Parish Council, which had developed since the last meeting. This is crucial to the development of integrated and inclusive communities. The Panel questioned whether a social gap analysis had been undertaken for the Fison Road estate, to consider gaps in infrastructure and help develop



integration between the new and existing communities. If so, this should be reflected and explained.

The Panel recommended that a sense of community be built as early as possible. There needs to be consideration of transitional “meanwhile” elements, which could become transformational. It is important to get the surrounding communities involved and to build a sense of engagement.

Whilst acknowledging the constraints of the flight path to the airport, the Panel considered that the sports pitches suffered from the lack of surveillance, which could affect their value as a community resource. The Panel questioned whether more could be done to integrate the playing fields into the development. For example, whether there could be a stronger built edge, with residential overlooking the playing fields through the removal of all or part of the tree belt. It was accepted that this would need to be in conformity with the existing AAP policy.

The Panel thought that more could be done to avoid the separation of the allotments from the rest of the development. Their contribution to the residents and green spaces could be enhanced by bringing them into the development, and by distributing them more widely. In response to the “scruffy” allotments issue, the Panel considered that, given the far sighted approach from Marshalls, there was an opportunity to use planting and landscape design to create enclosures, a walled garden and possibly bespoke greenhouses.

The Panel commended the proposed proportion of dwellings with Lifetime Home Standards, and application of London Space Standards, to be applied to this development.

The Panel were concerned at the remoteness of Market Square in its current location. In addition, the Panel suggested that there is a strong logic for a commercial/retail frontage on Newmarket Road in order to capture passing trade. This could also be an important part of defining the character of the development, particularly if the shops were of an independent nature. The opportunity for cafes should also be considered, which could be utilised by Marshalls workers and generate a level of activity. The Panel welcomed the proposal for subsidised rates for the business premises to bring in trade from an early stage.

The panel were impressed with the attention to community issues and long-term commitment to stewardship of the site, which is reflected in the proportion of the discussion time given to community issues.

### Connectivity

The Panel welcomed the maximum provision of spaces for people owning cars but encouraging them to use more sustainable modes of transport wherever possible.

The Panel welcomed the promotion of alternative modes of transport through a travel plan as part of the planning process, including car clubs, free bus passes and information travel packs when first moving into the site. Free cycling training, personalised travel planning and an annual survey to monitor progress will all be provided.

The Panel were concerned about the lack of connection between the various green spaces in the scheme. The Panel questioned whether there could be a more direct route linking the green areas in the development and whether these spaces could be designed for different activities. The Panel also queried whether pedestrian/cycle activity could be further encouraged along this sequence.

The Panel welcomed the proposed underground parking and suggested that the best option is part cut (for example, Den Bosch Holland, which also has a shallow lake on top).



There were however, concerns that if the proposed underground car parking is not viable then this could provide problems with the integrated parking solutions currently proposed for the wider site.

The Panel also had the following more detailed comments:

- The pedestrian desire line between the Austin Street entrance and Market Square could be strengthened.
- The Panel noted the benefits of the frequent bus services from Newmarket Road.
- The Panel questioned the curved nature of some of the roads in the scheme. Straight roads can be beneficial in creating legibility, vistas and identity.
- Options for parking shown on pages 25 and 26 of the briefing information were preferred. Parking in courts Page 27 was not favoured. Parking should be on street or within the blocks.

### Character

The Panel commended the Master planners and Master developer for taking the issues raised from the previous Panel meeting and testing options for a number of scenarios.

The Panel were asked to consider three options for Beta Square (option 1 – located on the western side, option 2 – on the eastern side, option 3 – enclosed, central). The key consideration is the relationship between Beta Square and the car businesses, and what kind of place could be created in this area. It was noted that although Beta Square could be sited in any of the three proposed locations, option 1 presents the highest risk given the uncertainty over the design of the car business. Although this will not be resolved until after the outline application is submitted, the Panel questioned whether an assessment of Option 1 could be undertaken.

Option 2 was not generally favoured in its relationship to Market Square, though this could be modified should there be any change in the retail location.

Option 3 provides a sense of enclosure and positive place making. The Panel questioned whether Beta Square could be rotated 90 degrees and become a N-S orientated space in order to reduce north-facing homes and gain solar access.

The Panel thought that the architect competition, for a row of typical Cambridge houses, was an interesting idea but it is probably unrealistic to expect a developer to sign up to building the winning design. They suggested that the competition could instead look at providing a template for blocks of say 10 houses that Marshalls could offer to project manage for self-build or co-ownership. This is in the style of the co-housing projects of North America and Northern Europe where corporate vehicles manage the development and construction risk for groups of people seeking to procure their homes as a group of up to 10 households. This would also help to build community, as these would be groups of people known to each other.

The Panel stressed the importance of the Master Developer's responsibility, advised by the Master Planner, in defining sub-division of the site into development lots. There needs to be flexibility in the parameters to respond to changing housing and other uses such as need, tenure, delivery, mix.



Selection and control of developer partners will be critical. There are lessons from Newhall in terms of the continuing role of the master planner, long-term stewardship of the landowner, and the selection of architects. Partnerships with developers employing good design teams are essential for a successful quick start.

The Panel questioned whether Marshalls could use their in-house development manager and architects to manage the housebuilders to deliver their own detailed designs for some phases, ideally the early ones. There is a real risk that early phases will set the tone and the first parcels, potentially developed by house builders, might detract from the desired quality.

The Panel considered that a flexible Newmarket Road frontage for commercial/retail and residential uses would provide a commercially viable mixed-use option and provide an active frontage. The Panel questioned whether the quality of spaces envisaged in Market Square could be incorporated into the Newmarket Road Boulevard.

The Panel also raised the following points:

- The design for Area S3 was reminiscent of Cambridge and therefore would appeal to potential residents.
- Development plots should straddle the street.
- The detailed design of junctions along Newmarket Road will be important places whose character will signal points of entry.
- The character of Austin Street was compromised by the uncertainty over the design of the motor showrooms.
- Streets are places, not roads dominated by cars.

### Climate

The Panel were supportive of the proposed fabric first principle. How this is delivered will be critical.

The Panel considered Marshalls off-site airfield PV proposal as a good option.

## **4. Conclusion**

The Panel commended the current strategy and proposals for the Wing development. In particular they praised the changes that had been made and analysis undertaken which took into account issues raised by the Panel in the May review.

The Panel made the following specific recommendations (further details of which can be found above):

- Develop a strategic delivery vehicle.
- Communicate Marshalls' approach, agenda and aims for fostering a sense of community.
- Test Marshalls' aspirations against the emerging physical framework.
- Undertake a social gap analysis for the Fison Road estate
- Thought should be given to the sports pitches being recognised as a destination better integrated into the development.
- Seek to integrate the allotments into the development.



- Consider moving the retail uses to capture passing trade on Newmarket Road.
- Develop links or greenways to enhance the various and different quality green spaces,
- Reconsider Beta Square in relation to the design and functioning of car dealerships, the local neighbourhood centre and open space provision
- Be rigorous in the development of streets as places, not roads dominated by cars.

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**CAMBRIDGE EAST**  
**RELOCATION, AFFORDABLE HOUSING AND VIABILITY ISSUES**

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**A D V I C E**

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1. My advice has been sought on a range of matters arising from the proposed development of Cambridge East. This written advice confirms the advice that I have given orally in consultation on the following:
  - (a) The interpretation and application of part 2 of policy CE/33 of the Cambridge East Area Action Plan (“the AAP”) in respect of relocation costs;
  - (b) The costs in principle allowable in relation to the relocation of uses on the North Works site;
  - (c) The robustness of the draft Viability Report prepared by E C Harris in demonstrating that the currently proposed development cannot bear a policy compliant level or mix of affordable housing.

Part 2 of Policy CE/33

2. Part 2 of the policy states:

*“The appropriate level of contributions sought from the development will take into account costs which fall to the*

*development, including the relocation of the airport and associated activities and elements of the North Works site”.*

3. In my view, the words “*take account of*” mean make allowance for those relocation costs which it is necessary to incur in order to deliver the planning objectives for the Phase 1 Cambridge East development. It was clearly anticipated in the formulation of the policy that there would be a need for some relocation of existing uses in terms of place making objectives and in terms of maximising the use of previously developed land (see e.g. paras C1.7 and C1.15 of the AAP). However, the AAP is not prescriptive as to the extent of relocation required or its timescale. It was for example, anticipated that the car showrooms on the Newmarket Road frontage might be retained at least in the short term.
  
4. The extent of relocation required in order to meet the objectives for the development will reflect a balance of considerations. Those include urban design, townscape and amenity considerations and also delivery implications. It may well be that there is a tension between what might be considered the “ideal” development from an urban design perspective and the delivery of essential infrastructure to serve the completed development. Where the balance lies and reconciling the potentially competing objectives is a matter for the Council as local planning authority but any decision needs to be evidence based. The implications of a lesser extent of relocation in terms of deliverability, viability and delay would all need to be taken into account.

#### Allowable Costs



5. In terms of the allowable costs in relation to relocation, those must reflect all the costs which the business needs to receive in order to facilitate the extent of relocation which the wider design process has shown to be appropriate. Such costs properly include the land/premises costs, construction costs of new buildings and potentially removal costs. However, costs which would have been incurred at some stage in the ordinary run of business, irrespective of the development are not sensibly allowable.
  
6. As to the relocation costs utilised by E C Harris in their draft appraisal, it will clearly be necessary for the Council to be satisfied as to their reasonableness. If this extent of cost cannot be borne by the development without reduced affordable housing and/or other infrastructure contributions then the Council will need to consider whether there is scope to reduce those costs by reducing the scale of relocations. This is where a full understanding of the implications of any such reduction will be essential to striking the balance. It will not necessarily follow that a reduced extent of relocation will be reflected in a proportionate increase in the viability of the scheme. Equally, it may be objectionable for design and/or other amenity reasons.

#### Robustness of the Draft Viability Report

7. I am not presently satisfied that the Draft Viability Report demonstrates that a policy compliant affordable housing provision cannot be achieved. My principal concern relates to the phasing of the infrastructure provision. Not unreasonably, the E C Harris draft appraisal reflects their understanding of either the stated or likely position of the District Council and Cambridgeshire County Council in terms of the timing of the infrastructure to serve the

development. However, any indication as to phasing of infrastructure has been given in the context of previous statements by Marshalls that the development can viably deliver 40% affordable housing.

8. In the light of the more recent viability evidence, the phasing needs to be reviewed as the first priority. It may well be that with less front end loading of infrastructure costs the viability sufficiently improves so as to be able to maintain a 40% affordable housing provision. The prospects of this may be enhanced if the Council is flexible in terms of the balance as between affordable rent and intermediate. Both re-phasing and alternative tenure mixes should be considered as the first priority.
9. To assist the consideration of re-phasing, I would advise the Council to draw up an informal updated policy which sets out what it sees as being the key objectives for the Cambridge East North and its priorities in the interests of securing the most appropriate sustainable development for the site. The County Council should also be consulted for their views. This should establish the broad extent of re-phasing which is realistically achievable and which can then be fed in to some revised viability analysis.
10. Beyond the issue of phasing, the other issues which I consider need further work in order to demonstrate robustness are:
  - (a) The sales rate – 100 dpa appears cautious; perhaps overly so;
  - (b) Sales values – I question whether £355 psf is too cautious given sales values achieved elsewhere around Cambridge. At the very least I

would expect some sensitivity analysis to show the effect of slightly higher values on the residual value.

- (c) Build costs – the build costs for the employment/sui generis uses need to be supported by evidence.

### Conclusion

11. In order to minimise further delay in the progress of the scheme, the sensible and proportionate response to the viability issues now raised is to consider whether these can be resolved by re-phasing the timing of the necessary infrastructure. If that alone cannot ensure the delivery of a policy compliant affordable housing offer, then consideration should next be given to the additional step of increasing the percentage of the intermediate element of the affordable housing. Only if those two steps in combination fail to deliver the 40% required should consideration be given to other means to reduce the development costs such as reduced relocation, reduced infrastructure and a reduced percentage of affordable housing.
12. I should add, finally, that if ultimately the Council accept a reduced initial percentage of affordable housing, it would clearly be essential to include within the section 106 agreement, a cascade mechanism which allows for the viability of the scheme and the affordable housing provision to be reviewed on a phased basis, so that any improved viability is reflected in an enhanced provision of affordable housing.

SIMON BIRD QC

20 January 2015

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**CAMBRIDGE EAST**  
**RELOCATION, AFFORDABLE**  
**HOUSING AND VIABILITY ISSUES**

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**ADVICE**

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South Cambridgeshire District Council  
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**MARSHALL GROUP PROPERTIES LIMITED**  
**WING DEVELOPMENT**  
**ADVICE ON VIABILITY**

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**A D V I C E**

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1. My further advice is sought in relation to the viability appraisal of the Wing Development which forms part of the Cambridge East development allocated within the Cambridge East Area Action Plan (“the AAP”). I previously advised the Councils on the issue of allowable relocation costs as provided for by policy CE/33 of the AAP in my advice dated 20 January 2015. In this advice I address the following:
  - (a) Whether the costs of relocation should be net of any benefit to Marshalls in terms of the enhanced capital value arising from the provision of the required new build relocation facilities;
  - (b) Whether there is any realistic prospect of arguing that the not all of the relocation costs associated with the Engine Running Bay Facility are allowable having regard to the terms of policy CE/33;

- (c) The reasonableness of requiring a viability review mechanism and the risks associated with such a mechanism;
- (d) The most appropriate cascade mechanism to incorporate into the section 106 agreement;
- (e) The appropriateness of the proposed delivery mechanism and any risks associated with it;
- (f) The mechanisms proposed to address the delivery of the Engine Testing Facility and the scope for the Councils to review the viability of the scheme to take into account the actual costs and benefits of the relocation of that facility.

I will deal with each in turn.

#### Relocation costs

2. As I set out in my earlier advice, policy CE/33 when properly interpreted allows for the deduction of all the costs which the business needs to receive in order to facilitate the extent of relocation which the wider design process has shown to be appropriate. Those costs properly include the land/premises costs, the construction costs of new buildings and (potentially) removal costs. I also advised that costs which would have been incurred at some stage in the ordinary run of business irrespective of the development are not sensibly allowable.
3. Whilst I can see the initial attraction of seeking to argue that the relocating business should give credit to reflect the enhanced capital value benefit which



relocation will almost inevitably result in, I agree with the advices both Rhodri Price Lewis QC and David Forsdick QC that there is no sound or proper basis for requiring such credit to be given.

4. There is no policy support within the AAP for seeking a set-off of this kind. Rather, the policy treats the relocation costs as, essentially, infrastructure costs necessary to facilitate the development required by the policy. It recognises that, unless proper allowance is made for those costs, the required relocation will not take place. Whilst that begs the question of what “proper allowance” means, that is easily answered. It means ensuring that Marshalls are provided with sufficient incentive to relocate.
5. That is the context within which the set-off suggestion needs to be considered. When viewed in that light, there are obvious problems with it. Firstly, how and when is the set-off sum to be calculated? Secondly, what if the “benefit” i.e. the enhanced capital value is never realised (whether by sale or mortgage)? Thirdly, what if the “benefit” does not in fact materialise to the extent which is assumed? Fourthly, how is the opportunity cost of the land lost to the relocated facility factored in to the appraisal? It is not unfair to describe the “benefit” as *“possible, inchoate and potentially unrealisable”* as Mr Forsdick does.<sup>1</sup>
6. These problems are likely to make relocation of the facility less attractive in contrast to the underlying policy which has as its objective, seeking to make it an attractive option. Whilst that cannot of itself be determinative of what is or is not permissible under the policy it does indicate that a more straight forward

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<sup>1</sup> Advice paragraph 6

reading of the policy is required i.e. one which focuses on the costs rather than potential benefits.

7. For these reasons, even were it reasonable to have regard to the possible benefit (which I do not accept), the uncertainties which surround that benefit, coupled with the absence of any evidence that Marshalls would be interested in relocating the facility if the set-off approach was enforced, mean that it would not be entitled to any material weight in a decision on the application.

#### Allowable Costs

8. My reading of the *“Engine Running Bay Facility – Cost Input to Viability Appraisal”* dated February 2015 and prepared by Marshall Group Properties<sup>2</sup> is that the costs of relocation of this facility assume:
  - Business As Usual in terms of the number of hours of engine running per year;
  - A facility sized to ensure that the operation of the existing runway is not impaired (i.e. it is the smallest possible to avoid this impact);
  - Some rebalancing between military and civil sectors but with overall comparable levels of activity;
  - The operational requirement is for a like for like replacement of the existing facility.
9. I have seen no contrary evidence and, on this basis, there is no realistic scope to argue that what is proposed exceeds what would be required in *any*

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<sup>2</sup> With input from Mott Macdonald and AMEC

sensible relocation of the facility. It would not be realistic to expect Marshalls to dismantle and re-erect the existing buildings or to build something which a reasonably prudent man of business would not build in order to relocate. On the material before me, I can see no grounds for disallowing the reasonable costs of the proposed facility. What those costs may be or prove to be may be a matter in dispute but that is a separate issue and one for the costs' consultants.

10. I have no other comments on the costs of relocation.

#### Review Mechanism

11. In my earlier advice I indicated that it would essential to include a review mechanism in the section 106 agreement given the phased nature of the development and the potential opportunity to increase provision of affordable housing in later phases of the development to make up for any under-provision in the earlier phases due to up front infrastructure costs. However, at that time the likely phasing of the development and the relationship to infrastructure provision were not known, at least in any detail.
12. Matters have now moved on. Marshalls advance a number of grounds which they claim, taken together, would make it inappropriate to include any review mechanism in the section 106 agreement . In summary, these grounds are:
  - (a) The Marshall's viability appraisal assumes a shortfall of over £6 million as against the residual land value;

- (b) Given that the major infrastructure (save the Engine Testing Facility) is heavily rear end loaded, conventional review mechanisms would operate too late in the development process to deliver any meaningful benefit;
  - (c) The North Works relocation costs (which are the principal rear end loaded costs) will not be understood until the relocations are completed.
13. As I read the advice from Bespoke Property Consultants, whilst they recognise the risk that the early phases of the development may be delivered with non-policy compliant levels of affordable housing and the costs of relocation of the North Works may then result in even further reductions in the later stages of the development, they accept that reviews as against individual phases would not be workable<sup>3</sup> and that the omission of a review mechanism will give greater certainty to the developer which, in turn, will speed the delivery of the site. Further, they accept that there is no overall solution to the downside risk at this stage.
14. It seems to me that other than some form of clawback mechanism which operates late in the development and which requires an affordable housing commuted sum to be paid to the Councils to reflect any earlier under-provision of affordable housing, there is no obvious means of addressing the risk. I am not aware of any such mechanism finding support in relevant policy (whether national or local) or in any decision of the Secretary of State on any application or appeal although I am know that they have been used in

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<sup>3</sup> December 2015 Report para. 2.2 p.9

South Norfolk Council's administrative area.<sup>4</sup> The usual argument against provisions of this kind is that they materially affect the ability to secure funding for the development and thus delivery. It would be sensible for the Councils to seek Bespoke Property Consultants' views on whether such an arrangement would be workable here.

15. There is also Marshall's starting position in relation to the residual land value to consider. In substance, they claim that they are offering affordable housing at a level well above that which is presently viable. It would not, in my view, be reasonable to require a full viability review mechanism over and above that baseline position if it is correct or substantially correct. However, I note that Bespoke Property Consultants and Carter Jonas have not accepted that position. In these circumstances, the key issue is whether there is some middle course review option which can provide the Councils with some greater comfort that they are not losing out on a real opportunity to secure affordable housing at the policy maximum.
16. Marshalls are also offering a review mechanism which provides for a full re-run of viability in the event that certain development timescales are not met. That has merit and provides a safeguard in the event of delay. However, there is the potential to require Marshalls' suggested review mechanism to apply in the event of any delay in bringing forward the later phases of the development. Bespoke Property Consultants hint at that possibility,<sup>5</sup> but do

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<sup>4</sup> I have not had sight of the claw back clauses used but South Norfolk would no doubt provide them on request.

<sup>5</sup> Ibid

not expressly address the implications for this development. It is certainly an option the Councils should seek their further advice on.

17. Further, given the sensitivity of the appraisal to the costs of relocation of the Engine Testing Facility, there must be merit in at least considering whether there is scope for a review of viability once those costs are established i.e. following relocation (see below).

### Cascade

18. The Cascade mechanisms advanced by Mills & Reeve on behalf of Marshalls takes a standard approach. I agree with Bespoke Property Consultants that there is scope to argue that the Cascade should be more ambitious in its objectives in the event that a higher value affordable housing product (such as Starter Homes) is introduced into the mix. The viability appraisal makes no allowance for this and there is no obvious logic in restricting any review to increasing the percentage of affordable rented but within the overall percentage provision. Provided the residual land value remains at least that set out in the original appraisal, consideration should be given to whether the overall percentage as well as the split between tenure types should be revisited (albeit up to and not exceeding the policy requirement of 40%) . As presently instructed, I cannot see why that would be regarded as unreasonable.
19. The Cascade mechanism as presently drafted would require adaptation to allow for this.

### Delivery Mechanism

20. The commitment to delivery offered by Marshalls will provide some comfort to the Councils that there is an intent to deliver the development and at an early stage. However the only real benefit of the suggested provisions is the commitment to a full viability review in the event of the timescales not being met. The obligations to take certain steps within the specified timescales are in practice likely to be unenforceable as they are positive covenants and there may be a number of perfectly good reasons why such timescales are not met.
21. The full viability review is, however, a benefit but the obligation to undertake this must be expressed as a requirement and there must be a defined timescale in order for this benefit to be a meaningful one. As I have indicated above, there may be scope to require a full review in the event of any later prolonged delays in bringing forward the development. If this is workable, then there would be a need for appropriate trigger(s), an obligation to undertake the review and a timescale.

### Engine Testing Bay

22. I assume that the Engine Testing Bay is to be relocated prior to the occupation of any dwellings on the site. Given that this relocation is a key abnormal cost and one which has a significant bearing on the residual land value, there may be merit in seeking a full review of viability once that relocation is complete and the full costs are known. There are two matters which might weigh against that. Firstly, the fact that Marshalls claim that they are already be offering significantly more affordable housing than their viability

appraisal would support (see above). Secondly, a review of this kind would have to work both ways i.e. if the costs exceed that allowed for previously, there would be a commensurate reduction in affordable housing. If the Councils consider that the Marshalls costings are at the top end of the range of likely costs, then they may take the view that there is little risk of a review reaching a conclusion that the development is less viable than originally appraised.

23. As an alternative, there might also be merit in requiring the specification for the facility to be submitted to the Councils for approval to ensure that what is built reflects that which has been appraised in the viability appraisal.
24. For the reasons already outlined, it would not be appropriate to seek to regulate the use of the relocated facility. It is the costs of that facility and not its capital value which are relevant to the viability appraisal.
25. I have no strong views on whether to deal with the relocation of the Engine Testing Facility by condition or obligation. A condition has the potential disadvantage of early discharge on appeal but it with Government guidance which indicates that if a matter can be dealt with by condition as opposed to a planning obligation, then it should be. However, if the relocation is tied to viability review then there would be merit in dealing with this within a planning obligation.



26. The only other point I would add is that Marshalls' presently proposed condition is not adequate. It does not secure relocation; it simply limits the residential development until the Engine Testing Facility has ceased. On this basis they could simply decide no longer to do engine testing and close the facility. Whilst this may be an unlikely scenario, it needs to be guarded against.
27. I hope I have dealt with all of the matters raised in my instructions in sufficient detail. If there are any queries or other matters arising, please let me know.

SIMON BIRD QC  
16 February 2016



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**MARSHALL GROUP PROPERTIES  
LIMITED**

**WING DEVELOPMENT**

**ADVICE ON VIABILITY**

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**ADVICE**

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South Cambridgeshire District Council  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

# **Final Review of the Viability Report on the Development of WING**

On behalf of South Cambridgeshire District  
Council

December 2015  
Rev B

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**Bespoke Property Consultants**

maximising development potential

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## Preamble and Background

In the first instance, it may be helpful to clarify that a Viability Appraisal can be carried out as a Residual Land Value (RLV), or as an appraisal to deduce the profit to be made on the basis that the land is a fixed cost. Essentially, an RLV deducts from the total income (GDV), the expected construction/development costs, planning obligations, plus an amount for developer's profit, so as to derive the site value. This value is compared to a "Benchmark Land Value" which is the value at which the land should be released by the land owner for development. If this value cannot be achieved then the scheme is unlikely to be brought forward.

In contrast, the alternative appraisal deducts from the total income (GDV), the expected construction costs, finance, marketing and a fixed amount for the Land Value, so as to derive the developer's profit. If this profit is at or above an acceptable level, the scheme will be viable but, if there insufficient profit, it will not be viable. In that event, adjustments would need to be made, for example by changing the market/affordable housing mix, so as to increase the GDV, or by reducing the Section 106 financial contributions, assuming all other costs are fixed.

Site value as a benchmark is defined in the RICS Guidance Note 'Financial viability and planning' (GN94/2012) as:

*'Site value should equate to the market value, subject to the following assumption: that the value has regard to development plan policies and all other material planning considerations and disregards that which contrary to the development plan.'*

This will be influenced by its Existing Use Value (EUV) or an Alternative Use Value (AUV). In the case of the subject site, the EUV comprises retail car sales, workshops and open spaces. Market Value should also take account of the value of the site in the expectation that a (compliant) planning permission may be granted for residential development.

The point is that the land owners would not sell the land for less than it is worth. Indeed, the National Planning Policy Framework (NPPF) states that viability should consider competitive returns to a willing land owner and willing developer, to enable the development to be deliverable.

In paragraph 173 of the NPPF, it states:

*'... To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements, should, when taking into account the normal cost of development and mitigation, provide competitive returns to a willing land owner and a willing developer, to enable the development to be deliverable.'*

In this case, the Market Value of the site is agreed between the consultants at [REDACTED] and this is the benchmark value against which the Residual Land Value derived from an appraisal of the scheme is compared.

However, of particular importance to this scheme, as it is a Planning Policy document, is the Area Action Plan which states:

*'The appropriate level of contribution sought from the development will take into account costs which fall to the development, including relocation of the airport and associated activities and elements of the North Works site.'*

So the costs of relocation are a scheme cost which must be allowed for in carrying out the financial appraisal to deduce the Residual Land Value. These have been estimated at [REDACTED] and have been the subject of extensive interrogation by a firm of independent quantity surveyors acting for the Council. The overall cost has been reduced and now deemed reasonable.

Following a joint submission by the Councils and the applicant, Counsel Simon Bird QC opined that, subject to the Council being satisfied as to their reasonableness, relocation costs are allowable and that these costs could include for replacement land value for the relocated businesses. The effect of this is to render the development unviable with 40% affordable.

The Councils' consultants queried the concept of this, particularly on the point that Marshalls would then be receiving new replacement buildings in the place of their existing older ones, without the appraisal taking into account this 'betterment'.

Marshalls sought their own Counsel's Opinion on this matter from David Forsdick QC, who stated that there is no indication in the words used [in the AAP] that the costs falling to the development are anything other than the full costs of relocation.

We would, therefore, recommend if the Councils are still concerned on this point, that a second Counsel's Opinion be obtained on their behalf, to confirm that this is the correct interpretation of the AAP in the context of viability, (rather than in the context of compensation as Mr Forsdick had considered). In the event that the second opinion agrees with Mr Forsdick, Marshalls' offer with regard to S.106 obligations and affordable housing is considered to be reasonable, as detailed in the final review that follows.

## 1.0 Executive Summary

- 1.1 Bespoke Property Consultants (BPC) and Carter Jonas (CJ) have been instructed by South Cambridgeshire District Council to review the viability report and appraisal submitted by the applicants Marshal Group Properties Ltd.
- 1.2 We have been involved with the scheme since late 2014 and have been provided with appraisals in the intervening period which have followed the scheme proposals' evolution and our comments on them.
- 1.3 We issued our initial report in April 2015 and this was followed up by detailed cost analysis by consulting quantity surveyors Silver DCC in August and September 2015.
- 1.4 We issued our penultimate report by letter on 14 October 2015 (Appendix B).
- 1.5 By even date the applicant issued a 'without prejudice' offer in respect of the affordable housing offer for the scheme. This offer proposes 30% affordable housing with 70% intermediate tenure and 30% affordable rented tenure. It also proposes a cascade mechanism to change the tenure split if intermediate shared ownership units cannot be sold to an RP at the time of delivering each phase.
- 1.6 The applicant has followed up the offer with a letter dated 26 November 2015 (Appendix A) giving commentary on our letter of 14 October 2015 and enclosing opinion from Counsel on the issue of the value of the relocated premises.
- 1.7 We set out below in section 2 of this report our comments on the applicant's letter and in section 3 our comments on their latest scheme appraisal.
- 1.8 We would draw the Council's attention to the need to secure the matters set out in the paragraphs below which relate to
  - a) Lifetime Homes Standards
  - b) Joint and several liabilities of the landowner and developers

- c) Ensuring the cascade mechanism operates in a sequential manner and not in the alternative manner proposed.
- d) Ensuring the cascade mechanism can increase as well as decrease the overall number of affordable units depending on the value achievable for those units.
- e) Ensuring that in assessing the value of the affordable units a thorough tendering process to RPs and other providers is adopted.
- f) Securing the delivery of the scheme on a phase by phase basis, with 50 units taken to slab level within two years of detailed planning consent being granted.

1.9 An issue which has been at the centre of our discussions on viability with the applicant concerns the impact of relocation costs. The Area Action Plan states that relocation costs (which add up to about [REDACTED] can be taken into account. Without this as an extra, the scheme would be viable with policy compliant affordable housing. It is the obligation to include this as an extra cost which tips the balance on viability.

Linked with this is the concept of how the value created in the relocated buildings could be used to off-set the cost of relocation of these buildings.

The applicant has sought independent advice from Counsel in this regard who has opined that for viability purposes full relocation costs are allowable in addition to their existing value. We remain concerned on this issue and believe if the Council are also concerned then the matter should be referred to Mr Simon Bird QC who was jointly instructed by the Council and the applicant on the scope and relocation costs in January 2015.

That said we acknowledge that the AAP policy wording is silent on this issue and we doubt it was contemplated when the policy was drafted. It is also true to say, as advised by the applicant that there is an opportunity cost to the use of Marshalls' own land within the relocation scheme.

1.10 Turning to our conclusion on the financial viability we would advise as follows

It is our opinion that the provision of 30% affordable housing with a 70/30 tenure split (intermediate/affordable rented) with S.106 contributions of £28,234,269 is a viable offer.



We disagree with the applicant that this will reduce the residual land value by [REDACTED] below the benchmark land value, because the cumulative effect of the adjustments we have noted below bring the RLV within an acceptable tolerance of the benchmark:

	£
Residual land value per Arcadis appraisal	[REDACTED]
Ground rent income increase	[REDACTED]
Non-residential income increase	[REDACTED]
Site wide infrastructure saving	[REDACTED]
Relocation cost saving	[REDACTED]
Engine running bay saving	[REDACTED]
Reduced fees on cost savings (10%)	[REDACTED]
Reduced DM fee on cost savings (1.5%)	[REDACTED]
	[REDACTED]
Benchmark land value	[REDACTED]
<b>Final difference</b>	<b>£1,607,455</b>

1.11 For the above reasons if the advice we have given in respect of the drafting and content of the S.106 Agreement is adhered to, we believe the overall offer as set out by the applicant on 14 October 2015 is reasonable and viable to be delivered bearing in mind the AAP policies.

## 2.0 **Marshalls' letter dated 26 November 2015**

We would comment on the points raised in this letter and the attached offer as follows:

- 2.1 **Perceived 'betterment'** As set out in our letter dated 14 October 2015, we have advised the Council that if full relocation costs (ie replacement of existing buildings) and the market value of the site are allowed within the appraisal, then the applicant will benefit from the increased value of new premises provided as a development cost over the old premises being replaced, as well as the residual land value of the proposed scheme.

Marshalls' position is that they believe the policy wording in the AAP allows them to recover the relocation costs in full, without regard to the value of the new premises. Further they have sought Counsel's opinion to support this argument. Counsel focuses on the use of the term 'betterment' by us, which in hindsight may not have been entirely appropriate, as it has connotations of statutory compensation and CPOs. This was not our intent, as we merely wished to point out that the applicant will benefit from both the relocation / rebuilding of their premises as well as the land value attributed to the development.

We do not dispute that the scheme needs the present businesses to be relocated in order to proceed, but we do not agree with Counsel's view that the applicant will not seek to realise the improved value of their assets at some stage, either by sale or mortgage.

That said, taking into account the policy direction of the NPPF to encourage rather than constrain development, and in particular that a land owner should get a return on the land value, we conclude this is very much a matter of negotiation. The AAP policy wording is silent on the issue of value and we do not think it was drafted in contemplation of the issue we have raised. Therefore the acceptance, or not of the position put forward by the applicant needs to be judged in light of the overall S.106 package offered by the applicant and its mitigation of the effects of development as required by CIL Regulation 122. If the Council remains concerned on this point, it can refer the matter to Mr Simon Bird QC, who gave the original opinion instructed by both parties in January 2015.

- 2.2 **Review Mechanisms** As set out in our letter dated 14 October 2015, when a non-policy compliant offer is made on a large scheme such as WING it is standard practice to include a viability review mechanism to see if the scheme can offer additional S.106 benefits at a future

date. This is particularly relevant in the case of affordable housing as in most cases it is the element of a S.106 package which gets reduced to allow for other generally financial and infrastructure based items to be provided. Clearly the latter mitigate the impact of development as required by CIL Regulation 122.

It is also clear from the NPPG that S.106 obligations should not be an impediment to development being brought forward. It is therefore balancing the need to encourage / expedite development and securing the maximum reasonable amount of S.106 obligations that must be achieved.

In this case the applicant contends that review mechanisms set against individual phases (which we suggested should comprise 200 units each) would not be a workable solution, as most of the relocation costs take place in the final phases of the scheme.

We understand this issue, and as such it raises a further concern that the early phases may easily be delivered, with a lower affordable housing offer than policy requires, and then the applicant may seek to revisit the affordable housing delivery in the final phases due to unforeseen or increased costs in relocating the businesses on the North Works. There is no overall solution to this risk at this stage, but the Council needs to be aware of it and make the drafting of the S.106 as secure as possible to ensure delivery of the affordable housing across the site.

The applicant has stated the omission of a review mechanism will give it and the eventual developer of the site more certainty which will allow the scheme to be brought forward quicker. We concur with this view and agree that it will help in this regard as developers and their funders prefer not to have to deal with such mechanisms.

The effect of that is, it should be easier for the applicant to agree delivery timescales and we note that they have made a proposal in their offer of 14 October 2015 to deliver 50 units to slab level within two years of full planning approval being granted for the first phase (including reserved matters approvals). This is an important commitment as it would necessarily mean the construction of significant infrastructure which will benefit the whole scheme. Such commitments to delivery are encouraged by government policy and could also be used on subsequent phases.

If the construction of 50 units to slab level is not achieved in the specified timescale, then a fresh viability assessment of the whole scheme should be triggered. As such we are satisfied that this sort of delivery mechanism with the fallback position of a further viability review is appropriate in these circumstances with the stated aim of expediting delivery of the scheme, and similar provisions should be considered for subsequent phases.

- 2.3 **S.106 costs** – we note that Marshalls' letter of 26 November 2015 states that S.106 costs are 'largely agreed'. This is supported by your instructions to us and we are working on the basis that the total sum of £28,234,269 in the Arcadis Appraisal as shown at Appendix B (attached) is correct.

We note the applicant states that due to the amended triggers for payments a saving of [REDACTED] has been achieved, and their offer is contingent on these triggers being accepted. If they are accepted they will have to be included in a clear and concise manner in the S.106 in the interest of both parties.

- 2.4 **Affordable Housing delivery** – Marshalls' letter of 26 November 2015 sets out the well-known issues that have begun to negatively influence the delivery of affordable rented housing. We agree with this, and the fact that government policy is now firmly aimed at encouraging home ownership and forms of tenure that lead to that end.

As yet we and indeed the applicant are unaware of the details of the secondary legislation that will enact the changes proposed in the Housing and Planning Bill including the introduction of 'Starter Homes'. What is clear is that if implemented in the fashion that ministers have suggested, then Starter Homes will be beneficial to the viability of a scheme as they will derive an increased value for this type of unit over that for rent or shared ownership properties. We would therefore advise that to ensure consistency, if the proposed offer of 70% shared ownership units and 30% affordable rented units is accepted, then the S.106 Agreement should preclude the transfer of these units to Starter Homes, without a commensurate increase in the number of units provided by the increase in value created. This is a simple mechanism to include in the S.106 Agreement as the percentage of open market value for the shared ownership units is set at 66.45% in the Arcadis appraisal. The anticipated value of Starter Homes is likely to be 80% so an increase of 20% in the number of units provided can be calculated as fair and reasonable for such a tenure change.

The above proposal can be factored into the detailed drafting of the S.106 Agreement, dealing with the first stage of the cascade mechanism proposed by the applicant. Such drafting would and should allow the flexibility the applicant is seeking, in addressing the market for affordable housing at the appropriate time. The applicant is right to point out this is needed to ensure continuity in the development and avoid the S.106 constraining delivery.

The applicant advises that the triggers in the cascade mechanism is there to explore alternative tenure solutions should there be a shortage of demand for shared ownership properties. This we believe is a concern shared by your housing officers.

We would advise that to keep the cascade simple and to avoid the need for a full viability review within the cascade mechanism, that the judgement as to whether 'the modelled scenario cannot be delivered in any given phase' is limited to the value of the affordable housing as set out in the Arcadis appraisal not being achieved. The value per phase of the affordable housing can be pro-rated from the figures provided by Arcadis. This is broadly consistent with the cascade terms set out by the applicants' solicitors.

It would be sensible to have a fixed minimum for the level of affordable housing such that all parties understand the approach that is being taken and the parameters they are working within when looking at different tenure mixes.

Clearly the final stages of the cascade leading to the Council buying affordable units or the applicant making a payment in lieu should only be considered when the other stages have failed and not as an alternative as suggested by the applicant. For the previous stages to have failed it is more likely that the market will have collapsed and the whole scheme would be stalled leading to further negotiation / amendment of the S.106 in any event.

- 2.5 **Final Position** The letter from Marshalls summarises the offer dated 14 October 2015 as the provision of 390 affordable homes with a tenure split of 70/30% between intermediate and affordable rented housing. It is stated to be on the basis of the 'principles... we have set out above', which we assume to mean the delivery mechanism for the scheme, the S.106 payments totalling £28,234,269, with consequent triggers for payment and the affordable housing cascade mechanism.

The applicant concludes that the offer results in a deficit of [REDACTED] comparing the residual land value to the benchmark land value they have adopted for the site. This deficit is calculated by the Arcadis appraisal which we discuss in detail in section 3 below.

### 3.0 Arcadis (EC Harris) Appraisal V005(48) WING

We have reported on the appraisals for the scheme as they have evolved since late 2014, we will therefore not comment in detail here where matters have been agreed.

### 3.1 Sales Values

The latest appraisal shows an average sales value of £410.16/ft<sup>2</sup> with a total value of [REDACTED] for the 910 open market sale units. As per our letter of 14 October 2015, we remain of the opinion that this value is conservative when judged against the current market and the quality for the proposed scheme.

There have been recent changes in 'Buy to Let' market in terms of

- a) Income tax changes (July 15 Budget)
- b) SDLT increase of 3% (Nov 15 Autumn Statement)
- c) Mortgage restrictions (now applied in anticipation of BoE regulation).

In view of the very strong BTL market in Cambridge, particularly from private investors, this may have an impact on pricing within a few months, especially in April 2016 when the SDLT changes are implemented.

However, this should be balanced against many of the current house price forecasts for Cambridge which predict further price increases in the foreseeable future.

### 3.2 Unit Sizes

Despite the comments in the applicant's response of 14 October 2015 (annex 2 to the 26 November 2015 letter) we remain of the opinion that the 3-5 bed units are large in terms of net internal area and therefore could be reduced by a future developer to make the scheme more viable. This factor also contributes to reducing the average price per ft<sup>2</sup> as noted in 3.1 above. The aspiration to achieve Lifetime Homes for all units should be set out in the S.106 Agreement to ensure delivery of the required standard and hence net internal areas.

### 3.3 Ground Rents

In our letter of 14 October 2015 we put forward advice that ground rents should now be in the range of [REDACTED] per annum and not [REDACTED] as stated by the applicant. This follows research by Carter Jonas into ground rents being charged on local developments which now include more frequent rent reviews often index-linked. Recent ground rent sales in Cambridge suggest

that an additional £275,000 could be achievable based on the total ground rent income or up to £500,000 if a modern review clause is also incorporated.

#### 3.4 **Affordable Rented Income**

TAs with our comments in our letter of 14 October 2015, we remain of the opinion that the values used are low, and lacking in justification. It is usual to obtain indicative offers from a range of registered providers even at this early stage, as RPs will be interested in engaging with scheme promoters to secure a position going forward. However in terms of the cascade mechanism put forward and our comments above about changes in tenure, having a lower affordable housing value will make it easier to maintain or increase the overall number of affordable units if tenures with higher values are used, but this would be at the cost of reducing the number of rental units.

#### 3.5 **Non-Residential Income**

The applicant has provided further commentary as to the valuation of the petrol filling station, with which we are now satisfied on the basis of the omission of its construction cost as the applicant has stated.

We would note that the current appraisal has an error in it, in reference to the value of the coffee shop. No yield or purchaser costs have been applied so the appraisal has the capital value of the shop equating to one year's rent. If a yield of 6% is applied (assuming a branded chain is the occupant) then the value would increase by [REDACTED]

#### 3.6 **Developer's Margin**

The applicant has responded on the point raised in our letter of 14 October 2015 and we are now satisfied with the margins applied to each element of the scheme. We still believe the margins applied are at the low end of the spectrum for a large scheme such as this.

#### 3.7 **Build Cost**

We are satisfied that in the period this scheme has been under review the base build costs and external works have now risen sufficiently to justify the applicant's suggested figure of £137/ft<sup>2</sup> for these works.



### 3.8 **Basement Parking**

We note that the scheme design requires the inclusion of 150 basement parking spaces and in reviewing the scheme applied for we must advise the Council of the negative effect this has on the viability of the scheme being at a cost of £4.8M.

In the end the inclusion of such a requirement is a matter for planning policy and design judgement. As the scheme is not fully designed, we can understand why Arcadis have used a relatively high value per space at £32,000. Whether this figure is eventually accurate will depend on the efficiency of the design and the ground conditions encountered. We can confirm it is within the normal range of such costs but as previously stated, at the upper end.

### 3.9 **Development Management Fee**

We are satisfied with the explanation provided by the applicant in respect of the level of the fee. We would advise the Council, based on experience of other large schemes, that provision of an overarching development manager is essential in coordinating the infrastructure provision and the developers of each phase.

The Council will need to consider in the drafting of the S.106 the joint and several liabilities of the land owner and future developers of the individual phases. Having a development manager to coordinate and report on S.106 triggers will assist this, but the reporting must also be clearly set out in the S.106 agreement.

### 3.10 **Site wide infrastructure**

As you are aware, these costs were fully reviewed by Silver DCC in August 2015. Of the [REDACTED] of savings Silver identified, only [REDACTED] has been accepted by Arcadis. Arcadis have also indexed the costs upwards by [REDACTED] and we believe there may be some overlapping of timescales in this respect. Overall the applicant states that the infrastructure costs have been reduced by [REDACTED] since the cost plan reviewed by Silvers. It is our opinion, based on the advice of Silver DCC, that the infrastructure costs are overstated by up to [REDACTED] whilst allowing for indexation since 2015.

### 3.11 **Relocation costs**

We acknowledge that Silver DCC and the applicant are very close in terms of the overall relocation and rebuilding costs. The difference of [REDACTED] in the total costs however remains

unexplained. With regard to the Engine Running Bay, Silver identified a cost difference of [REDACTED] and notwithstanding the response from the applicant on 22 September 2015, we remain of the opinion that this difference is still relevant.

We note and agree the comments of the applicant's solicitor in their instructions to Counsel that some of the Marshalls' businesses are to be relocated to Marshalls' own land and that there is as yet an undefined 'opportunity cost' for the use of that land in this regard.

### 3.12 Funding costs

We are in agreement with the applicant that the overall funding costs are reasonable.

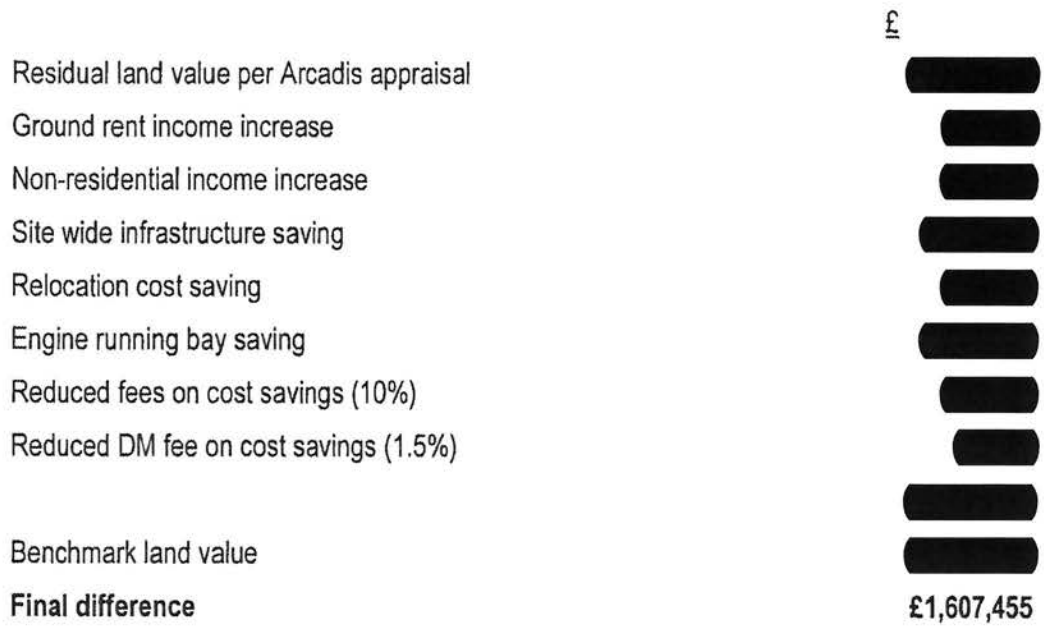
### 3.13 S.106 Costs

We understand from Marshalls' letter that the S.106 costs have been agreed at £28,234,269. This cost is inclusive of Newmarket Road Corridor works and cycle bridge and Marshalls' letter confirms this. The triggers for payment will be as set out in Annex B of Marshalls' letter, and the S.106 Agreement will need to secure these.

### 3.14 Conclusion on Appraisal Inputs

Taking account of the points made above, it is our opinion that the provision of 30% affordable housing with a 70/30 tenure split (intermediate/affordable rented) with S.106 contributions of £28,234,269 is a viable offer.

We disagree with the applicant that this will reduce the residual land value by [REDACTED] below the benchmark land value because the cumulative effect of the adjustments we have noted bring the RLV within an acceptable tolerance of the benchmark as noted below:



## Appendix A

**MARSHALL GROUP  
PROPERTIES LTD  
THE AIRPORT, CAMBRIDGE, CB5 8RX**



**From: Richard Oakley  
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Marshall Group Properties Ltd**

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26<sup>th</sup> November 2015

Mr P Mumford  
South Cambridgeshire District Council  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

**WITHOUT PREJUDICE**

Dear Paul

**Wing – Viability Review  
Response to Carter Jonas Letter dated 14<sup>th</sup> October 2015**

Further to recent discussions with regards the viability model and S106 Heads of Terms, I write to address the points raised in the Carter Jonas letter dated 14<sup>th</sup> October 2015. This was written in response to the Marshall submission dated 22<sup>nd</sup> September (and the accompanying report and financial model by ARCADIS).

Given Carter Jonas's written response crossed over with Marshall's Without Prejudice offer (also dated 14<sup>th</sup> October 2015), the comments in the letter do not take into account Marshall's proposed revised position. Annex 1 to this letter includes the offer in full for reference.

For the sake of completeness and transparency, I address each of the points raised by the Carter Jonas letter in turn, taking into account of our Without Prejudice position, whereby Marshall has offered to accept a reduction in the residual land value of [REDACTED]

I address in the main body of the letter the key points of principle, with the other matters raised in the letter being picked up in Annex 2 to this letter.

**1. Points of principle**

**1.1 Perceived 'betterment'**

*Background*

The letter raises again the concept of perceived 'betterment' to the landowner as a result of relocating existing businesses to new facilities and suggests that additional value is realised.

The advice of Simon Bird QC (jointly instructed by the parties in January 2015) is unequivocal when it comes to interpretation of CEAAP (2008) policy CE/33 which states “the appropriate level of contributions sought from the development will take into account costs which fall to the development, including relocation of the airport and associated activities and elements of the North Works.” (my emphasis).

His advice was that it is the full cost of business relocations required to deliver the scheme that should be reflected in the viability appraisal. An extract from paragraph 5 is included below:

*“5. In terms of the allowable costs in relation to relocation, those must reflect all the costs which the business needs to receive in order to facilitate the extent of relocation which the wider design process has shown to be appropriate. Such costs properly include the land/premises costs, construction costs of new buildings and potentially removal costs. However, costs which would have been incurred at some stage in the ordinary run of business, irrespective of the development are not sensibly allowable.” (my emphasis)*

He goes on to say at paragraph 6:

*“6. As to the relocation costs utilised by E C Harris in their draft appraisal, it will clearly be necessary for the Council to be satisfied as to their reasonableness.”*

#### *Reasonable Relocation Costs*

On the latter point, the Council have now sought advice on all aspects of the viability appraisal and the costs have been interrogated by the Councils’ advisers, including Cost Consultants Silver DCC. The abnormal costs have (in large part) been agreed, albeit Marshall acknowledges there are some small residual differences between the parties, which are relatively small in the context of the scheme overall.

#### *The Council’s advisers position*

The Council’s advisers continue to argue that there is a case to be made that Marshall is unduly benefitting from the value created from relocating businesses from existing buildings to purpose built new premises, a concept that has been described as ‘betterment’. This was not specifically mentioned in Simon Bird QC’s advice which pre-dates this point being raised by the Council’s advisers.

Our position on this is set out on page 15 of our 22<sup>nd</sup> September 2015 response as follows:

#### ***“Betterment***

*Marshall and Arcadis have reviewed the comments made in the Carter Jonas report regarding the concept of ‘betterment’ (paragraphs 2.1, 2.3 (c), 4.5.4.2 (a) and 5.3 refer). In light of this, Marshall have sought advice from Mills & Reeve’s on precedent cases for reflecting so called betterment in planning viability. Marshall have also engaged with Bidwells to understand whether there is a recognised approach to addressing this comment.*

*The advice received is resounding in that there are no relevant precedents for accounting for this in planning viability and as such our submission takes no account of so called betterment.”*

Marshall has asked Council officers on more than one occasion to seek guidance from their advisers on any precedent cases, or a proposed methodology for addressing this matter. To date, no guidance has been given and no precedent cases identified. The point was again raised in a meeting with officers on 7<sup>th</sup> October 2015, and subsequently in the Carter Jonas letter dated 14<sup>th</sup> October 2015.

With the objective of concluding matters, Marshall sought an objective opinion from David Forsdick QC, and both the instructions and opinion have been shared openly with Council officers (see appendix A of our ‘Without Prejudice’ offer dated 14<sup>th</sup> October 2015). This was instructed by Marshall directly as the advice from Mills & Reeve was unambiguous and our objective was to reach a definitive position on the matter as promptly as possible.

David Forsdick QC's advice (dated 13<sup>th</sup> October 2015) states at paragraph 1, the following:

*"given the interpretation of the applicable policy and the relevant valuation framework, I do not think that the concept of "betterment" is relevant in this context". At paragraph 9 he states "in my view there is no indication in the words used [in the applicable policy] that the costs falling to the development are anything other than the full costs of relocation."*

Marshall considers the combined advice of Simon Bird QC and David Forsdick QC to be conclusive and supportive of the approach adopted by Marshall in our assessment of the scheme's viability.

### 1.2 Review mechanisms

In section 1.2 of the letter, Carter Jonas has invited the Councils to "consider a review mechanism" in the event a "non-compliant affordable housing offer is initially accepted", with a suggestion that no individual phase for review should be greater than 200 units.

In putting forward our without prejudice offer on 14<sup>th</sup> October 2015, Marshall were very clear that this was being made on the basis that there is to be no periodic review of the scheme viability.

Whilst Marshall believes the appraisal to be robust and a true reflection of the scheme's viability, we have offered to accept a shortfall in residual land value (i.e. the return to Marshall) of over [REDACTED]. We are therefore offering to take on considerable risk in the development process and we are not prepared to accept this position should a periodic or phased review mechanism be imposed. In addition, as highlighted in the review of the abnormal costs, a lack of project definition at this outline application stage means costs are uncertain, and in our view, on balance, are more likely to increase than reduce as the detailed proposals and designs emerge thereby increasing the risk apportioned to Marshall.

Marshall considers there to be considerable benefit in creating certainty in order that the scheme advances in a timely fashion, to ensure much needed housing is delivered, and to avoid undue complications securing a developer partner and in bringing forward subsequent phases of the development.

Under advice from Mills & Reeve, Marshall considers that the specific circumstances of the Wing development are not compatible with conventional approaches to viability review. We can understand how such a review may be appropriate where a scheme faces considerable up-front investment in infrastructure, as is normally the case for urban extensions, major urban regeneration projects or new settlements. In some circumstances, a reduced level of affordable housing may be accepted by local authorities in early phases to enable critical infrastructure to be delivered, with reviews on subsequent phases which are not encumbered with such significant infrastructure costs to allow increased delivery in later phases. We understand this to be the case at Northstowe where a reduced level of affordable housing (20%) has been agreed for the first phase, which carries a disproportionate burden in relation to infrastructure costs.

The Wing development is somewhat unusual due to the circumstances of the site. Save for the relocation of the engine running bay, which will be an early abnormal cost, the majority of the significant abnormal costs are incurred during the final phases of development which would make a periodic review, at say every 200 units, unworkable. The North Works phases comprise approximately 490 dwellings and these will be the final phases of development. Any periodic review prior to the 810th dwelling would not be able to take into account with any accuracy the abnormal costs on the final phases (North Works) – which would not have occurred and may not be accurately quantified at that time. In practice, the true costs of relocating the businesses would only be understood once they are completed.

Taking account all of the points above, Marshall is firmly of the view that a periodic or phased review mechanism is not appropriate in this case and that our 'Without Prejudice' offer represents the best outcome for the Councils given the circumstances of the scheme.

### Marshall's Commitment to Delivery

Should officers be minded to accept the 'Without Prejudice' position presented by Marshall, we are willing to make a commitment to early delivery by entering into an obligation to undertake a full viability review in the event there are undue delays in bringing the scheme forward. In effect, a requirement on Marshall (and any development partner we may select) to bring the scheme forward promptly otherwise the viability position will be refreshed.

The nature of these obligations will need to be discussed and refined, but in principle we propose to offer to enter into an obligation for a full viability review in the event any of the milestone dates below are missed, leading ultimately towards completion of the first 50 dwellings to slab level within the prescribed timescales.

We would be willing to enter into the following obligations:

- 1) Within **nine months** of the grant of outline planning permission for Wing, as long as the permission has not been subject to legal challenge, an obligation to submit the planning application/EIA or permitted development consultation for the proposed Aircraft Ground Run Enclosure.
- 2) Within **18 months** of the grant of outline permission for Wing, as long as the permission has not been subject to legal challenge, an obligation to submit the following:
  - a) The Design Code for approval;
  - b) The first phase reserved matters application for approval;
  - c) An application to discharge all pre-commencement planning conditions requiring details to be approved;
- 3) Upon full planning approval of 1) and 2) a, b and c above, and at such point as they are free from legal challenge, Marshall will from that point accept an obligation to ensure the foundations up to slab level for the first 50 dwellings are completed within **two years**.

In the event that these timescales are not met, Marshall would be supportive of a full rerun of the viability model. This would necessarily need to take account of all factors and market conditions which prevail at the time and would necessitate inputs and assumptions being updated.

Please note that these are proposed as long stop dates reflecting the risks associated with projects of this scale and the need to procure developers and/or contractors for all elements of the works.

*Note - As officers are aware, detailed feasibility work is underway on relocating the Engine Running Bay to a purpose built Aircraft Ground Run Enclosure, which is a critical enabling project for Wing. Marshall is in the process of commencing a tendering stage to identify a potential supplier for the facility. The consenting route will need to be determined in due course.*

### 3. S106 costs

- 3.1 Following further discussion between South Cambridgeshire District Council, Cambridge City Council and Cambridgeshire County Council, it is understood that the S106 Heads of Terms are now largely agreed, as incorporated in the viability model.

The only changes Marshall has proposed to improve viability, is the timing of the S106 triggers relating to the secondary school, Chisholm Trail cycle bridge and the contribution for improvements to Newmarket Road. The combined effect of adjusting the triggers, in accordance with Appendix B of our Without Prejudice offer, has been a [REDACTED] saving in financing costs.

The Without Prejudice offer put forward by Marshall is contingent on these triggers being accepted.



### Flexibility in affordable housing delivery

There are currently a number of uncertainties in the market which are affecting the business plans of Registered Providers. The key challenges which have emerged in recent months are as follows:

- The Housing and Planning Bill and proposed introduction of Starter Homes. Although the 20% discount on market value, and proposed price cap of £250,000 is known, the implications for the affordable housing sector are unknown pending secondary legislation and guidance, assuming the Bill receives Royal Assent.
- Budget announcements in July 2015 imposed reductions in affordable rents from 2016 onwards – which have reduced scheme income from affordable housing;
- Implications of the proposed Right to Buy on social rented stock remains an unknown quantity.

Council Housing Officers have expressed particular concerns about the potential risk that there is insufficient demand for shared ownership properties, based on the household salary cap of £60,000 for qualifying households and the potential competition from Starter Homes as they come to the market. Based on our Without Prejudice proposal, the scheme would deliver 273 intermediate properties. The Chancellor's Autumn Statement (25 November 2015) sets out Government's commitment to increase the household salary threshold for shared ownership properties from £60,000 to £80,000 (outside of London). Marshall considers that this is likely to provide some comfort that there will be sufficient demand from qualifying households as this will bring a wider range of people into the qualifying criteria.

However, in the light of continuing uncertainty, Marshall believes some flexibility in the terms of the S106 are critical to ensure the scheme can be delivered as circumstances change over time – particularly as more clarity emerges in respect of the delivery of Starter Homes. It is also noted that Brandon Lewis in his letter to Chief Planning Officers of 9 November 2015 encourages flexible arrangements in s.106 agreements, to allow the delivery of alternative forms of affordable housing if this becomes necessary.

Marshall has engaged Mills & Reeve Solicitors to draft the key principles of a cascade mechanism with the objective of providing some flexibility in the approach to delivery. Annex 3 to this letter sets out proposed wording for inclusion in the S106 agreement, to be refined in discussion with officers as part of the detailed drafting of the S106.

This sets out Marshall's commitment that the starting position in any phase of the development will be delivery of 30% affordable housing, with a 30:70 tenure split in favour of intermediate housing, as set out in our Without Prejudice position. Given uncertainties in Government policies, and potential changing market conditions, some flexibility is proposed, which would only take effect by agreement of all parties.

The objective of the cascade is to take a staged approach to exploring alternative solutions in the event the modelled scenario cannot be delivered in any given phase. The key principles are:

- The first stage in the cascade would be to explore alternative forms of intermediate tenure, potentially to include Starter Homes or other intermediate tenures (e.g. Discount Market Value), should there be a shortage of demand for shared ownership properties.
- The second stage, if all first stage options have been exhausted, would be to review the tenure split to deliver more affordable rented properties, but with a proportionate adjustment to the headline percentage affordable in any given phase. For reference, looking at the scheme as a whole, based on a 50:50 tenure split, the headline percentage affordable to achieve the same residual land value would be 23%. If the Council is minded, Marshall would be willing to include 23% (50:50 tenure split) as a minimum level under the terms of the cascade.
- Two further stages are then included to provide options for the Council either to purchase the stock at an agreed price, or to accept a financial payment in lieu of on-site delivery as an absolute last resort.

**Final position**

In light of the above comments, Marshall considers the 'Without Prejudice' offer dated 14<sup>th</sup> October 2015 to be our final position on the viability of the scheme. By accepting the shortfall of [REDACTED] against the benchmark residual land value this shows a considerable commitment to bringing the scheme forward, with a headline rate of 30% affordable housing, with a 30:70 split between affordable rent and intermediate housing. This equates to a total of 390 affordable homes, of which 117 will be affordable rented and 273 will be intermediate.

As set out above, we are willing to commit to prompt delivery of the scheme in accordance with terms to be agreed with the Local Authority, the principles of which we have set out above.

We would welcome further advice from officers on how you wish to progress matters from here.

If you have any queries in the meantime, please do not hesitate to contact me.

Yours sincerely,

A large black rectangular redaction box covering the signature of Richard Oakley.

**Richard Oakley**  
**Development Director**

Enc.

ARCADIS Financial Model – 30% affordable, 30:70 tenure split



This note sets out Marshall's revised position on the viability of the Wing scheme, in the light of further discussions with officers of South Cambridgeshire District Council.

Background

Our latest submitted position was set out in our written response dated 22<sup>nd</sup> September. Scenario 3 of that response presented a position which demonstrated that the scheme could deliver a headline rate of 25% affordable housing, with a tenure split of 30:70 (affordable rent : intermediate housing) resulting in a Residual Land Value (RLV) of [REDACTED]. This RLV has been derived having been through a robust process of evidencing all model assumptions, inputs and abnormal costs. As such, Marshall considers that the appraisal represents a true reflection of the scheme viability.

Marshall notes that the Council has raised ongoing concerns about the issue of betterment. On that basis, a written opinion from David Forsdick QC is enclosed at Appendix A to this note (along with the instructions to Counsel prepared by Mills & Reeve Solicitors). Marshall believes the advice contained therein is unequivocal in confirming that it is the full costs of relocation that should be allowed for, consistent with the approach adopted to date.

Revised position

Guided by officers Marshall have explored how a headline rate of 30% affordable housing could be achieved, with a tenure split of 30:70 in favour of intermediate housing. This is illustrated in Table 1 below.

Table 1

Comments	Headline Percentage (Market : Affordable)	Tenure Split (affordable rent: intermediate)		Residual Land Value
Scenario 3 - as set out in ARCADIS report dated 22 <sup>nd</sup> September 2015	75 : 25	30 : 70		[REDACTED]
<b>Target RLV</b>				[REDACTED]
Scenario 3 rebased to 30% (30:70)	70 : 30	30 : 70		[REDACTED]
Impact of adjusting S106 triggers for County contributions (see Appendix B for the revised triggers)	70 : 30	30 : 70		[REDACTED]
<b>Revised RLV taking into account the impact of changing the s106 trigger dates</b>				[REDACTED]
<b>Shortfall in the revised RLV when compared to the target RLV</b>				[REDACTED]

In light of ongoing discussions, Marshall is prepared to make an offer to accept the shortfall in the revised RLV [REDACTED], as outlined above, thus enabling the scheme to deliver a 30% headline rate of affordable housing with a 30:70 tenure split. This offer, and commitment to bring the scheme forward, is on the understanding that:

- The revised S106 triggers set out in appendix B are accepted;
- all other model assumptions incorporated into scenario 3 are accepted;
- there is no review mechanism in the S106; and
- the QC advice on betterment is accepted by the Council (see appendix A).

*Marshall reserves the right to withdraw this without prejudice offer if any further changes are proposed to model inputs, assumptions or abnormal costs.*

**Appendix A – Instructions and Opinion from David Forsdick QC**

MARSHALL GROUP PROPERTIES  
LIMITED

WING DEVELOPMENT  
ADVICE ON VIABILITY

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**INSTRUCTIONS TO LEADING  
COUNSEL TO ADVISE IN WRITING**

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To: David Forsdick QC

**Mills & Reeve LLP**  
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Ref: 4006594-0010

5 October 2015

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**INSTRUCTIONS TO LEADING  
COUNSEL TO ADVISE IN WRITING**

**MARSHALL GROUP PROPERTIES  
LIMITED**

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Leading Counsel will find enclosed herewith copies of the following documents:

- 1 Opinion from Simon Bird QC with his instructions.
- 2 Review of the Viability Report on the Development of WING by Carter Jonas (April 2015).
- 3 Response to Independent Viability Assessment by ARCADIS (September 2015).
- 4 Letter from Instructing Solicitor to Richard Oakley at the client, dated 8 July 2015.
- 5 Letter from Martin Swinley of Bidwells to Chris Flood, Group Corporate Governance Manager at Marshall of Cambridge (Holdings) Limited, dated 23 June 2015.
- 6 Bidwells proposed methodology for calculating betterment.

Instructing solicitor is Beverley Firth, Partner with Mills & Reeve LLP. The client is the Marshall Group Properties Limited.

Introduction and WING Development context

- 1 The client has made 2 planning applications for a development known as "Wing" which is off Newmarket Road to the east of Cambridge. The site falls across the administrative boundary between Cambridge City Council (City) and South Cambridgeshire District Council (SCDC) – hence the 2 applications.

- 2 Part of the site is in current use – this is referred to as the “North Works”.
- 3 The development is a mixed use scheme with up to 1,300 dwellings and associated infrastructure and facilities. It is a site allocated in the relevant development plans.
- 4 Development of Wing necessitates the demolition of buildings on site (the North Works) and the relocation of business operations. Some of the relocation will be on the client’s existing land holding – but some will require land to be acquired.
- 5 Discussions of late with City and SCDC have focussed on matters of viability in order to settle on the appropriate level of affordable housing for the development. Leading Counsel will see from enclosure 1 that in early 2015, the client sought advice from Simon Bird QC jointly with City and SCDC in relation to what could properly be included within allowable costs.

#### The Question

- 6 Although there is substantial agreement on the elements of cost which can be allowed in the appraisal, City and SCDC have raised a question of “betterment” claiming that as the cost of relocation is to be included, so should the benefit which the client derives from that be included as “value” under a heading “betterment”.
- 7 SCDC argue that an asset value should be included in the appraisal to reflect the fact that modern buildings will replace old on their assumption that the asset value of new premises will exceed existing asset values, particularly for those aspects of the business operating from older hangars and other premises on the North Works. Comments with regards to betterment from the Councils’ advisers are set out in enclosure 2. The client has requested further justification from the Councils’ advisers in terms of precedent cases and/or a proposed methodology for addressing betterment. To date, this has not been forthcoming.
- 8 The client’s response to the suggestion of betterment is that replacement buildings will be required to adhere to current building regulations and planning policy requirements so that direct like for like replacement is not an option.
- 9 The Council have also taken the position (in meetings and verbally only) that the concept of ‘betterment’ is also important given that the routine maintenance obligations associated with new buildings will be reduced when compared with existing aged hangar buildings, affording a “benefit” to the landowner. The Client’s



- position is that the ageing condition of the buildings is clearly taken account of when determining the Existing Use Value of the North Works in the Bidwells Red Book Valuation. If the buildings were in better condition, the EUV would be higher and thus the Client would be seeking a higher return from the development to compensate for the loss of more valuable assets.
- 10 The financial viability model has been prepared in accordance with the principles of the RICS Guidance on Viability and is a cash flow model over the life of the build. The perceived increase in asset value is not addressed in the model. It is very difficult to allow for a non-cash item in the appraisal.
  - 11 It is also noteworthy that the businesses that are to be relocated are part of the Marshall Group of Companies (including Marshall Motor Group Plc where Marshall Group is the majority shareholder). The position from Marshall Group is that the internal operating companies will not be any worse off as a result of being required to relocate to facilitate the development. Rental levels will therefore be consistent with rents which would be anticipated if the development does not proceed (i.e. no change) and for a period of at least 10 years. The effect on asset value is therefore considered negligible.
  - 12 In most cases, displaced businesses are to relocate onto Marshall owned land. As such, there is an opportunity cost of the development land which might otherwise have potential for alternative uses. Just as betterment is argued by the Council as being 'excluded', no allowance is made for this opportunity cost in the appraisal (for instance the value of building on otherwise vacant land, or for letting space to third party tenants). In a few instances where on site alternatives are not available, off site relocations (including land purchase and build costs) have been allowed for in the model.
  - 13 Council officers have made clear that they wish to realise the wider benefits of the scheme, to include regeneration of the brownfield component of the site, and that a reduced scheme focussing on the greenfield element only in order to reduce the scheme's abnormal costs, would run contrary to the wider objectives of the adopted Area Action Plan.
  - 14 Marshall instructed Mills & Reeve to advise on the principle of betterment (enclosure 4) and Bidwells' valuation team to devise a possible methodology for addressing the point in the absence of any identifiable precedent cases (enclosures 5 and 6 refer).

This advice has not been shared with the Council and for the reasons set out above. The client maintains the view that betterment is not something that should be reflected in the appraisal. This position is set out in the latest written response to the Council (enclosure 3).

15 Leading Counsel is asked to advise:

- (a) Whether the concept of "betterment" is something which does have relevance in this context.
- (b) If so:
  - (i) what is the most appropriate way to reflect it within the appraisal; and
  - (ii) does the advice differ according to whether relocation is to be on the client's existing holding or on land to be acquired.
- (c) Whether there are any established precedents for reflecting betterment in asset value in planning viability cases, which may have relevance.

## CAMBRIDGE EAST

### ADVICE

1. I am asked to advise Marshall Group Properties Limited ("Marshall") as to whether the concept of "betterment" has relevance in the context of the approach required to relocation costs in the viability appraisal relating to the development of its land at Cambridge East ("the Land"). If it does have relevance, further questions arise. For reasons which follow, given the interpretation of the applicable policy and the relevant valuation framework, I do not think that the concept of "betterment" is relevant in this context and therefore the other questions do not arise.

#### The Policy

2. The Cambridge East Area Action Plan 2008 ("the AAP") adopted in 2008 is part of the development plan to which s.38(6) of the 2004 Act applies.
3. Policy CE/33 provides that:

***"The appropriate level of contributions sought from the development will take into account costs which fall to the development, including relocation of the airport and associated activities and elements of the North Works site."***

4. Relocation is a fundamental part of the AAP and the allocation cannot be delivered without it<sup>1</sup>. This is not a situation where the policy envisages most existing uses being extinguished – they are to be relocated. It necessarily follows that the development has to facilitate and secure the identified relocations. This is thus a reinstatement situation.
5. The policy means what it says: *Tesco v. Dundee*. It is not necessary or appropriate to introduce concepts from other contexts (such as betterment in the CPO setting or offsetting of damages in tort law) to construe it<sup>2</sup>. Even if I am wrong on this latter point, it is not at all clear what legal principle could be relied on to off-set any capital value enhancements here against costs which the landowner has to incur. Even in an equivalent reinstatement situation under rule (5) of section 5 of the Land Compensation Act 1961 (which does not apply here) there is no offset for the existing building being relatively obsolescent compared to the new replacement<sup>3</sup>.
6. Fundamentally, under the policy as under rule (5) the focus is on the relocation costs which fall to the development – not on the possible, inchoate and potentially unrealisable capital value to the relocated landowner. The question, therefore, is what will it cost the development to provide alternative premises and relocation so as to allow the development to go ahead? I understand that figure to be (largely if not wholly) agreed.

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<sup>1</sup> although (on the margins) there is some degree of flexibility as to what should/should not be relocated. I do not go over ground covered in the Advice of Simon Bird QC dated 20<sup>th</sup> January 2015.

<sup>2</sup> except to the extent to which such concepts are incorporated by reference. Of course here this is not a CPO situation or a situation where the threat of CPO will secure the relocations. Compensation does not fall to be addressed under the compensation code.

<sup>3</sup> Any offset is limited to the extent of disrepair in the existing building which would have to be made good to allow the existing building to continue to function for the use: see e.g. *Cunningham v. Sunderland CBC* (1963) 14 P&CR 208 and *Zetland Lodge of Freemasons v. Tamar Bridge Joint Committee* (1961) 12 P&CR 326.

7. The words “take into account” can mean either “by reference to” or “having regard to”. I will assume that the latter (weaker) formulation is the correct one here, but even on that basis there is nothing in the facts as I understand them which would appear to justify anything other than the full relocation costs incurred being treated as a deduction in the assessment. The policy will necessarily have been formulated on the unstated assumption (which I also make) that the earlier stages of the valuation and, in particular, the approach to land values is consistent with the inclusion of relocation costs – in other words (as dictated by the overall policy framework) this is a reinstatement approach<sup>4</sup> rather than simply compensation for the land acquired required. Application of this assumption avoids the risk of double counting deductions in the valuation and ensures that the valuation follows an internally consistent and coherent framework. On that basis the costs of relocation should feed directly into the viability appraisal. That seems to me to be consistent with the basic purpose of the policy – namely to secure the necessary relocation through charging it to the development.
8. Those advising the Councils have suggested, nonetheless, that because the existing buildings will be replaced with new modern facilities there will be betterment to the landowner: see para 4.5.4.2 of Cater Jonas report dated April 2015. “Betterment” is principally a *statutory* concept within the compensation code. In that sense, it does not apply here. What I think is being said is that because the new buildings may have lower maintenance costs and longer lives than the existing, the landowner will, following relocation, be in a better capital value position than currently. As a result, so the logic goes, the development should require that the landowner accounts for that “improvement” in possible capital value by contributing to the costs of relocation thus reducing the burden on the development (even though he has no intent or ability to realise that capital value). That would be a surprising result given the basic facts here – it would be requiring a landowner to move and to pay for the claimed improvement whether he sought or benefitted from that improvement in capital value or not without any statutory authority for the deduction and without any indication in the words used in the policy that this was their intent. I note that such a result would be inexplicably inconsistent with the position under the statutory compensation code rule (5) for reasons already addressed.
9. I think it would require clear words for the policy to have that effect. In my view there is no indication in the words used that the costs falling to the development are anything other than the full costs of relocation.

David Forsdick QC

13<sup>th</sup> October 2015

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<sup>4</sup> Clearly the statutory/case law requirements for compensation being based on “equivalent reinstatement compensation” are not met but the effect of the overall policy framework is to envisage reinstatement rather than extinguishment and the policy is designed to ensure this is reflected in the compensation approach. Even in a statutory context, there is no deduction from the equivalent reinstatement compensation for the comparative age of the new and the existing building.

### Appendix B – Revised S106 triggers

Revised assumptions on S106 triggers as follows:

S106 item	Original trigger	Proposed trigger
County Council contribution for secondary school provision	10% on occupation of 300 <sup>th</sup> dwelling 30% on occupation of 500 <sup>th</sup> dwelling 30% on occupation of 700 <sup>th</sup> dwelling 30% on occupation of 900 <sup>th</sup> dwelling	40% on occupation of 500 <sup>th</sup> dwelling, 30% on occupation of 800 <sup>th</sup> dwelling, 30% on occupation of 1,000 <sup>th</sup> dwelling
County Council contribution towards Chisholm Trail cycle bridge	Prior to occupation of 150 <sup>th</sup> dwelling	Prior to occupation of 300 <sup>th</sup> dwelling
County Council contribution for Newmarket Road improvements	Prior to occupation of 750 <sup>th</sup> dwelling	Prior to occupation of 1,000 <sup>th</sup> dwelling

## ANNEX 2 – RESPONSE TO DETAILED COMMENTS RAISED IN THE CARTER JONAS LETTER OF 14<sup>TH</sup> OCTOBER

### 2. Detailed comments on the submitted appraisal

#### 2.1 Unit sizes and values

The submitted planning application makes an allowance for up to 1,300 residential dwellings. The masterplan has been tested through proving layouts by our masterplanners Pollard Thomas Edwards (PTE). With the unit sizes proposed, a scheme for 1,300 dwellings can be achieved, whilst delivering dwelling sizes in accordance with London design Guide minimum dwelling space standards, which are acknowledged as being more generous than HCA standards. This includes ensuring all homes will meet the construction standards of Lifetime Homes. This aspiration has been clearly stated since the application was submitted in December 2013.

Although dwelling sizes are not prescribed in the planning application documents, the proposed mix is clearly articulated in the viability model (first issued November 2014) and market advice has been sought from both Savills and Bidwells to ensure the assumptions reflect the expectations of the market.

As Carter Jonas note in their letter, *“it is at the discretion of the applicant to determine the unit sizes”* and Marshall has remained committed throughout to a high quality development, with homes that are flexible to meet the needs of their occupiers over the life of the development.

In terms of values, whilst we note the comment that values on the Redrow scheme at Hauxton are achieving up to £420 sq ft, it is simply not the case that these are directly comparable for a range of reasons, including the relative attractiveness to the market of the south side of the City and the fact that the Wing site is located adjacent an operational airport, Newmarket Road and adjoins some of the more deprived wards in the City. Marshall intends to stand by Savills advice of a blended rate of £410 sq ft which is current and takes into account the location of the development on the eastern side of the City.

#### 2.2 Ground rents

In response to Carter Jonas query regarding the level of ground rent applied in the model. We would refer to the Carter Jonas' report, dated April 2015 Rev C, in which it states in section 4.3.5 that *“ground rent assumptions used by the applicant at an average of [redacted] unit per annum is realistic”*. We are unclear as to why this position has changed and consider the position to be robust and reasonable.

#### 2.3 & 2.4 Affordable rent & intermediate residential income

Since the viability model was first issued to the Council in November 2014, there have been many discussions with the Local Authorities about the approach to benchmarking the assumptions on affordable housing revenues in the model.

Initial discussions with the Council's Housing Team (Sarah Lyons) indicated that BPHA would be an acceptable Registered Provider to provide a benchmark figure for viability purposes. BPHA are active in the Cambridge market and are very familiar to South Cambridgeshire District Council.

The initial offer received from BPHA dates back to October 2014, and this has been refreshed in the light of changing market conditions which have a bearing on the intermediate housing values (as house prices have increased), as well as changes in circumstances, including the Budget announcements by the Chancellor in July 2015, which have reduced rents for social housing.

In light of the July Budget, Marshall asked BPHA to refresh the proposal in light of the announcements on rental income. The revised offer was received from BPHA on 24<sup>th</sup> August 2015, following Board decisions within BPHA about how to address the Budget implications.

Following further discussions with BPHA in light of the Carter Jonas letter, BPHA have confirmed that the offer they have put forward is robust and they stand by the offer. Steve Morris (Regional Development Director) has confirmed he would be prepared to discuss the assumptions with officers if this is deemed necessary. We can provide contact details if required.

Marshall has also approached other Registered Providers including London & Quadrant, Flagship and Rent Plus, but given the stage of the project, it has been difficult to persuade them to put forward offers purely for viability purposes due to the resource requirements involved. The only offer obtained (from Rent Plus) was well short of the equivalent offer from BPHA.

On that basis, Marshall believe that at the outline application stage, use of a market tested figure from BPHA is a robust approach to adopt and we stand by the figures included in the appraisal.

### 3.2 Non-residential income

We note that in the first paragraph of the Carter Jonas letter it states that they have not reviewed the Arcadis report. In this report, on page 11 it gives detail to the valuation of the petrol station. Please see extract below:

*"Marshall Group has informed us that negotiations are underway with a petrol filling station provider and that their preferred method of occupation is a ground rent. It has been proposed that a standard ground rent for a site of this nature is ██████████ per annum with a lease length of 25 years therefore all construction costs for this element have been removed from the model."*

To achieve a value of ██████████ the passing ground rent has been multiplied by the duration of the proposed agreement.

### 3.3 Developers Margin

In response to Carter Jonas' query in respect of the Commercial Developers Margin of ██████████ we can confirm that this is charged on non-residential build cost only. This cost is in the sum of ██████████ of which ██████████ is ██████████ as allocated in the model.

### 3.4 Build Costs

Marshall has sought expert advice from ARCADIS which has informed the assumed build cost of £137 sq ft, which is evidenced in our September 22<sup>nd</sup> Report. If anything, the true figure is likely to be higher than this based on discussions between Marshall and a number of leading developers who are active in the City. Marshall is satisfied that this is robust, and if anything at the optimistic end of what could be achieved. Our expectation would be that a developer would seek to demonstrate a higher build cost in the viability appraisal.

### 3.5 Basement Parking

With respect to the necessity of basement parking queried by Carter Jonas, we would again refer them to the Arcadis report (September 2015). The extract below is taken from page 10 of the report.

*"Following discussions with Officers, Marshall tasked PTE and Arcadis to review the position with regards to car parking requirements and the need for, and cost of, any underground car park."*

*The analysis has confirmed that an underground car park is required for at least 150 spaces. The Design and Access Statement submitted with the planning application indicates the potential for a car park of up to 300 spaces. PTE have confirmed that a car park of this size is not required, and that the size can be reduced by allowing parking around the edge of Beta Square. However, below a threshold level of 150 spaces, the number of dwellings needs to*

*be reduced in order to provide parking courts and other off street parking arrangements. PTE's analysis indicates that the scheme would need to reduce by 43 dwellings (31 two and three bedroom houses, 12 no. one/two bedroom flats). This is not considered viable when compared with the construction cost of the car park."*

The cost allowance for the basement parking has been included at a rate that sits in the range of costs currently being seen by Arcadis (£25,000 - £45,000 per space) on schemes of a single storey with a number of variables including height, efficiency, substructure solution, ground conditions etc. Given the early stages of Wing the basement parking has not been designed in detail and therefore in costing the basement for the purposes of the viability model at £32,000 per space we have allowed for a cost inclusive of substructure and ventilation.

### 3.6 Development Management Fee

It has been raised by Carter Jonas that they would like comfort that the allowance in the model for the Development Management Fee does not cause a double counting error when professional fees allow for a QS and site management. In response to this query, we have asked Arcadis to confirm the allowances in the model. We have been informed that there is no double counting error in the model and each of the inputs are reasonable for the house build cost and are representative of the percentage allowance modelled by house builders and developers on other strategic land sites where there are a range of product types requiring variations in design which attract additional fees. The DM fee reflects the requirement of an overarching DM in the project whether that be Marshall or a developer.

### 3.7 Site Wide Infrastructure

Carter Jonas have raised queries with the Site Wide Infrastructure costs. Noting that they admit that they have not reviewed the Arcadis Report, we include this sections from the report below.

*"The Arcadis infrastructure cost plan has been updated taking into consideration the comments provided by Silver. One item questioned by Silver was the risk cost which is based on a detailed risk review and workshop, attended by the client and key consultants. Given that time has moved since the initial review and workshop, and the comment raised by Silver, it was agreed that a further risk workshop would be held. The outcome of the second risk workshop has reduced the risk allowance by [REDACTED] or [REDACTED] when compared to the original figure reviewed by Silver.*

*The table below provides a breakdown of the costs modelled within the infrastructure cost plan taking into consideration the review undertaken by Silver DCC. Of the total [REDACTED] reduction suggested by Silver [REDACTED] has been accepted and agreed by Arcadis. Arcadis have also taken the opportunity to index the infrastructure cost plan to current prices (Q2 2015). The indexation of costs has resulted in a [REDACTED] uplift in costs when compared to the model reviewed by Silver. Overall strategic infrastructure costs have decreased by [REDACTED] (after cost indexation) when compared to the original cost plan reviewed by Silver.*

*An annotated version of the below table is included in Appendix F which provides commentary on the reason for the changes on the Arcadis version."*

As can be seen in the submitted report Arcadis have reviewed the Silver report in detail and accepted those points which are considered reasonable.

### 3.8 Relocation Costs and GRE

We are unclear as to the source of the [REDACTED] given the relocation costs are deemed to be broadly aligned in terms of the Bidwells relocation costs report and advice from cost consultants Silver.

With regards the point on the land acquisition cost, we have addressed this under point 1 and consider that it is absolutely legitimate to include the full cost of relocations (including land) otherwise the scheme cannot come forward in accordance with the QC advice obtained.

It is noted that there is a difference of opinion between Silver DCC and Mott MacDonald with regards to the likely cost of the Aircraft Ground Run Enclosure, but our position has been clearly set out in the 22<sup>nd</sup> September response on this matter.



### 3.9 Cost of Equity / Debt funding

We note the comments made regarding the approach to reflecting the cost of equity, but that the debt funding costs are low. Carter Jonas accept "that the two points would balance themselves out." Marshall consider this point is now resolved.

### ANNEX 3 - Draft Wording of Proposed Cascade Mechanism (prepared by Mills & Reeve)

#### Approach to Affordable Housing Delivery

Market forces should be used to assess the demand for the Affordable Housing. As such, the cascade mechanism should be triggered where an RP is unwilling to purchase the Affordable Housing Units ("AHUs") within a development parcel at the equivalent value attributed to those units in the viability assessment underlying the application.

#### Starting Point

- 1.1 30% of the Residential Units in a Phase are to be Affordable Housing of which, 30% will be Affordable Rent Units and 70% will be Intermediate Units.
- 1.2 An Affordable Housing Scheme ("AHS") will be submitted to and approved by the Council for each development parcel within a Phase at the reserved matters stage for that development parcel. The AHS will identify the type, size, number and location of the AHUs in that development parcel. The AHS shall be broadly consistent with the requirements of 1.1 above and if lower, will demonstrate how the requirements of 1.1 will be achieved across the entire Phase.

#### Cascade Options

- 1.3 If developer is unable to exchange contracts with an RP for the transfer and construction of the AHUs in a development parcel then:
  - Stage 1: If feasible, the developer shall propose an alternative AHS for that development parcel which: reflects the demand from an RP; achieves the same level of AHUs in that development parcel; and secures the Affordable Housing income for those AHUs identified in the appraisal underlying the application (adjusted by indexation). The proposal may, for example, identify alternative types of AHUs or starter homes (which for the purposes of this cascade shall be construed as being affordable housing).
  - Stage 2: If stage 1 is not feasible or acceptable to the Council, the developer may propose an alternative AHS for the development parcel which achieves the Affordable Housing income for those AHUs identified in the appraisal underlying the application (adjusted by indexation) but which contains an increase in Affordable Rented Housing and as a consequence a reduction in the overall quantum of AHUs in that development parcel. If the AHS is approved by the Council, the overall percentage of Affordable Housing to be delivered across the development shall be reduced accordingly;
  - Stage 3: As an alternative to Stage 2, the developer may offer the AHUs in that development parcel to the Council at a price reflecting the Affordable Housing income for those AHUs identified in the appraisal underlying the application (adjusted by indexation).
  - Stage 4: As a last resort, those AHUs are to be treated as market housing units and the developer is to pay an off-site affordable housing contribution to the Council in lieu of the provision of Affordable Housing on that development parcel. The contribution shall reflect the difference between the open market value of those dwellings which would have been AHUs and the value that would have been realised if those units were sold to an RP in accordance with the

Affordable Housing income identified in the assessment underlying the application (adjusted by indexation). The overall Affordable Housing requirement will reduce accordingly.

## Appendix B

14 October 2015

6-8 Hills Road  
Cambridge  
CB2 1NH

Mr P Mumford  
Team Leader, New Communities  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge CB23 6EA

Dear Paul

## WING REAPPRAISAL BY E C HARRIS

Further to the issue of the updated scheme appraisal by EC Harris and our recent meeting, we write as requested to give all three Councils advice in respect of the revised appraisal and the current position with regard to the viability of the scheme. We have, as discussed, in the time available just been able to look at the macro issues the revisions to the appraisal throw up. At this stage we have not reviewed the Arcadis report, as until the base appraisal is agreed we cannot give recommendations with regard to quantum, mix and tenure of the affordable housing.

### 1. Points of principle

- 1.1 The appraisal shows a cost of [REDACTED] for the relocation costs including the engine running bay. Whilst it is agreed that this can be taken into account and Counsel has opined on this matter, there has been no offset allowed for the value of the buildings created through the relocation process. We are still of the opinion that such value should be taken into consideration because to do otherwise would allow the land owner not only to recover the benchmark land value (Market Value) for the site, but have the benefit of new premises on the new site as well.

This is interlinked with the principle of 'Benchmark Value' in viability appraisals. Clearly Marshalls should expect as a minimum, the Market Value of their site which they say is [REDACTED] (Albeit we have concerns as to whether this value reflects the full effect of the Engine Running Bay on some of the land) However, the Area Action Plan states: *"The appropriate level of contributions sought from the development will take account costs which fall to the development, including the relocation of the airport and associated activities and elements of the North Works site"*.

So does this imply that Marshalls' reward for the land (the Benchmark Land Value) should equate to the Market Value of their site, or should it be sufficient to cover for the costs of relocation, or both? The point here is that the costs of relocating the existing buildings are about double their Market Value. This suggests that there is significant 'betterment'.

Based on the applicant's previous viability submissions, we have advised that if full relocation costs are included in addition to the Market Value of the land, then the scheme will not be viable.

We would recommend that Counsel be asked to give an opinion on this and whether the value as well as the cost of the relocated premises should be taken into consideration in coming to a conclusion about the viability of the scheme. This matter was not covered in Counsel's original written opinion.

- 1.2 If the final position with regard to viability is such that a non-policy compliant affordable housing offer is initially accepted, then the Councils should consider a review mechanism prior to the implementation of each sub-phase of the scheme. We would suggest that no phase for a viability review is greater than 200 units and that the trigger for the review is the sale or occupation of 150 units on the preceding phase.
- 1.3 By way of further explanation, we attach a separate summary sheet on relocation costs/viability.

## **2. Detailed comments on the submitted appraisal**

### **2.1 Unit sizes and values**

Firstly we would note, as we have done on previous occasions, that the unit sizes particularly in reference to the 2 and 3 bed house types, are far larger than normally encountered in the market. This is having a negative effect on the viability of the scheme because there is always a 'glass ceiling' for the price that someone is willing to pay for a particular unit type. This has also thrown up the anomaly that the price per ft<sup>2</sup> of a 3 bed is being shown lower than that for a 4 or 5 bed, despite the Savills' research demonstrating to the contrary in terms of comparable evidence on other sites.

Whilst it is at the discretion of the applicant to determine the unit sizes, the Councils need to be aware of the detrimental impact this is having, and the need to consider whether this is a policy-driven imperative for the scheme.

Another development which has been recently launched by Redrow is at Hauxton Meadows on the former Bayer site outside the City boundary to the south. Whilst it is recognised that there are differences between these two schemes, at Hauxton sales are at about £420 p sq ft, which suggests that the blended £410 p sq ft at WING is conservative.

### **2.2 Ground rents**

We are satisfied with the yield and costs applied, however the average rent per annum at [REDACTED] seems very low and we would anticipate a figure more in the order of [REDACTED] per unit is relevant in the current market for Cambridge.

### **2.3 Affordable rent residential income**

The rate used of [REDACTED] when expressed as a percentage of OMV, has reduced to [REDACTED]. Again this seems very low, although we acknowledge the changes just introduced, requiring rents to be reviewed to below rather than above the rate of inflation, which will reduce value. We appreciate this is based on an indicative offer from BPHA, although there is little justification to this in their brief email.

### **2.4 Intermediate residential income**

- We would note that the rate used at [REDACTED] is giving a percentage of OMV at [REDACTED]. This would seem slightly high and we would recommend checking the affordability of the units concerned.
- 2.5 Non-residential income  
Almost 80% of the commercial income is attributable to the supermarket. The proposed valuation based on [REDACTED] yield is considered to be reasonable. We would like to seek clarification on the [REDACTED] valuation for the petrol station in due course.
- 2.6 Developer's margin  
We are content with the percentages used, albeit we believe the commercial profit calculation should be revisited as it does not seem to be correct – the figure should be higher.
- 2.7 Build costs  
The new base build cost rate applied by E C Harris at £137/ft<sup>2</sup> looks high, however we note that it is inclusive of external works and therefore would be necessarily higher than the median BCIS rate.
- 2.8 Basement parking  
We note the cost has increased to £32,000 per space, which seems excessive. This is a total cost of £4.8M to the scheme, firstly we would query whether the Council see the need for this type of parking provision and secondly if it does, we would recommend the figure is checked by Silver DCC as above.
- 2.9 Development management fee  
We note this has been allowed at [REDACTED] costs but we would also note that the professional fees include [REDACTED] for a QS and [REDACTED] in addition for site management. Whilst we have already confirmed we are not against the principle of a development management fee, we would ask that the applicant confirm there is no double counting in this respect. We would further point out that on multi-phase developments such as this it is common for the principle applicant to co-ordinate and remain liable for the payment of S.106 costs in the future, and the development management fee is often used to cover the cost of this co-ordinating function.
- 2.10 Site-wide infrastructure  
We note that the current appraisal shows a figure of [REDACTED] and whilst this reflects some of the savings identified by Silver DCC, it has been increased by indexation from the time of the last EC Harris submission. We would note that the Silver DCC report was issued in August of this year and therefore we believe that the [REDACTED] of savings that they have identified are still applicable with indexation from that date.
- 2.11 Relocation costs and GRE  
We note that there is a difference of [REDACTED] between the costs identified by Silver and EC Harris. The applicant needs to explain why this cost saving is not relevant. Further, there is an allowance of [REDACTED] for land acquisition to relocate the existing premises and this reinforces the point made at 1. above about the need to include the value of the replacement premises as well as the cost.
- 2.12 We note that within the funding model equity funding costs of [REDACTED] have been allowed, using a return rate of [REDACTED]. We do not believe this is the right way for this to be presented, as equity providers are normally rewarded by dividends from the profit the scheme creates. Having said

that, we believe the debt funding costs are low and therefore the two points would balance themselves out.

**3. S.106 Costs**

- 3.1 You have advised today that the bulk of the S.106 costs at £28,234,269 are now fixed between the parties, however the applicant has queried the validity of the contribution for the Newmarket Road corridor (£2,27M) and the cycle bridge (£475,000). When presenting our final report we will be happy to provide appraisals with and without these figures, but in the first instance need your confirmation that is the approach you wish to take.

We trust the above is of help in briefing members, and your further discussions with Marshalls before we are requested to complete our report for the planning committee.

Yours sincerely

**A M LEAHY**

Bespoke Property Consultants

**M HALLAM**

Carter Jonas



## Appendix C

## Appendix D

# **Review of the Viability Report on the Development of WING**

On behalf of South Cambridgeshire District  
Council and Cambridge City Council

April 2015  
Rev C

**Andy Leahy BSc MIO D FRICS**  
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**Carter Jonas**



## 2.0 Executive Summary

- 2.1 We have reviewed the report by E C Harris (ECH) dated March 2015 and concluded that the main issues relating to the viability of the scheme are the relocation costs used in the applicant's appraisal and the value of the replacement buildings being relocated, which has an effect on the benchmark land value to be used for the scheme.
- 2.2 CJ have carried out an independent appraisal of the scheme and the results of this are shown at Appendix A.
- 2.3 We have reviewed the inputs and assumptions used by ECH as set out in Section 4 below and found them on the whole to be reasonable, with the exception of
- a) The cost allowances for certain items within the relocation costs, which are provisional sums due to lack of design and technical detail at this stage. Investigation of these costs would require specialist consultants.
  - b) The applicants have included the cost of the relocated buildings, but not included a value for these premises. This is skewing the appraisal and does not take account of the betterment achieved with the delivery of the new buildings for the land owner.
  - c) The applicants have provided a benchmark land value for the scheme at [REDACTED] from which we accept the value of the existing buildings on the site, we have reservations as to whether the valuation of the un-developed land is compliant with RICS Guidance Note 94/2012.
- 2.4 CJ have carried out a summary appraisal which reflects the applicant's build costs and sales values which derives a residual land value of [REDACTED] (assuming the cost of the relocated buildings equals their value). This has been carried out with the provision of 40% of affordable housing with a tenure mix of 60% affordable rented and 40% intermediate, together with S.106 contributions of £26m. This residual value is above the benchmark and therefore viable.
- 2.5 The applicant has been asked to justify the values they have put forward and provide more evidence to support their position. We would note that the benchmarking provided within the ECH report is anonymous due to reasons of confidentiality, therefore we are able to only give this limited weight as we have no details as to whether the data used is comparable.

April 2015

- 2.6 The applicant has offered 40% affordable housing with a 50/50 tenure split between rented and intermediate, albeit they say that this is unviable. We have concluded that such an offer is reasonable and viable, when taking account of the replacement value of the relocated buildings. That said, this conclusion is still reliant on the relocation cost provided by the applicant being accurate, which we are unable to verify without investigation by specialist consultants.
- 2.7 Should the Council be minded to grant consent with the affordable housing tenure mix and S.106 contributions as put forward by the applicant, which is not policy compliant, then we would recommend a viability review mechanism is included in the S.106 agreement.
- 2.8 If the Council's intention is to ensure that the scheme is started in a timely manner then we would suggest the review is carried out if the first phase has not reached slab level on 20 no plots within two years of consent being granted.
- 2.9 The review mechanism would be on the basis of seeing if the scheme can achieve a policy-compliant tenure mix.
- 2.10

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Our ref: AL/ar

1 March 2016

Mr P Mumford  
Team Leader, New Communities  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge CB23 6EA

Dear Paul

## WING VIABILITY ADVICE

Further to the latest advice provided by Simon Bird QC, we comment below on the issues Mr Bird has referred back to South Cambridgeshire District Council.

1. The betterment issue has been ruled out by Mr Bird, and the QC's acting for Marshalls. This is a point no longer worth pursuing. Mr Bird's advice is that the Area Action Plan policy on relocation costs is intended to provide Marshalls with the incentive to relocate, so as to allow the development to happen, and it is not relevant that Marshalls could benefit from new buildings in the place of older ones. So, in the context of viability and in this particular case the policy position is that Marshalls are entitled to make allowance for both the benchmark land value and the relocation costs before determining whether or not there is enough surplus value to allocate to S106 contributions/affordable housing.
2. Mr Bird suggests (para 14) that a 'clawback mechanism' which is intended to determine if a commuted sum could be paid later in the scheme due to an under-provision at the early stages, will not be practical. In the circumstances we agree (see para 4 below).
3. In any event, Marshalls have stated they would be willing to offer 30% affordable housing despite a £6m shortfall in land value. Whilst their appraisal is not specifically agreed by us, we acknowledge that on a development of this scale only small adjustment(s) would be necessary in a sensitivity analysis to demonstrate that such a shortfall is possible. In that case, the Council should be aware if there were a future review, this 'shortfall' would need to be recovered first before any potential commuted sum is payable, thus reducing the chances of such a payment being made.
4. Counsel suggests (para 15) that it would not be reasonable to require a full viability review mechanism over and above Marshall's initial appraisal. He asks whether there might be an alternative mechanism. The only alternative we are aware of would be the Council seeking to obtain a commuted sum for affordable housing from a share in the uplift in the gross sales revenues for the scheme. Such a simple mechanism is normally reserved for smaller, less complex schemes, and certainly not one that includes such extensive relocation costs and infrastructure issues. In the circumstances, we consider it unlikely that Marshalls would agree to such a mechanism as it will cause uncertainty.

5. As a commitment to early delivery, Marshalls have offered a review mechanism which would provide for a full re-run of the appraisal in the event that certain development time-scales are not met. This includes an obligation to ensure the infrastructure and substructure up to slab level for the first 50 dwellings are completed within 2 years of consent being granted. This should be coupled with a requirement not to occupy any dwellings until the review is settled.
6. With a lead-in period of 2 years it is important that such a viability review should consider costs and values appropriate for the future valuation date, but it is difficult to predict the outcome now. In any event, the risk of having to carry out such an exercise again is another encouragement for Marshalls to progress the development as soon as possible.
7. Counsel suggests (para 20) that it may be difficult to enforce this review in the event of the timescales not being met because this would fail the test of being a "negative covenant" and therefore may be un-enforceable. It may be possible to set it out in a 'negative' way (for example, if the developer fails to deliver the scheme to slab level on 50 units within 2 years then they cannot occupy any dwellings until the result of the review is known). However, it will be a matter for your legal team to advise on the specific wording and whether or not it could be enforced in this way.
8. With respect to the costs of the engine testing bay, Counsel asks whether there would be scope to seek a review of the viability once its relocation is complete. However, this would need to allow for a possible increase in costs as well as a possible decrease so it could work both ways and even end up with a reduction in affordable housing. Given that this is such a specialist matter, the Council should consider this based on the independent advice they have sought and whether (as an alternative) it would be of any benefit if prior approval from the Council was to be required.
9. Taking into account the further Counsel's advice together with the various matters raised in our previous reports, we conclude the offer submitted by Marshalls in their letter dated 26<sup>th</sup> November 2015 to be within an acceptable range of possible outcomes. Whilst it may be possible to seek further alterations to improve the overall deal, this could cause considerable further delays. If the Councils' priority is to secure an earlier delivery of the proposed development, then it may be in your interests to bring this matter to a close and settle on a review as set out at para 5 above.

I trust the above clarifies matters.

Yours Sincerely

**A M LEAHY BSc FRICS**

**M C HALLAM BSc FRICS**

For and on behalf of Bespoke Property Consultants and Carter Jonas



This document sets out the revised position with regards to the proposed delivery of affordable housing from the Wing development, which proposes up to 1,300 homes, a primary school, sports pitches, retail, employment and open space, on land north of Newmarket Road.

#### *Background*

The submitted planning application proposed up to 1,300 homes, of which 40% were proposed as affordable housing (i.e. up to 520 dwellings). Of the affordable dwellings, the application proposed a 50:50 tenure split between affordable rented and low cost/intermediate housing (i.e. up to 260 affordable rented homes and 260 intermediate homes). All of these homes are proposed to be built to Lifetime Homes standards and based on London Space Standards, which ensures larger room sizes than most volume housebuilders often deliver.

As the site falls within the adopted Cambridge East Area Action Plan (CEAAP, 2008) area and will be considered by the Joint Development Control Committee (JDCC) negotiations have been carried out with officers from South Cambridgeshire District Council and the City Council. Given the submitted planning application proposed that the 40% affordable housing would not comply with the Councils' policy requirement of a 75:25 tenure split in favour of affordable rented housing, the Councils sought further justification from Marshall that this position was based on the financial viability of the development.

#### *Viability Appraisal*

In that context, Marshall instructed ARCADIS (formerly known as EC Harris) to prepare a detailed viability appraisal in accordance with guidance published by the Royal Institute of Chartered Surveyors (RICS). This has been a comprehensive piece of work with input from a range of technical experts. The financial model looks at a number of factors, including the likely timescale to build out and complete the scheme, anticipated sales values for residential properties and income from commercial premises, build costs for infrastructure, homes and other commercial buildings, remediation costs, and the anticipated return to a developer. All of this, whilst ensuring an appropriate land value is allowed for to incentivise Marshall to release the land for development, and to allow for appropriate relocation costs to enable the brownfield elements of the site to be delivered as part of the comprehensive redevelopment of the area. Although Marshall is the landowner in considering the viability of a development it is standard practice for the land value to be included as well as developer profit, whoever the land owner is.

Policy CE/33 of the CEAAP identifies the categories of infrastructure that may require contributions as a result of any development, which are applicable to the Wing proposal. These include such matters as affordable housing, education, health, transport and community facilities.

Discussions have advanced with South Cambridgeshire District Council, Cambridge City Council and Cambridgeshire County Council, with regards appropriate delivery of infrastructure and community facilities to mitigate the impacts of the development and to support the new community, for inclusion in the S106 legal agreement. This includes a commitment to around £28 million of funds towards primary and secondary education, health, transport, sports facilities, community facilities and waste facilities. This equates to around £22,000 per dwelling and is comparable to other Cambridge fringe sites.

The submitted viability appraisal prepared by ARCADIS on behalf of Marshall, supported by a number of detailed studies, has been reviewed and interrogated by the Councils and their independent viability advisers, with input from expert legal advice where appropriate.

The final paragraph of Policy CE/33 of the CEAAP states that the appropriate level of contributions should "*take into account costs which fall to the development*" and makes specific reference to the costs associated with the

relocation of the North Works. Joint legal advice has been sought on this matter and confirmed those costs which should be taken into account, including the following:

Over a quarter of the land area of the proposed application (some 17 hectares) is a brownfield site known as the North Works, which is the operating base for a number of Marshall Group businesses and some third party tenants. As a brownfield site, the costs of developing this site are significant, to include the relocation of the Marshall businesses to alternative premises, demolition of existing buildings, and remediation of the site to make way for the Wing development. It is projected that the majority of these costs will be incurred in the later phases of development.

The airport also operates an aircraft Engine Run Up Bay (ERUB) located to the south of Newmarket Road, which is used for engine testing of aircraft undergoing maintenance work at the airport. This gives rise to higher noise levels within the Wing site. To enable the first phases of the Wing site to be delivered it is proposed to relocate this activity to a purpose built facility which will attenuate noise effects on the new residents. This new facility should also provide a wider community benefit through reductions in noise levels experienced by residents around the Airport, both in the City and surrounding villages. In order to accommodate the types of aircraft that presently use the ERUB, and provide the necessary levels of sound attenuation, this purpose built facility represents a significant cost to the development.

Unlike the other Cambridge fringe sites that have delivered 40% affordable housing the need to relocate existing businesses and the ERUB, and the policy requirement for this cost to be borne by the development, are unique. The viability work has demonstrated that without the significant relocation costs the development would have been able to deliver a policy compliant level of affordable housing.

The Councils' costs consultants have identified areas where savings could be made in the construction process and most of these savings have been accepted and incorporated into the assessment. It is acknowledged that there are some areas where there is disagreement over whether the suggested savings could be achieved. However, there are also areas where the consultants believe that costs identified may have been underestimated. Therefore, on balance the proposed level of affordable housing is considered to comply with Policy CE/7 of the CEAAP, which although requires that the starting point for negotiations for affordable housing will be 40% also acknowledges that in considering the level of affordable housing *"...a balance may need to be struck between competing requirements, in the light of economic viability."*

#### *Proposed delivery of affordable housing*

Given the negotiated package of infrastructure and community facilities, which is close to being finalised for inclusion in the S106 legal agreement, and taking into account the significant abnormal costs highlighted above, the development would not be financially viable for Marshall to proceed with the scheme at the proposed level of affordable housing as put forward in the original planning application.

As such, Marshall proposes to amend the position with regards affordable housing proposed as part of the package of infrastructure and community facilities through the S106 planning obligations. **The exact level of affordable housing and tenure split to be provided as part of the scheme will be identified through the viability work and ongoing discussions, and the planning application should be considered on this basis.**

Marshall has therefore put forward an offer to the Councils, which commits to delivery of all of the S106 commitments requested, provides for the relocation of the existing businesses and protects around 1,000 jobs in the displaced operations. In light of the above and on the basis of there being no phased review of viability as the scheme is built out, the offer is that the scheme will deliver a headline percentage of 30% affordable housing, with a tenure split of 30:70 in favour of intermediate housing.

Pending further discussions with the Councils, and given the emerging proposals for Starter Homes through the Government's Housing and Planning Bill, it is proposed that an element of flexibility in the 30:70 tenure split is

built into the wording of the S106 legal agreement. This may provide an opportunity to adjust the tenure split, for instance, if the introduction of Starter Homes (at 80% of market value, capped at £250,000) to replace a proportion of intermediate housing, generates more scheme income which can be used to cross-subsidise an increased proportion of affordable rented homes (again replacing a proportion of intermediate housing).

This offer would ensure delivery of up to 390 affordable homes if 1,300 homes are delivered across the site. On this same basis, and taking into account the potential impact of the emerging Starter Homes proposals at least 117 of the new homes would be affordable rent with 273 intermediate homes (or less depending on an increase in the number of affordable rent). Marshall is committed to 100% of the homes being built to Lifetime Homes standards and incorporating the London Space Standards. It is requested that the proposed amendment be considered as part of the overall proposals for the Wing development when it goes before the JDCC.

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**JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGE SITES)**

**Report by:** Head of Planning Services

**Date:** 20 April 2016

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**Application No.** S/0107/16/RM (SCDC)

**Date Received** 18 January 2016 **Officer** Mr Andrew Winter

**Target Date** 14 March 2016 extended to 29 April 2016

**Parish** Haslingfield

**Site** Trumpington Meadows Development Site Hauxton Road  
Cambridge Cambridgeshire

**Proposal** Reserved Matters for Phase 9 including 122 dwellings including affordable housing with associated internal roads, car parking, landscaping, amenity and public open space, pursuant to outline planning approvals S/0054/08/O and 08/0048/OUT

**Applicant** Barratt Homes Eastern Counties

**Application Type** Major **Departure:** No

The above application has been reported to the Planning Committee for determination by Members in accordance with the Scheme of Delegation for the Joint Development Control Committee for the Cambridge Fringes.

SUMMARY	The application accords with the Development Plan for the following reasons: 1) This scheme complies with the general principles of the outline parameter plans and design code. 2) The design and appearance of proposed dwellings are appropriate for their new context and will create attractive, high quality streets. 3) The development achieves an appropriate level of car parking across phase 9. 4) The scheme delivers 40% affordable housing in accordance with policy.
RECOMMENDATION	APPROVAL SUBJECT TO CONDITIONS

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 Trumpington Meadows lies on the south west edge of the City to the west of Hauxton Road, and forms part of the area allocated for predominantly residential development within Cambridge Local Plan 2006 policy 9/5 (Southern Fringe) and within the Cambridge Southern Fringe Area Action Plan 2008. The Proposed Submission

Cambridge Local Plan 2014 allocates the site for housing within proposals site R42b.

- 1.2 In October 2009 outline planning permissions were granted by Cambridge City and South Cambridgeshire District Councils for 1200 dwellings, a country park, primary school, community facilities, informal and formal play space and associated infrastructure at Trumpington Meadows.
- 1.3 This reserved matters scheme for Phase 9 is an irregular shaped plot adjacent to the primary school field and proposed local centre. The site falls within South Cambridgeshire District Council. It is situated within three character areas as set out in the design code: the majority is in the urban quarter, with the remainder falling within the riverside and gateway quarters.
- 1.4 To the north of the site is Phase 8. The land to the west is part of the Riverside quarter and will be developed with apartments in later phases. The land to the south beyond Railway Green is to be developed for further dwellings as part of Phase 10.
- 1.5 The proposed country park beyond to the west of the site falls within the Cambridge Green Belt.

## **2.0 THE PROPOSAL**

- 2.1 Reserved matters permission is sought for the erection of 122 new dwellings with associated internal roads, car parking, landscaping, amenity and public open space. Reserved matters approval is sought for access, appearance, landscaping, layout, and scale. The development provides 73 private dwellings and 49 affordable houses. This equates to 40% affordable housing for Phase 9.
- 2.2 This phase of Trumpington Meadows includes a rectangular shaped area of open space 'Railway Green'. Public art is proposed at the end of this green next to Block Q and the country park.
- 2.3 Since mid-2015 officers have engaged in a succession of pre-application meetings with the developer on Phase 9. Comprehensive comments on the emerging scheme were provided following each meeting and the applicant and their design team have largely amended the proposals to respond to the issues and suggestions made by officers.
- 2.4 The application is accompanied by the following supporting information:
  1. Design Code compliance statement (DCCS)
  2. Sustainable construction and design statement
  3. Statement of community engagement
  4. Planning statement
  5. Noise assessment
  6. Drainage strategy statement
  7. Contamination letter
  8. Construction management plan

### **Amended Plans and Additional Information**

2.5 The following amended plans and additional information have been received:

- Revised Drainage Strategy Statement and SuDS Management Plan
- Highway tracking, turning and dimensions (drawings)
- Revised Construction Management Plan
- Revised architectural drawings

### 3.0 SITE HISTORY

Reference	Description	Outcome
08/0048/OUT	Demolition of existing buildings and structures, redevelopment for approximately 600 dwellings, two new accesses onto Hauxton Road, recreation/leisure uses including change of use from agriculture to public open space, with associated parking, infrastructure and earthworks.	Approved S106
S/0054/08/O (SCDC)	Demolition of existing buildings and structures, redevelopment for approximately 600 dwellings. And for a Primary School, Recreation/Leisure Uses including change of use from agriculture to public open space, community and other local facilities with associated parking, infrastructure and earthworks.	Approved S106
S/0685/10/RM (SCDC)	Phase 1 Infrastructure provision	Approved
10/0501/REM (City)	Phase 1 Infrastructure provision (Phase 1 primary street and John Lewis Partnership access).	Approved
S/1113/10 (SCDC)	Formation of a Country Park	Approved
S/00506/11/CC (County)	Two form entry primary school incorporating pre-school and community facilities with associated car and cycle parking, multi-use games area, hard surface play areas, playing fields.	Approved
11/0073/REM (City)	Submission of reserved matters (access, appearance, landscaping, layout and scale) for 163 dwellings to north east part (Phase 1) of Trumpington Meadows pursuant to outline application 08/0048/OUT.	Approved

11/0075/REM (City)	Submission of reserved matters (access, appearance, landscaping, layout and scale) for 161 dwellings to north east part (Phase 1) of Trumpington Meadows pursuant to outline application 08/0048/OUT.	Approved
S/0160/11 (SCDC)	Reserved matters (access, appearance, landscaping, layout and scale) for 29 dwellings to north east (Part Phase one, 189 dwellings) of Trumpington Meadows pursuant to outline applications 08/0048/OUT & S/0054/08/O.	Approved
14/0624/REM (City)	Reserved Matters for 86 new dwellings with associated internal roads, car parking, landscaping, amenity and public open space. The reserved matters include use, amount, layout, scale, landscaping and appearance.	Approved
S/2998/14/RM & 14/2109/REM	Reserved matters for phase 8 providing 36 new dwellings with associated internal roads, car parking, landscaping, amenity and public open space. (25 dwellings fall within South Cambridge District Council and 11 dwellings fall within Cambridge City Council).	Approved

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

##### 5.1 Relevant Development Plan policies:

PLAN	POLICY NUMBER
Cambridge Southern Fringe Area Action Plan 2008	CSF/1 CSF/2 CSF/3 CSF/6 CSF/7 CSF/11 CSF/12 CSF/13 CSF/16 CSF/17 CSF/19 CSF/21 CSF/22
LDF Core Strategy Development Plan Document January 2007	ST/2 ST/10
LDF Development Control Policies Development Plan Document July 2007	DP/1 DP/2 DP/3 HG/1 HG/2 HG/3 NE/6 NE/11 NE/14 SF/6 SF/10 TR/2 TR/4



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
Supplementary Planning Guidance	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  LDF District Design Guide: High Quality and Sustainable Development in South Cambridgeshire (March 2010) Landscape in New Developments SPD (March 2010) LDF Affordable Housing SPD (March 2010)  Public Art (January 2009)
Material Considerations	Area Guidelines Trumpington Meadows Design Code (2010)

5.3 **Status of Proposed Submission – South Cambridgeshire 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 and South Cambridgeshire, therefore, the emerging revised Local Plans as published for consultation in 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.

5.4 For the application considered in this report, the following policies in the emerging plan that carry some weight are:

**South Cambridgeshire Plan**

- CC/6 Construction Methods
- CC/8 Sustainable Drainage Systems
- HQ/1 Design Principles
- HQ/2 Public Art and New Development
- H/9 Affordable Housing
- SC/10 Lighting proposals
- SC/11 Noise Pollution
- SC/12 Contaminated Land

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

#### Comments on application as submitted

- 6.1 Requires the applicant to provide a layout plan showing proposed dimensions for widths of highways, both on general line and at width restrictions, radii at junctions, etc. and a layout tracking a refuse vehicle and fire tender through the development.
- 6.2 The area adjacent to Plot 600 requires reworking to achieve an adoptable highway layout providing a loop, with appropriate forward visibility splays outside Plots 600 and 578. The turning area at the end of the cul-de-sac outside plots 632 and 633 needs some demarcation identifying the extent of public highway following adoption. Additional hard paving will be required outside of the 0.5m maintenance margin to provide the required working space around street lighting columns.

#### Comments on amended application

- 6.3 The amended submission resolves the issues previously raised. The developer has provided dimensioned drawings showing road widths; the 7.0 metre overall adoptable width is acceptable for the shared surface highways, split into a 6 metre shared surface with two 0.5 metre maintenance strip. Where street lighting columns are positioned, this will require additional land to be dedicated as public highway. The 11.9 metre wide street is assumed to consist of two 2 metre footways, a 5.5 metre carriageway and a 2.4 metre parking bay. Please obtain confirmation of these dimensions.
- 6.4 No dimension is provided for the width at the width restrictions. The kerbline at the width restriction is likely to trap detritus, if set out with right angles: a 45 degree splay would be easier to clean. Forward visibility splays on bends will need to be dedicated as public highway. This will require amendment of the corner plots on Road RD6 (Plots 600 and 578). The turning area at the end of the cul-de-sac outside plots 632 and 633 can be demarcated to adequately identify the extent of public highway following adoption. The manoeuvring at the access around the second build out on street RD03 is very tight and should be relaxed a bit by moving the build out slightly.

### **Cambridgeshire County Council (Flood and Water Team)**

- 6.5 Not received

#### **Refuse Team**

- 6.6. Not received

#### **Anglian Water**

- 6.7 Not received

### **Wildlife Trust**

- 6.8 Not received

### **Historic England**

- 6.9 The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

### **Cambridge County Council Archaeology**

- 6.10 Archaeological mitigation was undertaken for this area by condition of the outline planning application. Further information is not required in connection with the present reserved matters application and we have no objection to this development proposal.

### **Police Architectural Liaison Officer**

#### Comments on application as submitted

- 6.11 Large covered recesses should be avoided such as those found at Flat Blocks J1, J2, K, L1 and L2. It is in these recesses in apartment blocks, where on occasions, problems can occur with unacceptable behaviour by some residents and visitors such anti-social behaviour, drink and drugs.
- 6.12 External rather internal mail boxes are recommended. Cambridge City Council no longer allow these internal mail boxes and the same may apply to SCDC. Certainly internal mail boxes do have implications in respect of any future Secured by Design Accreditation the developer may seek to achieve and how mail/parcel delivery is managed within accessed controlled areas. Trade entry buttons are no longer deemed acceptable.
- 6.13 The 'L' shape layout to the private and affordable 3B house types has been granted planning permission on a number of earlier Phases of this development, albeit on a much smaller scale. However, further thought should be given to the positioning of the main front doors. You will note that this door has been placed towards the rear of the carport/under-croft. Best practice suggests that in the interest of crime prevention the best place for any front door is for it to be placed on the front aspect of a home, where it can be clearly observed by neighbours and those passing. This makes any potential offender, attacking the property or its residents, less comfortable as they can be clearly observed.

#### Comments on amended application

- 6.14 The concern in respect of the former large open covered recesses has been satisfactorily resolved by moving the entrance doors forward to what appears to be a maximum recess of 1000mm, which is acceptable.

## **Sustainability Officer**

### Comments on application as submitted

- 6.15 The applicant has a tried and tested way of achieving the energy and carbon requirements of local policy, along with Level 4 of the Code for Sustainable Homes (CfSH), but the data provided in support of this needs to be looked at again to ensure it is as accurate as possible. To ensure condition 14 (Code 4 CfSH requirement) of the outline consent is satisfied the applicant should confirm the following details:
- a) The total notional energy use of the development before passive/energy efficiency improvements
  - b) The total carbon emissions of the development based on Target Emissions Rates (TER)
  - c) The developments actual energy use by fuel type from regulated source and the relevant carbon conversions used
  - d) The developments actual energy use by fuel type from unregulated sources and the relevant carbon conversions used
  - e) The expected total energy output of the solar PV system per annum and the relevant carbon conversions used

### Comments on amended application

- 6.16 Comments awaited.

## **Drainage Officer**

### Comments on application as submitted

- 6.17 Requires further details to be included in the submitted Drainage Strategy to detail overland flow routes, as well as a maintenance and management of the drainage infrastructure.

### Comments on amended application

- 6.18 The information that has now been submitted is acceptable and is in accordance with the site wide surface water drainage strategy.

## **Housing Officer**

- 6.19 There are no affordable plots to the northern and eastern flanks of the site. This is not of concern to SCDC housing or the registered provider; however the planning department might have an issue with this clustering. There are fewer 3 storey affordable dwellings than on previous phases, which is preferred by the registered provider due to their relatively inefficient design. The registered provider has a

preference for the tenure split of 73.5% rented and 26.5% shared ownership (being plots 543 to 553 and plots 578 to 579) shown in this application.

**National Grid**

6.20 No comments received

**Natural England**

6.21 No comments to make on this application. They advise that the lack of comment does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

**Landscape Officer**

Comments on application as submitted

6.22 General support for proposal but additional information and amendments are required.

a) Parking court for units 566-570

The secondary parking spaces for the allocated 567 and 568 units are less than 6m apart and as such will not be particularly usable. Further changes could be made to improve the relationship between the garages and the units, and eliminating the long alley leading to 566's SOG and the circuitous bin drag route for unit 570.

b) Semi-public/private space on the Railway Green side of Block Q

The definition between public and private has been identified through planting beds and hedges. However, it is unclear if this is effective enough to make the grassy area exclusively private. There may be a need for additional low railings and gates at the access points. Further information is needed to show any street furniture being used here and throughout the development. Additionally, the area designated for the LAP is unclear. It is noted that the LAP design for the play equipment will come forward as part of the Public Art strategy so it is recommended that the details for the LAP and the area directly associated with it are secured through condition.

c) Soft Landscaping

Some plant species are too large for their location and will require intensive pruning by the homeowner to retain shape and size, or that do not tolerate the heavy clay soils which are native to Cambridge. Alternative plant species are recommended.

The palette of rain garden plants selected is a good start but it needs to be expanded and given a bit more height and texture diversity. A full specification for how areas of planting/mixed shrubs are to be planted (i.e. densities, quantities per species etc.) is required. Detailed plans, sections and planting plans are required for these spaces which include drainage features.

- d) Additional tree pit details are required for all the planting methods used in the scheme. The tree pit in hard paving detail submitted is acceptable. Details are required of the tree pits in soft landscaped areas and car parks where a hybrid pit may be required.
- e) Plans and section details of the planting pockets are required for the Mews streets.
- f) Details are required of build-up/materials of all the hard landscape choices and clarification of whether the tarmac with coloured chippings is a permeable surface
- g) An adoption plan is required.

#### Comments on amended application

- 6.23 Approval in principle, subject to the following recommendations: 1) please ensure enough room is left for the parking of vehicles in the spots allocated to 567; 2) the strip of landscape between the school and the road should be put in the County Council adoption colour as the City Council would not seek to adopt the verge; 3) the use of Rhus typhina within the landscape scheme should be removed prior to any approval.
- 6.24 The remainder of the rebuttal arguments in respect of the landscape species as presented within the Summary Statement dated 1<sup>st</sup> March, 2016 are accepted. Conditions are recommended to secure details of the LAP adjacent to Railway Green, details of mews planting pockets and rain gardens.

#### **Urban Design Officer**

#### Comments on application as submitted

- 6.25 General support for proposal but additional information and amendments required. The overall approach to Phase 9 has the potential to form a well-designed addition to wider Trumpington Meadows development. However, there are a number of issues that need to be resolved before the proposals can be supported in urban design terms:
  - There needs to be a better relationship between parking spaces and units 524-532 within the mews street to the north west of the phase.
  - The issue of deep open entrance lobbies needs to be addressed

- A number of other clarifications and minor adjustments have been identified in relation to the submitted drawings and documents
- An alternative brick with a greater variety of tone should be considered for apartment blocks J1, J2, L1 and L2.

Comments on amended application

6.26 *Relationship between parking spaces and units 524-532*

The applicant has taken on board our suggestions and amended the parking layout to the north western mews street of the proposal, to achieve a better relationship between parking spaces and the dwelling they serve. Where possible, the applicant has also provided direct access from the garage into the rear garden. The amendment is acceptable in design terms.

6.27 *Deep open entrance lobbies on Blocks J2, L2, L1 and K*

The applicant has amended the plans to remove deep entrance lobbies. The amendment is acceptable in design terms.

6.28 *Materials and details*

All drawings have been amended to include a materials key and additional information has been provided to clarify many of the detailed elements listed in our original comments. However, no details such as colours, garage door systems or materials of bike storage structures etc. were provided. Therefore, should the application be granted, details and samples of materials to be used in the construction of the external surfaces of the development should be conditioned, in addition to sample panels.

6.29 *Garage door of SOGs*

At a width of 5.5m, the wide garage doors of the SOGs were of concern and we suggested the inclusion of a personnel door to provide convenient access to cycle storage. The design remains unchanged and we therefore suggest that details of the garage door system are conditioned.

6.30 *Type 4F A and B (Riverside), ground floor contrasting brick pattern*

No details regarding the contrasting brick pattern for the ground floor has been provided. We are still of the view that the principle as described and visually represented on page 51-53 of the DCCS is a key feature of these townhouses and should be secured through the planning drawings.

- 6.31 An alternative buff brick with a greater variety of tone should be considered for blocks J1, J2, L1 and L2. The applicant has requested that our concern is dealt with by way of condition. This is acceptable in urban design terms, however the use of an informative on the decision letter could provide a way to ensure that the applicant is aware that the suggested buff brick of 'Wieneberger Olde Ivory White' for Blocks J1, J2, L1 and L2 will not be acceptable and that an alternative brick with a greater depth and variety of tone should be considered.

**Ecology Officer**

- 6.32 No objections.

**Environment Agency**

- 6.33 No objection in principle to the proposed development. The local authority is advised to consult with the Lead Local Flood Authority (LLFA) at CCC on sustainable drainage issues and in respect of any proposed works to ordinary watercourses, including culverting.

**Acting Environmental Health Manager**

Comments on application as submitted

- 6.34 Asks for further detail/clarification in the Construction Management Plan (CMP) of the following:
- (a) delivery times and notification
  - (b) monitoring points
  - (c) reversing alarms
  - (d) agreed working times and noise levels
  - (e) light spill from temporary construction lighting
  - (f) dedicated contact for complaints
- 6.35 It is agreed that prior to commencement of noisy construction work a method statement will be provided containing predicted noise levels, as detailed on page 9 of the revised CMP.
- 6.36 A separate detailed noise assessment will be required for the construction of block Q to the west of the development. This is of particular concern due to its line of site to the M11 and the potential for noise impacts from road traffic noise. The majority of the site appears to benefit from adequate shielding from the M11 road traffic generated noise by other buildings. However, Block Q is likely to require noise insulating façade treatments due to its exposed nature in order to meet the internal noise levels in BS8233 2014.
- 6.37 A detailed noise assessment predicting these internal levels is required and recommendations made as to the level of attenuation required in order to meet the above British Standard levels. This could involve the installation of an alternative form of background ventilation (mechanical) in order to achieve the internal levels



whilst windows are closed if passive acoustically treated vents are not adequate.

- 6.38 In terms of street lighting, no details have been submitted concerning horizontal and vertical isolux contours. These details will be required to ensure the acceptability of the locations proposed and whether any shielding is required for individual luminaires near to residential premises, particularly sensitive rooms e.g. bedrooms.

Comments on amended application

- 6.39 The revised CEMP has now satisfactorily addressed the previous concerns raised. Also the revised noise assessment clarifies the noise levels affecting Block Q. The noise report now confirms that the assessment and recommendations for noise insulation relates to all of the units along the southern boundary (including Block Q) and ignores any screening. This gives a worst-case scenario.
- 6.40 Most of the new properties will benefit from screening from further anticipated buildings between the southern boundary and the M11 (e.g. Phases 10 and 11). Consequently, internal noise levels will be reduced. Block Q will not benefit to the same extent but will still be constructed with the recommended levels of noise insulation required to meet current internal noise standards (BS8233 2014). In order to confirm this is the case after completion, a post-construction noise assessment is carried out to ensure the internal noise levels in BS8233 2014 are being met as expected.
- 6.41 It is recognised that minimum lighting levels are required for street lighting depending on the class of road. Therefore, I would recommend shields be fitted to both EC05 and EC06 (shown on drawing 0658-1300-002 Rev A (Phase 9 Road Lighting Layout) to protect the residents likely to be affected by intrusive light from the street lights.

**Cambridge Fire and Rescue Service**

- 6.42 Should the LPA be minded to grant approval we would ask that adequate provision be made for fire hydrants, which may be by way of S106 agreement or a planning condition.

**7.0 REPRESENTATIONS**

- 7.1 No neighbour representations have been received.

**Haslingfield Parish Council**

- 7.2 No objections

**8.0 ASSESSMENT**

- 8.1 The main material planning considerations in this instance are:

1. Principle of development
2. Affordable housing, housing mix and density

3. Compliance with parameter plans and Trumpington Meadows Design Code
4. Context of site, design and external spaces
5. Drainage
6. Public Art
7. Renewable energy and sustainability
8. Disabled access
9. Residential amenity
10. Refuse arrangements
11. Highway safety
12. Car and cycle parking
13. Construction Management Plan (CMP)
14. Noise
15. External lighting
16. Ecology
17. Archaeology
18. Planning Obligation Strategy

### **Principle of Development**

- 8.2 This is a residential reserved matters application for 122 dwellings pursuant to the outline application. The combined master plan which was approved as part of the outline application fixes the key principles for the development. Compliance with these parameters is discussed at paragraph 8.12 below.
- 8.3 A number of strategic conditions attached to the outline permission have been discharged by the Joint Development Control Committee, which includes the Design Code, Phasing, Site Wide Drainage strategy, Strategy for Youth Facilities and Children's Play and Public Art strategy.
- 8.4 The applicant seeks the discharge of the following pre-commencement outline conditions that apply to Phase 9:
- 4 – Reserved matters detail
  - 6 – Urban Quarter Parking
  - 10 – Design Code Compliance Statement
  - 11 – Strategy for Youth Facilities and Children's Play
  - 13 – Private and affordable housing
  - 14 – Code for sustainable homes
  - 15 – Life Time Homes
  - 17 – Drainage
  - 18 - Drainage
  - 19 - Main and foul water drainage
  - 21- Renewable Energy
  - 24 - Landscaping within the built-up area
  - 28 – Contamination
  - 30 – Construction Management plan
  - 33 - Delivery strategy for house waste and recycling
  - 35 – Building Levels
  - 36 - Car parking for people with disabilities
  - 37 - Overall car parking numbers
  - 38 - Cycle ways and footpaths

- 8.5 The details of these pre-commencement conditions have been incorporated into the reserved matters submission as appropriate. Any stand-alone conditions from the outline consent will be dealt with in a separate application.

**Affordable housing, housing mix and density**

- 8.6 It is proposed that 49 of the 122 residential units are affordable, which equates to 40.16%. The average provision of affordable units across all phases to date totals 40.45%, which achieves the minimum 40% requirement site wide. The affordable housing split is 73.5% social rent and 26.5% shared ownership. This strays slightly from the indicative affordable housing split (75/25) set out in the S106 but overall the cumulative split for phases 1-9 would be acceptable at 75.20/24.8. The application therefore complies with the S106 requirements and the housing officer is satisfied with the level and type of provision.
- 8.7 The affordable units are arranged in clusters mixed across the phase. Condition 13 of the outline consent states that no more than 12 affordable homes (15 if no more than 12 are social rented) be clustered together and no more than 20 apartments be clustered together. The proposal is considered to meet this requirement and is not dissimilar to previous clustering found on earlier phases (see drawing 445\_09\_RM09\_005 P01). Consequently, no objections are raised to the proposed affordable housing provision, which has received support from both the housing officer and registered provider.
- 8.8 The preponderance of smaller dwellings in this application is reflective of the anticipated higher density of the urban quarter and compensates for the low proportion of small units in some of the previous phases. The 53/47 split of houses to apartments is considered acceptable given the intended 50/50 split for the urban quarter (design code, p.154) and taking into account the site constraints. The mix is summarised in table 1 below:

Table 1: Phase 9 housing mix

<b>Houses</b>	<b>Market</b>	<b>Affordable</b>	<b>Total</b>
2 bed	0	0	0
3 bed	14	12	26
4 bed	37	0	37
5 bed	1	0	1
<b>Total</b>	<b>52</b>	<b>12</b>	<b>64</b>
<b>Flats</b>	<b>Market</b>	<b>Affordable</b>	<b>Affordable</b>
1 bed	0	11	11
2 bed	19	26	45
3 bed	2	0	2
<b>Total</b>	<b>21</b>	<b>37</b>	<b>58</b>

- 8.9 Housing density on Phase 9 is highest along the primary road where terrace housing and apartments are proposed. This reflects the approach set out in the approved design code (p.152), which seeks between 60-65 dwellings per hectare (DPH). The

density to the east side of the primary road is slightly raised at 71 DPH due to the concentration of apartments. This is not objected to given the repetition of built form along the primary road and the need to create a defined built edge.

- 8.10 Density to the western side of the development is slightly low at 44 DPH, whereas the design code seeks 55-60 DPH. In terms of layout, the scheme has positively responded to the irregular plot shape. Increasing density in this location would prove very difficult taking into account the need to blend the scale and character of housing with Phase 8, and provide a reasonable standard of residential amenity and parking. On this basis the slight under-provision of density is considered to be justified.
- 8.11 Consequently, the proposal is considered to meet the aims and objectives of Policy CSF/7 of the Cambridge Southern Fringe AAP and the outline planning consents.

### **Compliance with parameter plans and Trumpington Meadows Design Code**

- 8.12 The outline parameter plans identify building heights of up to three storey (up to 11m) and four storey (up to 14.5m) for the area covered by the application proposal. The scheme falls within the riverside, urban and gateway character areas of the design code and reflects these parameter plans. The approved design code allows for building heights to increase along the primary street and this is reflected in the storey heights of Blocks L1 and J1, which act as marker buildings at this key junction ('the circus') of the primary street and reach a maximum height of 12.7m.
- 8.13 There is a minor deviation from the design code in the creation of a side street within the south western area of Phase 9, where in the design code a 'cycle/pedestrian only' link is identified as part of a much larger perimeter block. Providing a low order, slow designed side street, which provides access for all modes, will create a more legible, connected and coherent scheme. The layout of the proposal is a result of detailed site masterplanning which has evolved with the input of the highway authority and with this slight adjustment to the street hierarchy the layout still accords with the overall principles set out in the design code.
- 8.14 The proposal would comply with most of the mandatory guiding principles, building types and typologies set out in the design code (p.154) as discussed below.

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

- 8.15 The key consideration is the appropriateness of the design, layout and external appearance of the buildings in their setting. Compliance with the design code requirements is discussed below.

#### Design and layout

- 8.16 The evolution and justification of layout of the scheme is well illustrated and summarised within the design code compliance statement (DCCS) along with the submitted plans and elevations. The arrangement of buildings creates a legible perimeter block structure that provides well defined edges and frontages to adjacent streets. The layout accords with the design code principles for the urban, riverside and gateway quarter character areas and this is manifest in:

- the primary frontage onto Piper Green (units 516-523)
  - an appropriate street hierarchy
  - the marker building at 'the circus' (units 609-619 'Block J1')
  - the landmark building to the south-eastern corner of Phase 9 (units 549-553 'Block K')
  - built form that interacts with landscape structure (units 580-599 'Block Q')
  - the 'green fingers' at Piper Green and Railway Green
- 8.17 Over the course of the pre-application discussions the architect has worked hard to 'design out' large, sterile parking courts. The primary street has no direct access to properties (design code, p.63), but the architect has taken a place-making approach to accommodating parking to the rear. This is achieved by the creation of mews-type streets and spaces that are clearly defined and overlooked by neighbouring buildings.
- 8.18 Parking courts are provided to the rear of the apartment buildings along the primary road, but the design approach to these spaces is well considered. There is a good level of defensible space in front of ground floor apartments by way of planted areas. Large strategic trees have been carefully positioned to structure spaces and respond to glimpsed views.
- 8.19 Suggested improvements to certain sections of the Phase 9 layout have been put forward by the police liaison officer, urban design officer and landscape officer and followed up by the applicant in the submitted revised drawings. These improvements include:
- A better relationship between units 524-532 and their associated parking spaces. Where possible, the applicant has also provided direct access from the garage into the rear garden.
  - The applicant has amended the plans to remove the former deep entrance lobbies to Blocks J2, L2, L1 and K.
  - The parking spaces allocated for units 567-570 have been rearranged to improve the relationship between the units and their associated parking spaces, and ensure the provision of a 6m reversing space. The long alley leading to 566's 'studio over garage' (SOG) and the circuitous bin drag route for unit 570 have also been removed and reconfigured.

### Scale and Massing

- 8.20 Officers are supportive of the proposed height and massing strategy of Phase 9, which responds well to key contextual factors (established within the design code) and good place-making principles. The urban quarter character is formed not only by the higher densities found along the primary road but also the narrow fronted, 3 storey gabled house types and 3-4 storey apartment buildings. The 4 storey apartment blocks (J1 and L1) enclose the junction of the primary street and secondary street, which helps to emphasise this key nodal/focal point.
- 8.21 Two storey buildings are appropriately located away from the primary road and along

side streets and mews streets, helping to reinforce the legibility of the scheme and create a more intimate character. To the south west corner of the site, the scale and massing of Block Q is a mixture of 3 storeys with some duplex apartments extending to 4 storeys. The form and design of this building successfully addresses the country park as well as terminating the western end of the side street fronting Railway Green.

- 8.22 To the north-eastern edge of the site, 3 storey townhouses front Piper Green and mirror the house types found on the opposite Phase 8 consented scheme. This creates a more formal 'set piece' that is appropriate to the character of this area.
- 8.23 Overall, the scheme accords with the principles set out the design code relating to height and massing.

### Elevations

- 8.24 The overall approach to the design of the proposed house types is supported, both in terms of form and architectural expression. The introduction of new house types within this phase is particularly welcomed. Along the higher order routes (primary street and secondary streets) and adjacent to key spaces (Piper Green and Railway Green) the combination of house types satisfies the detailed 'character area' guidance set out in the design code. In these locations the house types exhibit more urban characteristics: strong building lines created by terraced forms and linked detached units, and strong vertical rhythms created by the relatively narrow plot widths and 3 storey townhouse forms.
- 8.25 There is a combination of pitched, gable ended and flat roof forms to create a varied and articulated roofscape. This can be seen along the primary road with the contrast between the narrow fronted gable house type (type B2) and the flat-roofed apartments opposite. Additionally, the flat roof townhouse forms (type 4F) along the secondary street work well against the backdrop of the future riverside phase, which potentially may have a more open, permeable form. The gables that abut street corners or terminate key views have been enhanced with special elevational treatment, as clearly illustrated within the plans.
- 8.26 Generally, the proposed apartment types are supported in terms of form and the design of the elevations. The scale and massing of the five apartment buildings along the primary road will create a more urban feel and aid legibility by defining key nodal points. Facades are well ordered, with projecting bays providing a degree of rhythm and vertical emphasis to the street in accordance with the design code. Pre-cast concrete also helps to accentuate the vertical order of the buildings (base, middle and top).
- 8.27 The architect has developed a bespoke and unique apartment building (Block Q) at the south western corner of the site, which has been subject to detailed discussion with officers. Its cranked form responds well to key contextual factors and place-making opportunities by creating a positive terminus to Railway Green and giving good definition to the side street. Additionally, the south-facing landscape/amenity space provides a good transition between the development and the more open character of the country park. Overall, Block Q responds well to the design code and its requirement for a built form in this location that interacts with the landscape.

## Materials

- 8.28 The applicant has identified the general approach to materials within section 5 of the DCCS. This information is further supplemented by site wide plans indicating brick type and roof materials. The pallet of materials in Phase 9 includes more red and grey colour bricks compared to previous phases, which is welcomed.
- 8.29 The apartment buildings (Block J1, J2, L1 and L2) have a refined simplicity to their facades and would benefit from a facing brick with greater depth, texture and variety of tone. Final details and finishes for the proposed buildings can be agreed by condition along with the details suggested by the urban design officer, which include: windows, doors, porch details, timber cladding, projecting bay and dormer windows, garage doors, external metal work, rain water goods, and coping.
- 8.30 Details regarding the contrasting brick pattern for the ground floor of house type 4F have been provided on the amended drawings. The principle of this brick differentiation is described and visually represented on page 51-53 of the DCCS and is a key feature of these townhouses.
- 8.31 The applicant is aware that the suggested buff brick of 'Wieneberger Olde Ivory White' for Blocks J1, J2, L1 and L2 will not be acceptable and that an alternative brick with a greater depth and variety of tone should be considered. This can be secured via the aforementioned materials condition (condition 1). An informative is recommended to advise the applicant that an alternative brick choice should be sought.

## External Spaces

- 8.32 The proposed green corridors of Piper Green and Railway Green connect and integrate the site with the surrounding country park in accordance with one of the guiding principles of the design code. The proposal also includes a specific area of children's play, in the form of a Local Area of Play (LAP) towards the end of Railway Green. A further LAP is anticipated in the Riverside Quarter resulting in Phase 9 accessing four LAPs in accordance with the agreed Strategy for Youth Facilities and Children's Play (Condition 11 of 08/0048/OUT and S/0054/08/O). Final details of the facility can be secured by condition (conditions 5 and 6) along with details of the landscaping, street furniture and public art proposed in the external amenity area to the south-west of Block Q (to address the comments of the landscape officer).
- 8.33 The comments of the landscape officer are noted in relation to the external parking court for units 566-570. The amended drawings have increased the vehicle reversing space to an acceptable distance (6m) and provided sufficient parking area for plot 567. The changes also improve the relationship between the garages and the units, and remove the long alley leading to 566's SOG and the circuitous bin drag route for unit 570.
- 8.34 The relationship between the parking spaces and units 524-532 within the mews street to the north west of the phase has been rearranged to address the comments of the urban design officer.

- 8.35 Alternative plant species have been submitted in response to the concerns of the landscape officer regarding the appropriateness of certain plant species. Conditions are recommended to secure final details of the rain gardens
- 8.36 The strip of landscape between the school and the road has been be altered and put in the County Council adoption colour, as the City Council would not seek to adopt the verge. The use of Rhus typhina within the landscape scheme has also been removed in response to the landscape officer's comments.
- 8.37 The remainder of the rebuttal arguments in respect of the landscape species as presented within the Summary Statement dated 1<sup>st</sup> March, 2016 are accepted by the landscape officer. Conditions are recommended to secure details of the LAP adjacent to Railway Green, details of mews planting pockets and rain gardens (conditions 8 and 9).

#### Quality Panel Review

- 8.38 This reserved matters scheme was not considered by the Cambridgeshire Quality Panel, although the scheme has been discussed at length at pre-application stage with the local planning authority.

#### Summary

- 8.39 The design and layout of Phase 9 is considered to be consistent with the principles of the design code and will successfully contribute to the character of the emerging character areas. As such the proposal is compliant with Policies DP/1 and DP/2 of the South Cambridgeshire LDF 2007 and Policy CSF/2 of the Cambridge Southern Fringe AAP 2008.

#### **Drainage**

- 8.40 Sustainable drainage issues raised by the Council's drainage officer have been resolved following receipt of an amended drainage report. Phase 9 drainage will be discharged to the constructed ditch on the west side of the development which in turn outfalls to the site wide balancing ponds. The site wide balancing ponds have been sized to accommodate the 1 in 100 year return period with allowance for climate change. Adequate provision is made for sustainable drainage in accordance with Policy NE/10 of the South Cambridgeshire LDF 2007 and policies CSF/2 and CSF/24 of the Cambridge Southern Fringe AAP 2008.

#### **Public Art**

- 8.41 The overall public art strategy for the Trumpington Meadows site has been approved through the Section 106 Agreement (Schedule 2, Part A (11) of the outline consent. The strategy has different themes that will be implemented throughout the development. It is intended that the public art will continue to explore further ideas using the 'Play Patterns' theme which aims to enhance routes and connect the network of residential streets and the country park through informal play. This approach is considered acceptable and in accordance with the strategy. Final details of this public art are recommended to be secured by condition (condition 6). Subject



to this condition, the proposal will comply with Policy SF/6 of the South Cambridgeshire LDF 2007, Policies CSF/2 and CSF/9 of the Cambridge Southern Fringe AAP 2008 and the approved Public Art Strategy for the Trumpington Meadows site (September 2010).

### **Renewable energy and sustainability**

- 8.42 Condition 21 of the outline permissions requires the submission of details to ensure that a minimum of 10% of each phase's energy is generated from renewable sources. The 'Sustainable Design and Construction statement' submitted with the application sets out the approach to reduction in energy demand and emissions. Photovoltaics are proposed to be installed on every house to meet the minimum of 10% energy produced from renewable sources. All units will be built to Code for Sustainable Homes level 4 in line with the requirements of Condition 14 of the outline permissions.
- 8.43 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Policy NE/3 of the adopted South Cambridgeshire Local Development Framework 2007 and Policy CSF/21 of the Cambridge Southern Fringe Area Action Plan 2008.

### **Disabled access**

- 8.44 The scheme accords with condition 15 of the outline approval, which requires 15% of all market dwellings and 15% of all affordable dwellings to meet the lifetime homes accreditation (see drawing 445\_09\_RM09\_040 P03). All properties will be fully accessible by reason of Part M of the Building Regulations. The proposal is therefore compliant with policy CSF/2 of the Cambridge Southern Fringe AAP 2008.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.45 This phase does not impact on any existing residential properties.

#### Amenity for future occupiers of the site

- 8.46 The proposed garden spaces are generally reflective of those accepted on previous phases. Despite the limited sizes of some of the garden spaces there is still sufficient space to accommodate cycle and refuse storage, and their manageable size will no doubt be desirable to many future occupiers.
- 8.47 Overlooking has been considered by the applicant with the notable absence of first or second floor windows to the rear of the FOG units, the sides of the SOG units and the flank elevation of plot 532 to protect the privacy of adjoining neighbours. There are also angled windows to the rear of Block L2 to mitigate the impact of overlooking towards the rear garden of plot 548. The final architectural detailing and materials of this angled window unit is recommended to be agreed by condition (condition 2).
- 8.48 The proposal is therefore considered to provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers in accordance with Policy DP/3 of the South Cambridgeshire LDF 2007 and Policy CSF/2 of the

Cambridge Southern Fringe AAP 2008.

### **Refuse Arrangements**

- 8.49 Bin storage for the houses is provided towards the rear garden areas to comply with the design code. Bin stores are located within a single storey building which includes separate storage for bicycles. These are relatively modest in scale so as not to dominate rear garden areas and are screened from public views. Their design is considered to be acceptable and provides sufficient space for three refuse bins. Bin drag distances to collection points are also compliant with RECAP guidance.
- 8.50 Communal bin stores are located at the front of the six apartment blocks to facilitate safe, convenient access for residents and short drag distances for collection vehicles. The proposed collection routes to the apartment's bin stores leading onto the primary road do alter the previously approved landscaping and on street car parking arrangement for the spine road (ref S/0994/15/RM). These changes are minor in nature and will require a separate non-material amendment application to the approved spine road application.
- 8.51 Consequently, the proposal is compliant with RECAP guide and Policy CSF/2 of the Cambridge Southern Fringe AAP 2008.

### **Highway Safety**

- 8.52 Additional drawings have been submitted to show vehicle tracking and highway dimensions. These drawings confirm that the 11.9m wide street will consist of two 2m footways, a 5.5 metre carriageway and a 2.4 metre parking bay as requested by the Local Highway Authority. The forward visibility splays on the road corners near to plots 600 and 578 can be dedicated as public highway, as they do not encroach onto the residential plot. This addresses the comments of the LHA.
- 8.53 As advised by the LHA, the manoeuvring at the access around the second build out on street RD03 (the 'community street') is very tight and should be relaxed a bit by moving the build out slightly. The applicant has removed this build out on the revised drawings to avoid this conflict.
- 8.54 Consequently, the applicant has addressed the concerns of the LHA and the proposal is compliant with Policy DP/3 of the South Cambridgeshire LDF 2007 and CSF/10 of the Cambridge Southern Fringe Area Action Plan (2008).

### **Car and Cycle Parking**

#### Car Parking

- 8.55 The proposal includes an average of 1.25 car parking spaces per dwelling (not including visitor parking). This total average falls within or above the various parking requirements for the three character areas, as set out in 5.4 of the design code (Table 2).

Table 2 – Design code parking requirements

Urban Quarter	1 space per dwelling with 1/3 on plot. 1/3 on street and 1/3 in courtyard/mews
Riverside Quarter	1-1.5 spaces per dwelling
Gateway Quarter	1-1.5 spaces per dwelling with a combination of on plot, courtyard and on street parking

8.56 Undercroft parking is provided for a significant proportion of the dwellings in the urban quarter. Rear courtyard parking is provided for the majority of the apartments and several FOGs and SOGs are proposed within the mews-like streets to contain and screen most of the parking. Additionally, six visitor parking spaces are provided.

8.57 There are eight disabled car parking spaces provided next to the rear of Block K and Block J1 and J2, and Block Q. This meets the requirement under condition 36 of the outline consents to provide at least 5% of all total spaces for disabled users.

#### Cycle Parking

8.58 Cycle parking would be provided by three means in this phase: (1) within garages (for the FOGs and SOGs); (2) within external rear garden bike/bin stores; and (3) within bike stores (for the apartments). The proposed amount of cycle parking would meet the design code, which requires 1 space per bedroom up to 3 bedrooms and then 4 spaces for 4 or 5 bedroom dwellings.

8.59 The current proposal seeks to improve on the modular bike and bin storage units approved in Phases 6-8 by creating more usable space. The units are slightly taller at 1.85m with a sloping roof rather than a flat roof. This creates greater maneuvering space for cycles and also provides a small amount of dry secure storage for garden items. These changes present improvements to the previous scheme and have been generated in response to previous experience on earlier phases of the wider site. The proposal is therefore considered acceptable subject to a condition to secure details of final materials and finishes (condition 3).

8.60 As previously mentioned, cycle parking is also proposed within the garages of some of the units (mainly the FOGs and SOGs). However, the urban design officer has raised concern with the accessibility of these cycle parking areas in the SOGs, which have rather wide, and potentially heavy, garage doors at 5.5m. The urban design officer has suggested that the design of these garage doors be altered to include a personnel door to allow for more convenient cycle parking access. The applicant has explored this option but found that it reduces the width of access for vehicles so as to make it impractical for safe and convenient use. According to the applicant, previous use of personnel doors on the site has resulted in customer complaints leading to the replacement of these doors with single doors. Additionally, the applicant has said that it is not structurally viable to put a personnel door within the garage door given the weight and size of these doors. On this basis, it is recommended that the details of the garage door system are conditioned to ensure convenient access for cyclists in accordance with the key principles of the design code.

- 8.61 The comments of the urban design officer in relation to the FOG cycle parking arrangement are also noted. The proposed arrangement in this instance is the same as that previously approved on Phases 1-5, which includes a central bay providing cycle storage and car parking for the flat above that is not accessed via a separate personnel door. This layout has already been approved and follows the mandatory garage dimensions set out within the design code (p.70).
- 8.62 Consequently, the proposal is compliant with Policy TR/2 of the South Cambridgeshire LDF 2007 and Policy CSF/11 of the Cambridge Southern Fringe Area Action Plan (2008), subject to the recommended conditions at paragraph10.

### **Construction Management Plan (CMP)**

- 8.63 The applicant has submitted a CMP as required under condition 30 of the outline planning consent. This requires details such as delivery times for construction vehicles, dust management and noise and vibration control. The applicant has submitted further details in the application to address the comments of the environmental health officer and the revised CMP is considered acceptable.

### **Noise**

- 8.64 The submitted revised noise assessment clarifies the noise levels affecting Block Q. The revised noise report clarifies that the assessment and recommendations for noise insulation relates to all of the units along the southern boundary of the site (including Block Q) and ignores any screening. This gives a worst-case scenario.
- 8.65 Most of the new properties will benefit from screening from further anticipated buildings between the southern boundary and the M11 (e.g. Phases 10 and 11). Consequently, internal noise levels will be reduced. Block Q will not benefit to the same extent but will still be constructed with the recommended levels of noise insulation required to meet current internal noise standards (BS8233 2014). In order to confirm this, a condition (condition 13) is recommended to ensure a post-construction noise assessment is submitted to and approved in writing by the local planning authority to ensure the internal noise levels in BS8233 2014 are being met as expected. A condition is also recommended (condition 11) to agree the method statement for the control and mitigation of noisy construction works prior to commencement of development. Subject to these conditions, the development would accord with Policy NE/15 of the South Cambridgeshire LDF 2007 and Policy CSF/22 of the Cambridge Southern Fringe Area Action Plan 2008.

### **External Lighting**

- 8.66 The applicant has submitted a plan to confirm the isolux contours for the street lights and a technical note to confirm proposed shielding to street lighting columns EC05 and EC056. The proposed light shields would avoid unacceptable levels of light intrusion into bedroom windows located along the primary road and are therefore recommended for approval. The requirement for these light shields can be secured through the approval of the 'Trumpington Meadows Phase 9 Technical Note: Street Lighting' in condition 16 at paragraph 10.

## **Ecology**

- 8.67 The ecology officer raises no objections to this scheme on ecological grounds and the wider site is subject to an Ecological Management Plan previously agreed under condition 27 of the outline planning consent.

## **Archaeology**

- 8.68 Archaeological mitigation has been undertaken for Phase 9 under condition 42 of the outline planning application. Consequently, no further information is required in connection with this application and the discharge of condition 42 of the outline consent.

## **Planning Obligation Strategy**

- 8.69 This reserved matters application does not trigger contributions under the Council's Planning Obligation Strategy. Contributions have been secured under the outline permissions 08/0048/OUT and S/0054/08/O.

## **9.0 CONCLUSION**

- 9.1 This reserved matters application complies with the principles of the parameter plans and design code and will make a positive contribution to the character and appearance of the urban, riverside and gateway quarters within the Trumpington Meadows development. APPROVAL is recommended.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. No development shall take place until samples and details of the colour of the materials to be used in the construction of the external surfaces of the buildings, (which includes external features such as windows, doors, porch details, timber cladding, projecting bay and dormer windows, garage doors, external metal work, rain water goods, and coping) have been submitted to and approved in writing by the local planning authority. Brick sample panels of the facing materials to be used shall be erected on site and shall be at least 1m x 1m to establish the detailing of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.  
(Reason: To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
2. No development of Apartment Block L2 shall commence until architectural details of the rear projecting privacy window at a scale of 1:20 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 the appearance of the development is satisfactory and to protect the privacy of future residents in accordance with Policies DP/2 and DP/3)

of the adopted Local Development Framework 2007.)

3. No occupation of the development shall take place until full details of the external materials and finishes of the bicycle stores (as shown on drawing 445\_09\_RM09\_401 P01) 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 bicycle stores are visually appropriate in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. No development of the Studio Over Garages (SOGs) shall commence until details of the garage door system, including external materials, 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 bicycle stores are visually appropriate and that they provide convenient access for bicycles in accordance with Policies DP/2 and TR/2 of the adopted Local Development Framework 2007.)
5. Prior to commencement of the first residential building, details of the Local Area of Play (LAP) situated to the south-west of Block Q shall 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 a high quality design for this open space and appropriate facilities for children's play provision are provided in accordance with Policies DP/1 and SF/10 of the adopted Local Development Framework 2007.)
6. Prior to occupation of the development, full details of the scheme for public art shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be in accordance with the approved Trumpington Meadows Public Art Strategy (August 2010) and include details of the following:
  - a) Descriptions, plans and images of the public art including its location
  - b) Details of community engagement and consultation including measures to promote involvement in the evolution of the public art
  - c) Project timescale
  - d) Delivery mechanisms
  - e) The total amount allocated for the proposed public art including maintenance and decommissioning costs (if applicable)

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

(Reason: To ensure that the details of the public art comes forward in accordance with the Public Art Strategy and that the public art positively contributes to its context within the public realm in the interests of creating successful, high quality, attractive environments in accordance with Policy SF/6 of the adopted Local Development Framework 2007 and Policies CSF/2 and CSF/9 of the Cambridge Southern Fringe AAP 2008.)

7. Prior to completion of the development the following implementation and maintenance details of the public art approved under condition 6 shall be

submitted to and approved in writing by the Local Planning Authority:

- a) Details for the installation of the public art
- b) Legal ownership and insurance details
- c) Responsibility for implementation
- d) Responsibility for maintenance and maintenance schedules
- e) Details of decommissioning including timescales and reparation (if applicable)

(Reason: To ensure that the details of maintenance and implementation of the public art are considered, in the interest of creating a successful, high quality, attractive environment in accordance with Policy SF/6 of the adopted Local Development Framework 2007 and Policies CSF/2 and CSF/9 of the Cambridge Southern Fringe AAP 2008.)

8. No development shall commence until details of the mews planting pockets 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, at minimum, plans, sections, planting proposals, and accompanying specifications and planting schedules. Development shall be carried out in accordance with the approved details.

(Reason: In the interest of the amenity of the future residents of Trumpington Meadows and to ensure a suitable relationship and integration of the site with its surrounding urban and rural edges in accordance with Policy DP/1 and DP/2 of the adopted Local Development Framework 2007.)

9. No development shall commence until details of the rain gardens have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include, but are not limited to, plans and sections, soil specifications, drainage details, planting proposals, planting specifications, and specialty maintenance operations (if required). Development shall be carried out in accordance with the approved details.

(Reason: To ensure that the planting, drainage and soil specification for the rain gardens is sufficient to serve its function and create an attractive environment for future residents in accordance with Policies DP/1 and DP/2 of the adopted Local Development Framework 2007.)

10. If within a period of five years from the date of the planting of any tree, that tree, or any tree 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 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 in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

11. No development shall take place until a method statement for the control and mitigation of noisy construction works, including method of works, programme, predicted noise levels and manufacturers specifications for equipment, has 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 protect the amenity of existing and future residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
12. Soil management, reuse, importation and specification on site shall be in accordance with the Soil Management Plan presented in the Construction Management Plan by Barratt Homes dated 12 February 2016.  
(Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
  13. Block Q, hereby permitted, shall not be occupied until a post construction noise assessment for all its internal habitable rooms, in accordance with BS8233 2014, has been submitted to and approved in writing by the local Planning Authority. If the submitted noise assessment confirms that internal noise levels in BS8233 2014 are not being met then the building shall not be occupied until a scheme for protecting the proposed dwellings from surrounding road traffic noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed prior to the first occupation of Block Q.  
(Reason - To ensure a satisfactory level of amenity for future occupants in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
  14. The on plot parking spaces, including garages, shown on drawing 445\_09\_RM09\_013 Rev P06 (Parking), shall not be used as additional living accommodation and shall be maintained for the purposes of parking.  
(Reason - In the interests of highway safety, visual amenity and sustainable travel ensuring that there is no uncontrolled proliferation of car parking within the site in accordance with Policies DP/2 and TR/2 of the adopted Local Development Framework 2007.)
  15. Notwithstanding the provisions of Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or Order revoking and re-enacting that Order with or without modification) no hard surfacing of frontage plot areas approved for landscaping that are adjacent to the highway shall be carried out.  
(Reason: In the interests of visual amenity ensuring that front gardens are retained as attractive landscape elements and in the interests of sustainable travel ensuring that there is no uncontrolled proliferation of car parking within the site in accordance with Policies DP/2 and TR/2 of the adopted Local Development Framework 2007.)
  16. The development hereby permitted shall be carried out in accordance with the following approved plans:

### **Site Plans**



445\_09\_RM09\_001 P02 (Site Plan: Phases Boundaries)  
445\_09\_RM09\_005 P02 (Affordable Housing Distribution Masterplan)

### **Diagrams**

445\_09\_RM09\_003 Rev P05 (House Types)  
445\_09\_RM09\_007 P03 (Densities)  
445\_09\_RM09\_008 P03 (Building Heights)  
445\_09\_RM09\_009 P03 (Character Areas)  
445\_09\_RM09\_010 P03 (Street Hierarchy)  
445\_09\_RM09\_011 P03 (Pedestrian and Cycle Routes)  
445\_09\_RM09\_012 P03 (Vehicular Routes)  
445\_09\_RM09\_013 P06 (Parking)  
445\_09\_RM09\_014 P04 (Bicycle and Refuse Storage)  
445\_09\_RM09\_015 P03 (Photovoltaics Allocation)  
445\_09\_RM09\_020 P05 (Building Hierarchy and Enhanced Gable Ends)  
445\_09\_RM09\_021 P03 (Materials and Colours: Buildings)  
445\_09\_RM09\_022 P03 (Materials and Colours: Roofs)  
445\_09\_RM09\_023 P03 (Materials and Colours: Garden Walls)  
445\_09\_RM09\_030 P03 (Affordable Housing Distribution)  
445\_09\_RM09\_040 P03 (Lifetime Homes Distribution)  
445\_09\_RM09\_050 P04 (Boundary Treatments)  
445\_09\_RM09\_051 P04 (Street Lighting)

### **Architectural Drawings**

445\_09\_RM09\_140 P04 (Block J2 Ground Floor Plan)  
445\_09\_RM09\_141 P03 (Block J2 First and Second Floors)  
445\_09\_RM09\_142 P04 (Block J2 Elevations)  
445\_09\_RM09\_143 P03 (Block J2 Roof Plan and Sections)  
445\_09\_RM09\_150 P04 (Block L2 Ground Floor Plan)  
445\_09\_RM09\_151 P03 (Block L2 First and Second Floors)  
445\_09\_RM09\_152 P04 (Block L2 Elevations)  
445\_09\_RM09\_153 P03 (Block L2 Roof Plan and Sections)  
445\_09\_RM09\_160 P04 (Block L1 Ground Floor Plan)  
445\_09\_RM09\_161 P02 (Block L1 First and Second Floors)  
445\_09\_RM09\_162 P02 (Block L1 Third Floors)  
445\_09\_RM09\_163 P03 (Block L1 Elevations)  
445\_09\_RM09\_164 P03 (Block L1 Roof Plan and Sections)  
445\_09\_RM09\_170 P03 (Block K Ground Floor Plan)  
445\_09\_RM09\_171 P03 (Block K First and Second Floor Plan)  
445\_09\_RM09\_172 P04 (Block K Elevations)  
445\_09\_RM09\_173 P03 (Block K Roof Plan and Section)  
445\_09\_RM09\_180 P04 (Block J1 Ground Floor)  
445\_09\_RM09\_181 P02 (Block J1 First and Second Floor)  
445\_09\_RM09\_182 P03 (Block J1 Elevations)  
445\_09\_RM09\_183 P02 (Block J1 Roof Plan and Section)

445\_09\_RM09\_186 P02 (Block J1 Third Floor)  
445\_09\_RM09\_187 P02 (Block J1 and J2 Street Elevation)  
445\_09\_RM09\_190 P03 (Ground Floor Plan Apartment Block Q)  
445\_09\_RM09\_191 P02 (First Floor Plan Apartment Block Q)  
445\_09\_RM09\_192 P02 (Second Floor Plan Apartment Block Q)  
445\_09\_RM09\_193 P02 (Third Floor Apartment Block Q)  
445\_09\_RM09\_194 P03 (Elevations A and B Apartment Block Q)  
445\_09\_RM09\_195 P03 (Elevations C, D and E Apartment Block Q)  
445\_09\_RM09\_196 P03 (Sections and Roof Plan Apartment Block Q)  
445\_09\_RM09\_197 P03 (Sections and Roof Plan Apartment Block Q)  
445\_09\_RM09\_201 P01 (Single Garages [Plots 568 and 569])  
445\_09\_RM09\_202 P05 (Flat Over Garage)  
445\_09\_RM09\_203 P04 (Flat Over Garage – Special Gable)  
445\_09\_RM09\_204 P04 (Studio Over Garage [Plots 518 to 523])  
445\_09\_RM09\_205 P03 (Studio Over Garage [Plots 516 to 517])  
445\_09\_RM09\_206 P03 (Studio Over Garage [Plots 566 to 632])  
445\_09\_RM09\_207 P02 (Flat Over Garage [Plots 539 and 540])  
445\_09\_RM09\_220 P04 (3B Affordable: Narrow Frontage) (3M)  
445\_09\_RM09\_221 P04 (3B Affordable: Narrow Frontage) (3M)  
445\_09\_RM09\_230 P02 (3B Affordable: L Shape With Car) (3O)  
445\_09\_RM09\_231 P03 (3B Affordable: L Shape with Car) (3O)  
445\_09\_RM09\_235 P04 (3B Affordable: Wide Frontage) (3N)  
445\_09\_RM09\_236 P03 (3B Affordable: Wide Frontage) (3N)  
445\_09\_RM09\_250 P02 (4B Private: B1 Townhouses)  
445\_09\_RM09\_251 P02 (4B Private: B1 Townhouses)  
445\_09\_RM09\_260 P03 (4B Private: B2 Townhouses)  
445\_09\_RM09\_261 P03 (4B Private: B2 Townhouses)  
445\_09\_RM09\_262 P05 (4B Private: 4F Wide Frontage) (Type A)  
445\_09\_RM09\_263 P05 (4B Private: 4F Wide Frontage) (Type A)  
445\_09\_RM09\_264 P05 (4B Private: 4F Wide Frontage) (Type B)  
445\_09\_RM09\_266 P02 (5B Private: 5F Wide Frontage)  
445\_09\_RM09\_267 P03 (5B Private: 5F Wide Frontage)  
445\_09\_RM09\_280 P03 (3B Private: L-Shape with Car) (3D)  
445\_09\_RM09\_290 P03 (3B Private: K2 Linked Detached)  
445\_09\_RM09\_291 P03 (3B Private: K2 Linked Detached)  
445\_09\_RM09\_401 P01 (Bicycle and Bin Storage Detail)  
445\_09\_RM09\_402 P01 (Brick Wall Coping Details)  
445\_09\_RM09\_510 P02 (Bay Study: B1 Townhouse)  
445\_09\_RM09\_511 P03 (Bay Study: B2 Townhouse)  
445\_09\_RM09\_512 P04 (Bay Study: 4F Wide Frontage) (Type A)  
445\_09\_RM09\_513 P04 (Bay Study: 4F Wide Frontage) (Type B)  
445\_09\_RM09\_514 P03 (Bay Study: 5F Wide Frontage)  
445\_09\_RM09\_515 P03 (Bay Study: K2 Link Detached)  
445\_09\_RM09\_516 P03 (Bay Study: Block Q)  
445\_09\_RM09\_517) P03 (Bay Study: Blocks J1 and J2)  
445\_09\_RM09\_518 P03 (Bay Study: Blocks L2 and K)

## **Landscaping Street Scenes**

445\_09\_RM09\_300 Rev P06 (Ground Floor Plan and Landscape Plan)  
445\_09\_RM08\_301 P03 (Street Elevations)  
445\_09\_RM09\_302 P02(Street Elevations 04-05)  
445\_09\_RM09\_310 (Street Section 01-02)  
445\_09\_RM09\_311 P02(Street Sections 03-04)  
445\_09\_RM09\_312 (Street Section 05)  
445\_09\_RM09\_313 (Street Section 06)  
445\_09\_RM09\_314 (Street Section 07-08)  
536.D.Ph9.01 Rev F (Tree planting plan)  
536.D.Ph9.02 Rev F (Infrastructure planting plan)  
536.D.Ph9.03 Rev F (Tree position analysis)  
536.D.Ph9.04 Rev B (Typical tree pit detail for paved areas)  
536.D.Ph9.05 Rev B (Typical tree pit detail in soft landscape)  
536.D.Ph9.06 Rev A (Soil trench detail\_Piper Green Details)  
536.D.Ph9.07 Rev A (Rain gardens\_Typical planting mix detail)  
536.D.Ph9.08 Rev C (Indicative adoption and management plan)  
Outline Specification For Soft Landscape Works (Amended 24.03.16)  
5 Year Management and Maintenance Schedule (Amended 24.03.16)

### **Other Documents**

Trumpington Meadows Phase 9 - Sustainable Design and Construction  
Statement & Appendum  
SUDS Maintenance Plan Revision 1 (Amended 15.02.16)  
Drainage Strategy Statement Revision 6 (Amended 12.02.16)  
Noise Assessment Technical Report: R3309-10 Rev 4 (Amended 12.02.16)  
Construction Management Plan (Amended 12.02.16)  
Trumpington Meadows Phase 9 Technical Note: Street Lighting  
0658-1300-002 Rev B (Phase 9 Road Lighting Layout)  
0658-SK93 Rev H (Tracking)

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

### **Informative: Material**

17. The applicant is informed that the suggested buff brick of 'Wieneberger Olde Ivory White' for Blocks J1, J2, L1 and L2 will not be acceptable and that an alternative brick with a greater depth and variety of tone should be considered for submission of the final materials by condition.

### **Contact details**

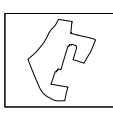
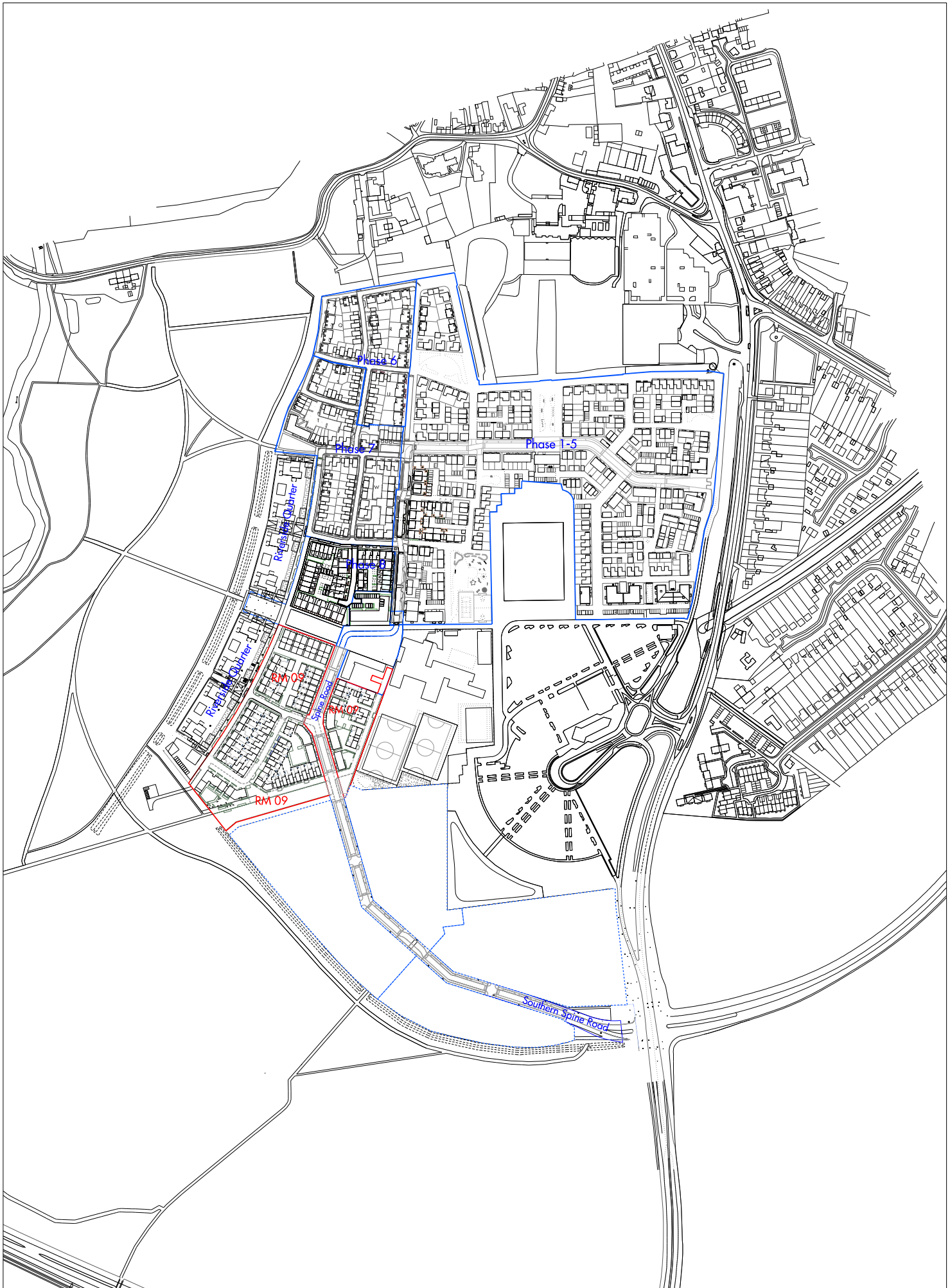
To inspect the application or if you have a query on the report please contact:

Author's Name: Andrew Winter

Phone Number: 01954 713082

Email: [andrew.winter@scambs.gov.uk](mailto:andrew.winter@scambs.gov.uk)

APPENDIX 1 – Plan of Trumpington Meadows Phases



Do not scale from this drawing. Use figured dimensions only. Figured dimensions are in millimetres. All levels are in metres. All dimensions and levels shall be verified on site before proceeding with works. Detailed site survey to be carried out to verify positions and level relationships with the features and ordnance survey. The architect must be notified of any discrepancy.

Where building components are described in the specification as contractor designed, 'contractor' information relating to those components on this drawing represents design intent only.

REV	DATE	DESCRIPTION	C/D
P01	18.12.15	RESERVED MATTER OF SUBMISSION	ML
P02	15.01.16	RESERVED MATTER OF SUBMISSION	ML

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 A&M JOB NO: 445\_05

TRUMPINGTON MEADOWS MASTERPLAN  
 PHASE BOUNDARIES  
 MASTERPLAN  
 445\_09\_RM09\_001  
 SCALE: 1:200 @A1 1:400 @A3

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