

## **DEVELOPMENT CONTROL FORUM**

31 October 2019  
10.00 - 11.47 am

### **Present**

**Planning Committee Members:** Councillors Green, Sargeant (Vice-Chair), Smart (Chair), Thornburrow and Tunnaccliffe

### **Officers:**

Delivery Manager Development Management: Nigel Blazeby  
Principal Planner: Ganesh Gnanamoorthy  
Committee Manager: Sarah Steed

### **For Applicant:**

Andrew Heselton (Agent / Developer)  
Mark Wood (Architect)  
Stephen Longstaff (Applicant)

### **For Petitioners:**

Residents of Park Parade and Portugal Place

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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### **19/20/DCF Opening Remarks by Chair**

The Chair outlined the role and purpose of the Development Control Forum. He stated no decisions would be taken at the meeting.

### **19/21/DCF Apologies**

Apologies were received from Councillors Baigent, Lord, Page-Croft and Councillor Martinelli as Ward Councillor.

### **19/22/DCF Declarations of Interest**

No declarations were made.

### **19/23/DCF Application and Petition Details**

Application No: 19/1159/FUL  
Site Address: Park Street Car Park

Description: Demolition of existing multi-storey car park and erection of 227 bed aparthotel (Use Class C1) alongside 225 space underground public car park, public cycle store and associated works

Applicant: Marick Management Ltd & CIP LLP

Agent: ELG PLanning

Address: Gateway House 55 Coniscliffe Road Darlington Co. Durham DL3 7EH

Lead Petitioner: Resident of Park Parade

Case Officer: Ganesh Gnanamoorthy

### **19/24/DCF Text of petition**

**The grounds for asking for a Forum on this application are as follows:**

#### **Planning to consider:**

1. Risk to surrounding properties of structural effects from alterations to water table due to three storey excavation, and tanking piling. (Properties in Park Parade were affected by Impact of piling during Wyng Gardens, Trinity Hall development in Thompsons Lane; which is some streets away. Portugal Street has very old drainage canalisation and multiple basements) Small basement excavation at Union Site has impacted water table.
2. Bulk and height of Building – Appears to exceed the development parameters set by the 2016 Scrutiny Committee. (Building is now 6 storeys off Round Church Street; 4+1 was proposed)
3. Problems with Resident Parking in the ‘Park’ area – which includes Park Street and Round Church St. (Despite assurances re Varsity Hotel and Post Graduate Accommodation not being eligible for resident permits; both now use their local address to incorrectly obtain Permits)
4. Severe difficulties with vehicle turning space will impact car park exit and ingress, cause congestion at Maypole end of Park Street, and add to pollution risk to school. (Deliveries will occur to Maypole Pub, Hotel Hawks Club and School). Current proposals for hoarding on site perimeter during construction leave NO vehicle turning space.
5. As a council-commissioned development on a council-owned site, the building seeks to meet only the minimum sustainability standard required

under planning policy and it will not be net carbon neutral, despite the council's target for carbon neutrality and its declaration of a climate emergency.

6. Jordans Yard is a risk area for attracting rough sleepers.
7. Current proposal shows 26 electric vehicle charging points in the car park. This is very limited – Tesla now third best selling vehicle (August 2019). Residents have no access to e charging on their streets.
8. Overlooking and sound proofing provision adjacent to Maypole and Portugal Place inadequate. Park Street Liaison Group 5.8.2019 were informed as follows 'AH confirmed the scheme steps back almost 4 metres at 1<sup>st</sup> floor level reducing the impact on the Maypole PH'.
9. Public toilets are a general facility open to all, this development of 240 car parking space and 252 Cycle spaces requires public toilets. Current provision at Quayside inadequate. Current alteration proposals inadequate.
10. Retention of Bollards at Park Street, Lower Park Street Junction.
11. Retention of current restriction at Cote Brasserie to all but authorised vehicles to Bridge Street from Northampton Street direction.

**Do you think there are changes that could be made to overcome your concerns?**

Yes

**If Yes, please explain:**

Planning should only be granted on condition:

1. Developer must provide evidence that there will be no impact on the water table or on the structural integrity of surrounding buildings during or consequent to construction. Developer must provide monitoring open to all during the construction phase.
2. Require developer to place more plant in Basement with consequent height reduction off Round Church Street.
3. Planning should be conditional on the exclusion of both Round Church Street and Park Street addresses of the development, being eligible for

- Resident parking in the Park area. This to include visitor and trade parking.
4. Planning should be conditional on the re-landscaping of the end of Park Street near the Maypole. This should incorporate pavement area for vehicle intermittent use for parking and increasing turning space. During construction hoarding needs to be planned differently leaving lorry turning space in this area.
  5. The building should be redesigned to meet BREEAM Outstanding classification to express the council's determination to take a lead towards carbon neutrality in the city on this premier site, the development of which is completely under its own control. Your own Heritage Impact Assessment states: 'In recent years focus on sustainability has reduced the status of the car in our towns and cities and in Cambridge removing cars from the city centre is a key priority'.
  6. Jordans Yard to be provided with gates for closure out of hours, managed by restaurant / hotel.
  7. Developer to ensure infrastructure available in all levels of car park for future expansion of e charging provision in line with transition to e vehicles over 20 years. Residents to have access to 4 resident parking spaces with e charging in the car park.
  8. As well as angled windows suggested lower half of window should be opaque. Additional sound proofing measures such as triple glazing provided. Sample mock up to be provided. Provision should be above the level that is already considered, which is 5% above norms. Setback adjacent to Maypole should be redesigned to deliver the 'almost 4 metres at 1<sup>st</sup> floor level' stated; instead of current 2.2 metres.
  9. Development to provide public toilets, including disabled toilet.
  10. Retention of Bollards at Park Street Lower Park Street junction throughout construction and post construction.
  11. Retention of existing restriction to all but authorised vehicles to Bridge Street at Cote Brasseries from Northampton Street direction.

### **Case by Applicant**

- 1) The proposal was for a 5 storey 4 star aparthotel (C1 use) and would include a gym and a café.
- 2) The triple basement car park would remain in the ownership of the Council and the management of the car park would be undertaken by the Council's Car Park team.
- 3) Highlighted electric charging provision in the car park.
- 4) There would be a publicly accessible court yard with ecological measures.

- 5) The development included sustainability measures such as PV panels, Air Source Heat Pumps, a green roof and sustainable drainage.
- 6) Staycity was the proposed hotel operator.
- 7) Groundwater monitoring, investigation and testing had been completed prior to the submission of the application. The ground conditions were considered suitable for this scheme and the Environment Agency have confirmed that the proposal can be constructed in an acceptable way, although additional information would need to be submitted by way of condition. This information can only be submitted once more intrusive surveys have taken place and so planning permission would need to be secured first.
- 8) If approval was granted for the scheme, the Applicant undertook to carry out a further 6 months groundwater monitoring followed by hydrological and ground impact assessments.
- 9) Confirmed that the findings of the ground movement and hydrology assessments could be provided to the Planning Authority and Statutory Consultees via a planning condition.
- 10) Separate information would be provided for respective Party Wall Awards.
- 11) Vibration, movement, acoustic and dust monitoring would take place during demolition to ensure the works were adequately managed and controlled.
- 12) A construction management plan had been included in the planning application.
- 13) The Applicant confirmed that the Park Street Planning Guidance Note had been taken into consideration in the design of the scheme. It was noted that the Planning Guidance Note was only guidance and that it had been prepared on the basis of residential development which the Applicant submitted was no longer viable on the site.
- 14) The Planning Guidance Note also stated that future proposals would need to be in accordance with National and Local Planning Guidance relevant at the time the application was determined.
- 15) Historic England and the Urban Design Officer had not raised any objections to the development.
- 16) The basement space currently has some elements of plant already including rainwater harvesters, sprinklers and boilers. Plant items which

were located on the roof needed to be located on the roof for example solar panels and air source heat pumps.

- 17) Proposed materials viewed from Portugal Place would be of a higher quality than was currently there at the moment.
- 18) More sky would be visible if the development proceeded and privacy would be protected with fixed glazed screens. This was demonstrated by work which had been carried out by Point 2 Surveyors.
- 19) The boundary of the development would be set back by 4 metres to the Maypole Pub.
- 20) In response to a question from the Petitioner, the Applicant confirmed that in relation to the exit on Round Church Street resident's vehicles could not turn left.
- 21) The Union building currently being built by Trinity College would be taller than the proposed development.
- 22) Jordan's Yard would have ecological elements, for example to encourage bees.
- 23) A balancing act had been undertaken with the provision of the public court yard; the building had been designed around the courtyard.
- 24) There would be no Aparthotel guest or staff parking, provided that the loading bay and taxi drop off points could be used by the Aparthotel.
- 25) The Applicant confirmed that they were currently in discussions with Jesus College regarding turning space for vehicles during construction.
- 26) BREEAM 'excellent' had been targeted; this was in accordance with planning policy. There were elements of the application where this standard had been exceeded. The application would go 20% above Part L Building Regulation requirements.
- 27) Confirmed that a lot of work had been undertaken with the Cambridge Rough Sleeping Team. The Applicant did not believe that gates would resolve the rough sleeping issue and that targeted enforcement would be appropriate. The Applicant felt that gates could adversely affect public access into Jordan's Yard.
- 28) Specific spaces for residents parking could not be provided.
- 29) Noted the Petitioner's concerns regarding on-looking and noise generation but stated that these issues were equally important to residents of Portugal Place and guests of the proposed aparthotel. The applicant considered that their proposals were well balanced. There was

sound proofing 5db above British Standards and the windows would be sealed and fixed and not openable for guests.

- 30) Public toilets would not be provided as part of the scheme but there was an additional changes places facility being added to the facilities already available at Quayside.
- 31) Bollards at the Park Street, Lower Park Street junction would be retained.
- 32) The Applicant welcomed further discussions with the Petitioners regarding the existing restriction to all but authorised vehicles Bridge Street at Cote Brasserie from Northampton Street direction.

### **Case by Petitioners**

- 1) Thanked Ward Councillors for their support.
- 2) Acknowledged the work that had been put into the application by the Architect, particularly in relation to materials.
- 3) The Petitioners were pleased the Applicant had committed to a further 6 months' work on the water table issue.
- 4) Expressed concerns regarding the Party Wall agreements.
- 5) Expressed concerns regarding ground water.
- 6) Commented that the adjacent Union building which was in the process of being constructed had encountered problems with the King's ditch; they had had to pump 1 metre of water out of the development. The proposed development would have lower basement levels than the Union building and therefore may encounter greater problems. These issues were highlighted in the geological report.
- 7) Asked for greater assurances regarding the excavation of the basement.
- 8) Asked for the noise and vibration monitoring to be extended further and commented that when Trinity Hall constructed their development, they took photographs. The Petitioner had had to engage a Structural Engineer, as the student accommodation which had been built had weighed everything down. He was pleased that noise and vibrations would be monitored and asked for assurances that there would be interventions if the noise and vibration limits were exceeded.
- 9) Asked for warranty agreements for properties potentially affected by the development.

- 10) Noted that the application described the development as a 5 storey development but felt that this was incorrect and it should be described as a 6 storey development.
- 11) Noted that plant items had been relocated to Round Church Street and congratulated the Architect as this went a long way to modify the site in a sympathetic manner.
- 12) Referred to development which had been undertaken at the Varsity building and commented that he thought parking permits had been restricted as part of that development and asked if some parking provision could be provided for residents.
- 13) Queried the development's long term arrangements and the future possibility that the aparthotel could be turned into residential accommodation.
- 14) The Petitioners asked for an update on discussions the applicant was having with Jesus College regarding space for vehicles to turn around. They also queried what would happen when portacabins were sited on the road and how vehicles would turn around. They also expressed concerns about deliveries which would obstruct vehicles being able to turn around.
- 15) Commented that they understood that traffic restrictions on Park Street would remain in place and that drop off points would only be for taxis. This would mean that all traffic for the aparthotel would drive down Park Street, which was a very busy street and questioned how the traffic would be accommodated. The situation was compared to Parsons Lane, where the street had not been widened and there were double yellow lines. Every time the Petitioner drove down the street there was a vehicle parked in the road which meant that residents had to drive on to the pavement to be able to pass. This put pedestrians at risk. A couple of solutions to this issue were suggested, 1) to reduce the capacity of the car park, which would mean less traffic driving down Park Street and 2) ensure that vehicles could not stop on the road by introducing double yellow lines or make provision for a drop off point.
- 16) The Petitioner's asked that it was noted that not only was Park Street a busy 2 way traffic cul-de-sac but it was also a busy pedestrian through route for people to walk into town / work and therefore asked the applicant to re-consider landscaping in this area.



- 17) Asked for clarification whether the development was totally electric or whether any gas would be used in the building.
- 18) Asked whether a vertical ground source heat pump had been considered.
- 19) Expressed concerns regarding Jordan's Yard.
- 20) Stated that public toilets should be provided as part of the development.
- 21) Did not accept what had been said about resident's electric charging parking provision and stated that there could be residents' electric charging parking provision with appropriate priority signage.
- 22) Commented that it was the first time that the Petitioner's had understood the fenestration and building mass facing the Maypole.
- 23) Asked for clarification regarding the fenestration on the top floor.
- 24) Appreciated the amount of greenery and asked how the green wall would be irrigated.
- 25) Was pleased to hear that the bollards at the Park Street / Lower Park Street junction would be retained.
- 26) Asked for clarification from the Highways Authority and the Applicant about residents parking permits.

**Case Officer's Comments:**

- 1) Details regarding the application were sent to neighbouring properties.
- 2) 109 letters of objection had been received and the main issues of concern were the impact on local businesses, the scale and mass of the development, parking and the new Jordan's Yard.
- 3) 26 letters of support had been received and the main points raised were that the development provided an improved appearance compared to a car park. It improved access to Jordan's Yard, it could improve tourism, it would provide electric vehicle charging facilities and it increased employment opportunities.
- 4) Statutory consultees who had not raised any objections included Historic England and the Planning Policy Officer.
- 5) Statutory consultees who had asked for conditions included: Highways, Ecology and the Landscape Officer.
- 6) Statutory Consultees who had asked for further information included: the Lead Local Flood Authority, the Environmental Health Officer, the Tree Officer and the Conservation Officer.

**Case by Ward Councillors**

Councillors Bick and Porrer spoke as a Ward Councillors on behalf of local residents. They made the following points:

- 1) This was a City Council owned site, which presented a special opportunity.
- 2) There was feeling amongst residents that there had been inadequate public debate on the following issues a) car parking and how this fitted with the broader aspirations of the city's transport strategy to discourage car trips into the city centre. This was a one-time decision in 50 years concerning the use of the site and b) why the proposed development was for a hotel and not residential development. There were already a large number of hotel schemes in the pipeline in the city centre. The City's requirement for visitor accommodation was already being met by the private sector and therefore it questioned why a public body was not delivering housing.
- 3) Wanted to recognise that a lot of stakeholder consultation had been undertaken.
- 4) Welcomed the courtyard (ie: Jordan's Yard) being included within the development.
- 5) Expressed disappointed that improvements to the relationship with the Maypole pub could not have been made at the ground floor and noted that these had been done to the first floor and above.
- 6) Recognised that cycle parking provision had been improved and that the Cambridge Cycle Campaign had helped with this.
- 7) Noted that it was frustrating the measures that the planning system could deliver with regards to Climate Change.
- 8) Noted that in the mid 2020s buildings would no longer be able to be fitted with a gas supply, various responses had been provided by the Council regarding the use of gas as part of this development. He had been told that the gas supply was a backup fuel provision and then he had also been told that the gas supply was intended to supply 22% of the peak energy demand for the building.
- 9) He noted that the delivery of the site had been delayed for a year and asked whether the use of gas as an energy supply could be reconsidered.

- 10) It was not acceptable that the public toilets were proposed to be removed and questioned whether the council would be compliant with their equality commitments.
- 11) Was unhappy that cycle parking provision was at the cost of public toilet provision.
- 12) Asked whether a couple of car parking spaces could be removed so that that the public toilets could be provided.
- 13) The Quayside toilets were a 5 minute away from this development which would be some distance for some individuals to access.
- 14) Did not want to encourage anti-social behaviour, with individuals using gardens if public toilets were not available.
- 15) No details had been provided how local businesses could offer up their own toilets for members of the public. It was also noted that the current developers were not offering up their own toilets to be used by members of the public.
- 16) The Local Plan policy 73, paragraphs 8.15 and 8.16 provides that public amenities should not be removed.

### **Members' Questions and Comments:**

The Applicant made the following comments in response to Members' questions:

- 1) The additional 6 month ground water monitoring would be undertaken using existing wells in the car park, if these were unable to be used then they would install a rig. The monitoring would be done during the winter period which was the most onerous period.
- 2) Residents on the north and eastern elevation of the development should not be effected by light pollution as the Environmental Health Officer had recommended that black out blinds were provided and that this issue was secured by condition.
- 3) An existing tree would need to be removed so that the basement could be constructed however following construction, 3 further trees would be planted in its place.
- 4) Consideration had been given to ensure the building could be used during hot summers. All windows would be fixed paned windows. The hotel operator used a better standard of window than others and there would be mechanical ventilation.

- 5) A noise assessment had been submitted as part of the application. Crunches would be used rather than breakers and hoarding would be present which would reduce the noise impact. There would be on/off periods of construction so that the level of noise would be broken up. There would also be a trigger alarm so that if a certain noise level was reached contractors would know that they would have to adjust their techniques or stop work at that point.
- 6) If the ground water monitoring results showed that additional measures were required then these would have to be mitigated.
- 7) Portacabins were required for the piling stage of construction, in discussions with the Highways Authority they were being located in the best location available. The Union building should be completed before the construction of this development commences so further pavements should be available.
- 8) Banksmen would be on site between 8-6pm when works were being undertaken and they would be guiding traffic.
- 9) The applicant had been liaising with the nearby School so that they could deliver health and safety talks to the pupils and also hoped that they would design murals to go on the hoarding.
- 10) The Applicant's recognised the area was a cross-point and wanted to make the area as safe as possible.
- 11) There shouldn't be any vehicles waiting to deliver as there was an online booking system.
- 12) There was a drop off point for taxis and guests, which was time limited, the applicant was still in discussions with the Highways Authority about this issue.
- 13) Staycity (the hotel operator) tended to have developments in urban locations and most of their clientele generally used public transport.
- 14) The Applicants agreed to discuss with Staycity about having a system to manage the number of guests who would be travelling by car. It was anticipated that their guests would usually stay for 2-3 nights.
- 15) Jordan's Yard would be accessible via Park Street and Bridge Street. The café would be open to the public and operated by Staycity.
- 16) More benches had been located in Jordan's Yard following consultation with the School as teachers sometimes liked to sit outside for their lunch break.

- 17) The Design and Access statement provides details about the design of the building and the discussions with the Conservation Officer and the Urban Design Officer. Inspiration for the design was taken from Neal's Yard in Covent Garden. In terms of space the courtyard was meant to be a place you discovered and where curiosity took you.
- 18) The roof design was developed in collaboration with the Conservation Officer and Urban Design Officer, there was originally a sharp corner in the building design however following advice, this was removed and replaced with the reception area.
- 19) The application had been developed independently by the developer.
- 20) An alternative use for the basement had been considered if the use of vehicles decreased in the future. There was a BREEAM requirement to design buildings so that they could be flexible spaces. They had designed in lifts which could accommodate bicycles and mobility scooters.
- 21) The development was utilising the most up to date technologies. Emerging technologies included hydrogen technologies which may be able to be fitted but might impact on the courtyard.
- 22) The gas in the building was not for cooking but would be for peak energy demand periods for example when a lot of guests were having showers. Using gas for peak energy demand periods was recognised planning policy. The only alternative would be to add in more Air Source Heat Pumps.

Following a point raised by Councillors, the Chair confirmed that there was no underlying reason by the Conservation Officer had not provided comments on the application to date, the officer was just in the process of preparing their report.

### **Summing up by the Applicant**

- 1) They would look into the warranty and parking permit queries which had been raised by the Petitioners.
- 2) They were aware that green walls needed to be maintained well in order to survive; they would come back to the Petitioners on the points raised regarding irrigation and the suitability of different plants.

### **Summing up by the Petitioners**

- 1) Reiterated concerns about the proposed drop off point and the congestion that this would cause.
- 2) Reiterated concerns about further congestion coming down Bridge Street because of the development.
- 3) Reiterated concerns about the reduction in on-street disabled parking provision.
- 4) Reiterated concerns about the Party Wall agreements and water levels.
- 5) Reiterated concerns about the bulk and height of the development.
- 6) Commented that someone needed to take responsibility for residents' concerns regarding parking permits.
- 7) Commented that if Jesus College was going to open up their car park that Planning should go beyond the landscaping currently proposed.
- 8) Gas as an energy source should not be included in the development.
- 9) The development should deliver BREEAM outstanding.
- 10) Agreed with Ward Councillors comments that there should be public toilet provision as part of the development.
- 11) Wanted priority for residents' for electric vehicle charging facilities.

#### **Final Comments of the Chair**

- 1) The notes of the Development Control Forum would be made available to relevant parties.
- 2) Asked that any future discussions between the Applicant and the Petitioners took place with a Planning Officer present.
- 3) The application would be considered at a future Planning Committee.

The meeting ended at 11.47 am

**CHAIR**