



Public Document Pack

Cambridge City Council

Planning Committee

To: Councillors Stuart (Chair), Tunnacliffe (Vice-Chair), Blencowe, Brown, Dryden, Hipkin, Marchant-Daisley, Saunders and Znajek

Alternate Councillors: Herbert and Tucker

Published & Despatched: Tuesday, 3 January 2012

Date: Wednesday, 11 January 2012
Time: 9.30 am
Venue: Committee Room 1 & 2 - Guildhall
Contact: James Goddard

AGENDA

1 Apologies

2 Minutes

To confirm the minutes of the meeting held on 16 November 2011. (*Pages 1 - 12*)

Minutes of the meeting held on 14 December 2011 will be approved at a future meeting.

3 Declarations of Interest

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

4 Planning Applications

- 4a 11/0979/REM: West Cambridge Campus, Madingley Road (*Pages 13 - 46*)
- 4b 11/1169/FUL: Former Cambridge College For Further Education, 23 Young Street (*Pages 47 - 104*)
- 4c 11/0338/FUL: Intercell House, 1 Coldhams Lane (*Pages 105 - 164*)

5 Tree Items

- 5a Confirmation of TPO No. 19/2011- 25 Shelford Road *(Pages 165 - 170)*
- 5b Confirmation of TPO No. 18/2011 - 8 Lyndewode Road and 20/2011 - 12 Lyndewode Road *(Pages 171 - 176)*
- 5c Confirmation of TPO No. 23/2011 - 34 Hardwick Street *(Pages 177 - 180)*
- 5d Tree Work Application 11/349/TTPO - 102 Richmond Road *(Pages 181 - 184)*

Information for the Public

QR Codes

(for use with Smart
Phones)

Local Government (Access to Information) Act 1985

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

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

These papers may be inspected by contacting Patsy Dell (01223 457103) in the Planning Department.

Location

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

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

After 5 p.m. access is via the Peas



Hill entrance.

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

**Development
Control Forum**

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

**Public
Participation**

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

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

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

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

**Representations
on
Planning
Applications**

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

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

A written representation submitted to the Environment Department by a member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report. Any public representation received by the Department after 12 noon two business days before the relevant Committee meeting (e.g by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

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

**Filming,
recording and
photography**

Filming, recording and photography at council meetings is allowed subject to certain restrictions and prior agreement from the chair of the meeting.

Requests to film, record or photograph, whether from a media organisation or a member of the public, must be made to the democratic services manager at least three working days before the meeting.

The Democratic Services Manager can be contacted on 01223 457013 or democratic.services@cambridge.gov.uk.

Fire Alarm

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

**Facilities for
disabled people**

Access for people with mobility difficulties is via the Peas Hill entrance.

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

Adapted toilets are available on the ground and first floor.

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

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

Queries on reports

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

**General Information**

Information regarding committees, councilors and the democratic process is available at www.cambridge.gov.uk/democracy.



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PLANNING COMMITTEE

16 November 2011

9.30 am - 2.30 pm

Present: Councillors Stuart (Chair), Tunnacliffe (Vice-Chair), Blencowe, Brown, Herbert, Hipkin, Marchant-Daisley and Saunders

Councillors Brown and Saunders joined the meeting from item 11/70/PLANb

Other Councillors: Nimmo-Smith and Todd-Jones

Officers: Tony Collins (Principal Planning Officer), Patsy Dell (Head of Planning Services), Sarah Dyer (City Development Manager), Cara de la Mare (Legal Advisor), James Goddard (Committee Manager), Amy Lack (Planning Officer), Amit Patel (Planning Officer), Toby Williams (Principal Planning Officer)

Other Officers: Paul Brown (Design & Conservation Panel), Gerry Corrance (Highways Authority)

FOR THE INFORMATION OF THE COUNCIL
11/67/PLAN Re-Ordering Agenda

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used her discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the agenda.

11/68/PLAN Apologies

Councillors Dryden and Znajek.

11/69/PLAN Declarations of Interest

Name	Item	Interest
Councillor Marchant-Daisley	11/71/PLANa	Personal and Prejudicial: Applicant is her landlord
Councillor Saunders	11/71/PLANc	Personal: Member of Cambridge Cycling Campaign.

Councillor Stuart	11/71/PLANd	Personal and Prejudicial: Applicant is her husband. Withdrew from discussion and room, and did not vote
Councillor Saunders	11/71/PLANg	Personal: Member of Cambridge Cycling Campaign.
Councillor Brown	11/72/PLANa	Personal and Prejudicial: Property abuts application site. Withdrew from discussion and room, and did not vote
Councillor Stuart	11/72/PLANa	Personal: Works in Station Road

11/70/PLAN Minutes

The minutes of the 19 October 2011 meeting were approved and signed as a correct record subject to the following amendment in section 11/65/PLANa:

“**Resolved (by 5 votes to 3) to defer whilst awaiting further refinements to the scheme for further supporting plans to demonstrate the visual impact of the current application scheme. Application to be presented back to Committee at November Planning Committee.**”

11/71/PLAN Planning Applications

11/71/PLANa 11/0692/FUL: 21 Cambridge Place

Item withdrawn from agenda.

11/71/PLANb 11/0746/EXP: Ashley Hotel, 74 - 76 Chesterton Road

The committee received an application for full planning permission.

The application sought approval for demolition of existing garages. To be replaced by a two storey building to provide 19 additional hotel bedrooms (4 within roof space), an underground car park for 16 cars and 12 bicycles and an extension to the existing semi-basement hotel facilities.

The committee received representations in objection to the application from the following:

- Mr Leone
- Ms Susan Hilken

The representations covered the following issues:

- (i) Local residents were not opposed to the Ashley Hotel development, but were opposed to this iteration.
- (ii) Felt that the design sought to over develop the site and impacted on the Conservation Area.
- (iii) Suggested that the design was inappropriate for the area as it was not sympathetic to the character of neighbouring properties. Also the proposed building was too big in terms of height and mass.
- (iv) Raised concerns about loss of trees on the north of the site.
- (v) Suggested that existing traffic flow, safety and parking issues would be exacerbated by the development.

Mr Norfolk (Applicant) addressed the committee in support of the application.

Councillor Nimmo-Smith (Ward Councillor for West Chesterton) addressed the committee about the application to reiterate residents concerns as outlined above. Councillor Nimmo-Smith also referred to sections 3.0 and 8.8 of the Officer's report in relation to PPS4, and asked if this was still a relevant consideration.

The Committee:

Resolved (by 5 votes to 1) to accept the officer recommendation to approve planning permission as per the agenda subject to completion of s106 Agreement by 16 January 2012.

Councillors Brown and Saunders participated in the discussion but not the decision making for this item, as they were not present for its entirety.

Reasons for Approval

1. This development has been approved subject to conditions and the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to

conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: SS1, ENV6, ENV7, ENG6, T1, T9 and T14

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8 and P9/9

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/12, 4/4, 4/11, 4/13, 8/2, 8/10, 8/16

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

Unless prior agreement has been obtained from the Head of Development Services, and the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 16th January 2012 it is recommended that the application be refused for the following reason(s).

The proposed development does not make appropriate provision for transport mitigation measures, public art and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, the Public Art Supplementary Planning Document 2010, and the Eastern Corridor Area Transport Plan 2002.

11/71/PLANC 11/0876/FUL: Service Station Corner Histon Road and Huntingdon Road

The committee received an application for full planning permission.

The application sought approval for erection of building for student housing accommodation and retail unit together with associated new hard and soft landscaping and service lay by.

The committee received representation in objection to the application from the following:

- Professor Evans spoke on behalf of Dr Apter.

The representation covered the following issues:

- (i) Referred to resident's and Inspector's comments that the building should be occupied only by Anglia Ruskin University (ARU) and University of Cambridge students. This was stipulated in the s106 agreement, but Professor Evans queried if this could be overturned/renegotiated in future to allow other organisations to use the building.
- (ii) Suggested that the private sector were entitled to make speculative developments, but their risk should not be mitigated through the s106 agreement.

Mr Brennan (Architect) addressed the committee in support of the application.

Councillor Todd-Jones (Ward Councillor for Arbury) addressed the committee about the application. He raised the following issues:

- (i) Referred to Urban Design Team plus Design & Conservation Panel comments in the 19 October 2011 Officer's report, and suggested that concerns raised in these had not been addressed.
- (ii) Suggested that the application did not meet Local Plan policy 3.7 regarding to creation of successful places.
- (iii) Asked Members to be mindful of the impact of the application on the nearby Conservation Area and listed buildings.
- (iv) Referenced residents and Environmental Health Officer concerns relating to noise levels, the need for a noise level assessment, and how noise levels could preclude development on site unless abatement levels were undertaken.
- (v) Sought clarification on action to be taken if the developer sought to renegotiate the s106 agreement, particularly regarding the possibility of expanding occupancy beyond ARU and University of Cambridge students.

Mr Paul Brown addressed the committee to clarify Design & Conservation Panel comments concerning the application. The Panel were generally satisfied with the design of the application.

The Committee:

Resolved (by 5 votes to 3) to reject the officer recommendation to approve the application.

The Chair decided that the reasons for refusal should be voted on and recorded separately.

Resolved (by 5 votes to 0) to refuse the application contrary to the officer recommendations for the following reason:

The proposed development, by virtue of the lack of articulation of the Histon Road elevation which would lead to an unrelenting and overly dominant built form, would fail to enhance the visual amenity of the streetscene. In so doing the development would not respond positively to the site context and would not provide an attractive frontage to positively enhance the townscape where the development adjoins existing public space. The development is therefore contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan 2006.

Councillor Herbert proposed to refuse the application contrary to the officer recommendations for the following reasons: 3.8. This was lost **by 3 votes to 2 with Chair's casting vote**.

Councillor Tunnacliffe proposed to refuse the application contrary to the officer recommendations for the following reasons: 3.7 (general). This was lost **by 5 votes to 2**.

11/71/PLAND 11/0697/FUL: 3 Aberdeen Square

Councillor Stuart withdrew from the meeting for this item and did not participate in the discussion or decision making. Councillor Tunnacliffe assumed the Chair for this item.

The committee received an application for full planning permission.

The application sought approval for the addition of photovoltaic solar thermal panels on roof.

The Committee:

Resolved (by 6 votes to 0) to accept the officer recommendation to approve planning permission as per the agenda.

Councillor Herbert did not participate in the discussion or the decision making for this item as he was not present for its entirety.

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: SS1 and ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/14 and 8/17

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

11/71/PLANE 09/0943/OUT: Land Rear Of 306 Cherry Hinton Road

The committee received an application for outline planning permission.

The application sought approval for outline application for one three bed house and garage.

The Committee:

Resolved (unanimously) to accept the officer recommendation to approve planning permission as per the agenda.

Reasons for Approval

1. This development has been approved subject to conditions and the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: SS1, ENV7

Cambridgeshire and Peterborough Structure Plan 2003:

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/12, 4/4, 4/13

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer

Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

11/71/PLANf 11/0219/FUL: 9-15 Harvest Way

The committee received an application for full planning permission.

The application sought approval for erection of 75 residential apartments, comprising 30 affordable units and 45 private flats, provision of a commercial space at ground floor level comprising 174m² to be used for A1, A2, B1(a) or D1 (in the alternative); and associated infrastructure (following demolition of the existing building).

The committee received a representation in objection to the application from the following:

- Mr Goode speaking on behalf of 3 local resident groups.

The representation covered the following issues:

- (i) Concern regarding height of proposed building.
- (ii) Observed the application did not provide physical links between local roads/communities.
- (iii) Observed the application did not provide any amenity space.
- (iv) Suggested the application did not meet Supplementary Planning Document criteria due to a lack of trees on site.

Mr Colin Brown (Applicant's Agent) addressed the committee in support of the application.

Mr Corrance addressed the committee to clarify Highway Authority comments concerning the application. He suggested the application should not adversely affect traffic flow or air quality in the area, as traffic volume was anticipated to rise regardless of whether the development went ahead or not. The cumulative impact of the development on projected traffic volume and air quality figures was minimal.

The Committee:

Resolved (by 5 votes to 4 with Chair's casting vote) to accept the officer recommendation to approve planning permission as per the agenda subject to the revised list of conditions appended to the amendment sheet and the completion of a Section 106 agreement.

Reasons for Approval

Because it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: policies SS1, H1, H2, T2, T9, T14, ENV6, ENV7, ENG6, WM6, CSR1;

Cambridgeshire and Peterborough Structure Plan 2003: policies P6/1, P9/8 and P9/9;

Cambridge Local Plan (2006): policies 3/1, 3/4, 3/7, 3/11, 3/12, 3/13, 3/15, 4/11, 4/13, 4/14, 5/1, 5/5, 5/9, 5/10, 7/1, 7/3, 8/1, 8/2, 8/4, 8/6, 8/8, 8/10 and 8/16;

The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

11/72/PLAN General Items

11/72/PLANa CB1 Station Area Redevelopment - Variation of s106 Agreement

The committee received an application for variation of Section 106 Agreement for the Station Area Redevelopment.

The application sought approval that the Planning Committee delegate powers to officers to vary the Section 106 Agreement by means of a deed of variation to:

- (i) Allow an interim area of open space to be brought forward in lieu of provision of the Station Road Open Space (the Interim Station Road Open Space).
- (ii) To remove the link between the commencement of development of Block F1 and the Cycle Park.
- (iii) To address the omission of Network Rail land from the Interim Station Road Open Space.

The committee received a representation in objection to the application from the following:

- Mr Frank Gawthrop on behalf of local residents

The representation covered the following issues:

- (i) In general terms residents were pleased to see the removal of the 650 place multi deck car park building, as in their view it would reduce vehicle parking on the CB1 site, plus levels of traffic in their neighbourhood (which already causes problems).
- (ii) Queried if the City Council Planning Department could review the strategic issue of access to the station from the South. The Cambridge Leisure Park contains a multi deck car park for 636 spaces that residents felt could be used as alternative parking if a link was provided across the rail tracks. Residents asked Councillors to consider how this asset could be better utilised either with a direct

link, or via the new central platform with the cooperation of Network Rail.

Mr Derbyshire (Applicant's Agent) addressed the committee in support of the application.

Councillor Blencowe proposed an amendment to include a cycle parking requirement.

This amendment was carried unanimously.

The Committee:

Resolved (5 votes to 2) to accept the officer recommendation to approve variation of the Section 106 Agreement for the Station Area Redevelopment subject to amendment to link the delivery of the Cycle Park to the development of Block A2.

Councillor Brown withdrew from the meeting for this item and did not participate in the decision making.

The meeting ended at 2.30 pm

CHAIR

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Application Number	11/0979/REM	Agenda Item	
Date Received	16th August 2011	Officer	Mr John Evans
Target Date	15th November 2011		
Ward	Newnham		
Site	West Cambridge Campus Madingley Road Cambridge Cambridgeshire CB3 0ES		
Proposal	Reserved matters application (access, appearance, landscaping, layout and scale) for phase 1 of the West Cambridge Sports Centre pursuant to outline approval C/97/0961/OP.		
Applicant	Chancellors Masters & Scholars The Old Schools Trinity Lane Cambridge CB2 1TN		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The West Cambridge Site is a major academic development undertaken by the University of Cambridge, allocated as Site 7.06 (policy 7/6) in the Cambridge Local Plan (2006). The 66.5 hectare site allocated for higher education provides B1(b) uses, sui generis research institutes, staff and student housing, sports and other shared facilities. The site gained outline planning approval for a Masterplan granted in 1999, which dictates the uses and floorspace of those uses within each of the individual plots on the site. In 2004 the Local Planning Authority approved changes in a revision of the original Masterplan.
- 1.2 The West Cambridge Site is situated between Madingley Road to the north; the M11 to the west; Clark Maxwell Road to the east, and greenbelt land beyond the Coton footpath to the south. The proposed sports centre falls within plot B of the approved masterplan which is situated to the south of the campus, the boundary of which has thick tree cover. The boundary of Plot B also follows the route of the Coton footpath/cycleway which goes through two 90 degree bends.
- 1.3 The proposed sport centre site is within the main academic core of West Cambridge with its west boundary fronting onto the

newly constructed lake. To the north is the main east – west cycle route through the campus and the new building for Materials Science and Metallurgy, which is currently under construction.

- 1.4 The site does not fall within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 This reserved matters application seeks consent for phase 1, (of 3 phases), for the proposed sports centre on the West Cambridge campus, pursuant to the outline permission granted in 1999 C/97/0961/OP. Permission is sought for the means of access, appearance, landscaping, layout and scale. The application is very similar to the extant permission 10/0409/EXP, but is part of a phased scheme, rather than the complete building.
- 2.2 The proposed phase 1 sports centre has a rectangular shaped footprint, providing facilities over 2 levels. The ground floor accommodates a large sports hall area 1320 sq m in footprint to the full height of the building, a weights room, 5 squash courts, a fitness suite and changing facilities and plant rooms. The first floor contains 2 multipurpose rooms 494 sq m and 343 sq m in footprint, fives courts, further plant rooms and 2 meeting and office rooms.
- 2.3 The building will have a matt zinc roof, with larch fins to the front elevation. The flank walls are to be finished in white render as an interim measure, before future phases of the sports centre are implemented and linked in either side of phase 1.
- 2.4 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Landscape details
 3. Photomontages
 4. Sustainability Checklist

3.0 SITE HISTORY

Reference	Description	Outcome
C/01/1229/FUL	Erection of part two and part three storey building for sports (14,042sqm) and academic use(618sqm) use	Approved
07/0252/FUL	Erection of part two storey and part three storey building for sports (renewal of planning consent ref: C/01/1299/FP).	Approved
10/0409/EXP	Erection of part two storey and part three storey building for sports (renewal of planning consent ref: C/01/1229/FP).	Approved

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 **Planning Policy Statement 9: Biodiversity and Geological Conservation (2005):** Paragraph 1 states that planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. In taking

decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.

- 5.4 **Planning Policy Statement 22: Renewable Energy (2004):** Provides policy advice to promote and encourage the development of renewable energy sources. Local planning authorities should recognise the full range of renewable energy sources, their differing characteristics, location requirements and the potential for exploiting them subject to appropriate environmental safeguards.
- 5.5 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.6 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Community Infrastructure Levy Regulations 2010 – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

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

5.7 **East of England Plan 2008**

ENV7 Quality in the built environment

5.8 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/4 Responding to context

3/7 Creating successful places
3/11 The design of external spaces
3/12 The design of new buildings
4/1 Green belt
4/4 Trees
4/13 Pollution and amenity
4/15 Lighting
4/16 Development and flooding
6/2 New leisure facilities
7/6 West Cambridge Site, South of Madingley Road
8/2 Transport impact
8/4 Walking and Cycling accessibility
8/10 Off-street car parking
8/16 Renewable energy
8/18 Water, sewerage and drainage infrastructure

5.9 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

5.10 Material Considerations

Central Government Guidance

Draft National Planning Policy Framework (July 2011)

The National Planning Policy Framework (Draft 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 Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be 'yes', except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted
7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all

10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

Letter from Secretary of State for Communities and Local Government (27 May 2010)

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

Written Ministerial Statement: Planning for Growth (23 March 2011)

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

Area Guidelines

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

6.0 CONSULTATIONS

Design and Conservation Panel (Meeting of 14 December 2012)

- 6.1 The relevant section of the minutes of this panel meeting are set out below:

Carolyn Gohler declared an interest and did not participate in the vote.

The Panel's comments are as follows:

Masterplan. The scheme's relationship with the West Cambridge Masterplan is a critical issue. The Panel were reassured by the presentation that a dialogue with the masterplanners is being maintained.

The Overall Form of the Building. The Panel generally approve the design strategy for the building and welcome building's bold simplicity. However, the plans for future expansion are still unresolved, and until the final phase is complete the flank walls

will appear rather bright and stark, particularly when seen from the lake.

Future-proofing. There is clearly flexibility in the general structure. As fashions change however, flexibility will be key to the success of the internal spaces. The Panel would welcome the inclusion of a climbing wall as an appropriate feature of a facility of this scale.

Elevations. The Panel thought that the general handling and detailing of the elevations, particularly the north elevation would benefit from further development. The 'bird's eye' view of this elevation was not seen as very informative and there was general concern that this elevation would appear rather dark and forbidding.

Arrival space. The Panel hope that further thought might be given to the style and location of the bike sheds and the associated landscaping. How visitors experience the entrance either by foot or bicycle is important. Perhaps it would be possible to achieve a greater sense of openness that might be more welcoming and safer for visitors at night.

Materials. The Panel would like to encourage further work on the choice of materials and wondered, for example, whether a high quality concrete block would be more effective than render. Concern was also expressed as to the risk of rainwater staining. The Design of the Roof. The detailing of the roof will be crucial will be crucial to the success of the design. The Panel was concerned that effective seams would be difficult to achieve with zinc sheeting and thought that steel would be easier to work and lighter in appearance.

Solar panels. The Panel agreed that it was better not to have the solar panels on the southern 'eyelids' of the roof but noted some inconsistency in the drawings showing the location of the panels: they are shown on the most southerly 'eyelid' on the roof-plan but not on the aerial views showing the phasing.

Landscaping. The Panel are comfortable with the simple planting proposed for the south, east and west elevations. However, as clay soil is difficult to maintain, the Panel hope that some areas will be left undisturbed by the building works and that this will provide the opportunity for tree planting.

Conclusion.

Panel welcome the general strategy for the design and the proposals for the staging of the project but hope that the design team will explore further aspects of the detail and the choice of materials for the elevations and the roof. The continuing dialogue

with the West Cambridge masterplanners will be crucial to the success of the scheme.

VERDICT:

Relationship of the building to the Masterplan GREEN (11) with 1 abstention.

The broad approach GREEN (11) with 1 abstention.

Detailed handling (precision of the structure design and treatment of the arrival space AMBER (11) with 1 abstention.

Joint Urban Design Team

- 6.2 We previously raised concerns the proposed application sits in isolation to the wider West Cambridge site. We require a site wide Masterplan to understand the relationship between the site and neighbouring properties (Department of Materials Science and Metallurgy building and Department of Engineering building).

We require a comprehensive Masterplan for the site to understand how the site will be developed in its entirety. The Masterplan needs to clearly identify the relationship between each building and the site landscape. Phasing of the Masterplan can then be demonstrated.

We remain concerned the development fails to integrate the building into the wider landscape. We require a landscape masterplan and details of how the delivery of this will be phased to ensure the scheme is successfully integrated into the existing landscape.

The 2004 Cambridge West Masterplan (p6 Para 1.3) acknowledges the provision of a green roof on this site. The approved application (07/0252/FUL) included and recognised the benefits of a green roof. It is of our opinion that the green roof would mitigate some of the potential effects of the proposed scheme.

Cambridgeshire County Council (Highways)

- 6.3 This application is a reserved matters scheme, therefore the impact upon the public highways was considered at outline stage. No further comment.

Head of Environmental Services

- 6.4 Noise, construction and contaminated land conditions recommended.

Sustainable Design and Construction Officer

- 6.5 There is reference in the Renewable Energy note to the building achieving a BREEAM rating of very good, which implies that a holistic approach to sustainable development is being implemented, however the applicant should be asked to complete the Sustainable Development Checklist in order that this can be verified.

(Note: Sustainability Checklist Subsequently received)

Sustainable Drainage Officer

- 6.6 An opportunity to integrate above ground surface water drainage features into the landscape of the development has been missed. Surface features could increase the biodiversity on the site and reduce the need for pumps.

Ecology Officer

- 6.7 The proposals should seek to protect and enhance the existing habitats including woodland and hedgerow and any veteran oak trees present. I would expect to see a detailed landscape management plan covering all new and existing habitats. Any proposed new habitats such as wildflower grassland will require detailed species selection, soil preparation and management prescription, including establishment phases.

I would be particularly keen to explore management of the eastern woodland to increase light levels for the rare Yellow Vetchling *Lathyrus aphaca* along the Coton footpath.

Disability Consultative Panel (Meeting of 14 September 2011)

The minutes of the panel are set out below:

- 6.8 Blue Badge parking. The Panel note that appropriate hatches will be applied to the bays. The emphasis on the external arrival

space as a pedestrian and drop-off zone has dictated the location of the bays. The Panel would therefore recommend that the surface of the pedestrian zone change from tarmac to concrete paving, with creative colouring to assist the partially sighted on arrival.

Sports wheelchair zone. This is an important issue. An appropriate area in order to transfer into a sports wheelchair will reduce the risk of tyres introducing undesirable substances such as chewing gum into the main areas. The Panel note that according to Sports England guidance, such an area does not have to include WCs and changing facilities.

The Panel note that the wider 1.2m sports wheelchairs will be able to gain access to the main social spaces (although other areas are limited to 0.85m door widths). The secure area for parked wheelchairs should be made larger if possible.

Access to changing facilities and WCs. The Panel note that the accessible WCs will have sliding doors. The Panel would recommend the 'pocket' design as the most appropriate. The recommendations under 'Changing Places' are apparently not a requirement for sports facilities of this size and so have not been included. As the available facilities are quite limited however, the Panel would encourage the design team to consider the likely numbers using the facilities within an academic year, staff, students and visitors. The cost of installing a hoist for example would be relatively insignificant.

Shower areas. The Panel would welcome the addition of a drop-down seat and grab rail; one in each area. Levers would be the best option in terms of appropriate shower controls.

Viewing gallery. The Panel note that following discussions, the balustrade will now be at an appropriate height. There should be sufficient room for a wheelchair, and a sports wheelchair to pass behind.

Entrance. The Panel note that the Reception area is being re-designed. The Reception counter will need a dropped section with a small area for walking sticks if possible. The Panel note that areas will be acoustically treated where hearing loops are not applicable.

External uplighting. These will be at first floor, not ground floor level, which is welcomed. Facilities for assistance dogs (in courtyard). This is welcomed as rarely considered in planning applications. This space would need to be enclosed to ensure appropriate maintenance.

Conclusion

This scheme has significantly improved since its original submission, and the Panel greatly appreciate the additional work undertaken. Some details may appear minor, but can make a significant difference to the visually impaired. Panel members would be happy to discuss such details at the appropriate development stage.

Cambridge City Council Access Officer

Comments from the Access Officer are set out below:

- 6.9 The D&A statement says 'Changing Areas. It is proposed to provide at least one unisex wheelchair access WC, shower and changing cubicle to each group of changing facilities. This satisfies the minimum requirements of Sports England guidance' This is not inclusive design, it does not seem to consider that sport involves competitors who may not wish to share facilities or mixed sex games, or that disability sports may have disabled officials who need separate facilities from the players. Each set of changing facilities would seem to need the minimum of two unisex changing rooms.

Athletes such as Wheelchair rugby or boccha players may need help to change, as would some users of fitness equipment and the D&A statement doesn't seem to acknowledge spectators may spend whole days watching inter-collegiate events or the thousands of people who visit the university on open days or prior to applying university.

With very little adaptations an accessible changing room can double as a Changing Places toilet. The City Council's uses its sports changing rooms as additional Changing Places toilets. The proposed facility could act as a Changing Places toilet for other places on the West Cambridge Site.

All sanitary facilities doors need to open outwards.

Internal doors need a clear opening width of 1000mm not 800mm as proposed.

The reception needs a hearing loop.

2nd Consultation

Proposed revisions to internal access design supported. It is hoped the architects will maintain an ongoing relationship with the Panel to ensure fixtures and equipment will meet the needs of disabled people.

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

7.0 REPRESENTATIONS

7.1 The owners/occupier of the following address has made representations: 11 Clarkson Road.

7.2 The representations can be summarised as follows:

- The height of the building will be a massive 20m.
- The sedum roof has been abandoned.
- Too much external lighting.

7.3 Cambridge Past, Present and Future

- The application should have been presented to the Design and Conservation Panel. Had this happened at pre application stage the design would have been improved creating the quality flair required for this site.
- There are buildings constructed for the 2012 Olympics of far superior design, it is unacceptable that such a large, prominent building does not compete in the quality of its design.
- The building will be visible from above the tree line and thus will affect the Green Belt and its setting.
- The building is substantially larger than the masterplan indicated with no justification as to why.
- It feels like the design concept is incomplete.
- The colour of the zinc roof is unacceptable as it will be far too bright.

- Facades – climbers should be introduced to reduce the prominence of the building.
- The sculptured mound is too close to Wimpole Way and does not link in with the Coton footpath.
- Lack of Sustainability features.
- External lighting details unclear.
- Cycle racks welcomed although unclear how service vehicles enter the site.
- Poor links to Coton footpath.

7.4 North Newnham Residents Association

- Broadly content with the evolution of the project and its relationship with the masterplan.
- Residents keen to be alerted in advance of any highway improvements or cycle improvements triggered by the proposal.

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

8.0 **ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Renewable energy and sustainability
5. Disabled access
6. Refuse arrangements
7. Car and cycle parking
8. Planning Obligation Strategy
9. Third party representations

Principle of Development

8.2 The proposed sports centre, while not originally envisaged to be constructed in phases, is fully compliant with the West Cambridge Masterplan. This is both in terms of the use of Plot B and the physical proportions of the building.

- 8.3 The 1999 masterplan guidelines suggested Plot B be used for indoor sports including a swimming pool, sports hall fitness suite, racquets centre and the scientific study of sports. The proposed new University sports centre, relocated from Fenners Gym on Gresham Road, will be the new base for many sporting activities and the new home for the Physical Education Department. The building will address a long term need for contemporary sports facilities for the University.
- 8.4 The proposed floorspace of this reserved matters application falls within the scope of the intended plot ratio as set out within the 1999 guidelines. In purely quantitative terms, the building accords with the approved masterplan.
- 8.5 The masterplan envisaged this area of West Cambridge as the academic core, with communal activities and shared facilities. The previous full planning application(s) required details of the management of the sports centre and its intended public access arrangements. The proposed public access arrangements at the sports centre can be agreed through the imposition of a suitable planning condition (condition 2).
- 8.6 In my opinion, the principle of the development is acceptable and in accordance with policy 7/6. I discuss how the scale and massing of the building relates to the masterplan guidelines in the design section below.

Context of site, design and external spaces

- 8.7 The key design issue is the scale and massing of the building within its setting and within the wider context of the West Cambridge Masterplan.

Relationship with the masterplan

- 8.8 The 1999 masterplan guidelines envisaged a sport centre within Plot B to be developed with a single, stand alone landmark building of high quality design. 'Single and standalone' was intended to describe a development where the main part of the building would dominate ancillary sections, such as the first 2 phases of the Schlumberger development. The 2004 revised masterplan was updated with the footprint of the sports centre as approved in 2002. The original guidelines were not updated. The proposed phase 1 of the sports centre closely follows the

footprint, scale and massing of the masterplan guidelines and the extant permission on the site.

- 8.9 In terms of layout, the entrance to the proposed sport centre is to the north from the bridge, linking the site to Charles Babbage Road. This orientation is as set out in the masterplan, fronting the major public areas of the site and the east – west footpath/cycleway. The entrance hallway has been designed as a corridor running east – west, which in the future will be extended to link into the tennis courts and swimming pool. This has resulted in a minor realignment of the future phases 2 and 3 to reflect the more logical internal circulation, as compared with the extant permission 10/0409/EXP which had a more staggered arrangement.
- 8.10 I do not agree with the Council's Joint Urban Design Team that the development fails to respond to the new West Forum area. The layout of the sports centre is wholly consistent with the revised 2004 masterplan and the previously approved building. Clearly phase 2, which provides the swimming pool and café area will be constructed at a later stage, and so the relationship of the final building with the West Forum will not be realised from the outset of phase 1. This does not however make a 3 phased approach, which will result in the building being delivered, unacceptable. Local Plan policy 7/6 is very clear that the precise sequence of construction at West Cambridge cannot be predicted because of uncertainties of funding.
- 8.11 The amended 2004 masterplan provides a clear framework for the development of the sports centre and I do not agree with the Council's Urban Design Officer that another individual masterplan is required for this plot. Similarly, detailed landscaping proposals for phases 2 and 3 can be negotiated and agreed at an appropriate future stage. Following completion of phase 1, as an interim measure there will be a wildflower meadow fronting the lake. In my view this is the most suitable approach before later phases of the sports centre are constructed. The Design and Conservation Panel have considered this scheme and are content with the siting, design, scale and massing of the building and its relationship with the key vistas from, and within, the West Forum. In addition, the University are in dialogue with the original masterplanners for West Cambridge, MJP, who are content with this approach to developing the sports centre.

- 8.12 The masterplan recognised that the use of the building would largely govern its footprint and height. The 1999 guidelines also recognised that a domed roof may produce a relatively tall building, but its average height should not exceed 12m. The domed roof is the most efficient spanning structure which sails over the rectangular plan. This compact shape accommodates a range of high quality, flexible spaces which meet Sport England guidelines for different sports. The applicant has demonstrated that the average cross section of the roof will have a height of 12.3m. The Council's Urban Design Officer and Landscape Officer calculate the average height to be in the order of 13.8m. While I note the different methods of calculating an 'average' height, the overall height and proportion of the domed roof is very similar to the approved sports centre and accords with the design guidelines in the masterplan. The previously approved sports centre was more rounded in its overall shape, but had a similar height of 18.9m.
- 8.13 The overall height of the building at 20m has the potential to have a visual impact from outside of the site. The applicant has tested the impact of the building graphically through a series of photomontages. I am satisfied that while the sports centre will be partially visible from certain vantage points, such from across the fields to the immediate south, I do not consider this harmful. Furthermore, the scale of the building will be considerably more screened from the east and south than was previously envisaged in the masterplan. This is because the tree and vegetation cover along the length of this section of the Coton footpath is now much more dense and mature. The University intends to retain this strong planted boundary as part of the scheme.
- 8.14 In terms of detailed design, I consider the proposed zinc roof acceptable. The proposed material has a matt finish and should weather to a darker tone over time. I note concerns of the Design and Conservation Panel regarding the temporary treatment of the flank walls. Final materials can nevertheless be agreed through the imposition of a suitable planning condition. (Condition 3).
- 8.15 Internally, the building has been designed to provide a high quality environment for a variety of indoor sports and natural ventilation. The roof is formed of trusses to provide the required

roof height which ensures external bulk is kept to a minimum. The roof top windows face north, which provide generous natural daylight for the sports hall. The design of the building avoids direct southern sunlight which is undesirable for a sports facility.

External Spaces and trees

- 8.16 In terms of external spaces, the Design and Conservation Panel raise some concerns regarding the design of the bike shelters and hard landscaping. The final detailed design of the frontage can be adequately controlled through the imposition of suitable planning conditions. (Conditions 4 and 13).
- 8.17 I note comments from the Council's Drainage Officer regarding the proposed water attenuation strategy and the previously proposed sedum roof. However, the sports centre will be fully integrated into the campus wide water management strategy, through the storage of runoff in underground tanks for controlled discharge into the adjacent lake.
- 8.18 The mature Coton footpath hedgerows will be protected during the works which can be ensured through the imposition of a suitable planning condition. (Condition 8).
- 8.19 At this stage, large sections of the landscaping will be interim wildflower meadow. However, some longer term planting will follow the completion of phase 1, which can be agreed prior to final occupation of the building.
- 8.20 In my opinion the design of the building is compliant with the approved masterplan at West Cambridge and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12 and 7/6.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.21 The proposed sports centre is not situated in close proximity any residential properties. The imposition of suitable planning conditions will ensure the impact of construction work is minimised. The University has confirmed that the scheme will not involve any off site exportation of soil.

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

Renewable energy and sustainability

- 8.23 The applicant has calculated the likely Co2 emissions from the building and submitted a sustainability checklist as required by policies 3/1 and 8/16. The south facing design of the gills (which provide the north facing rooflights) lend themselves to mounting solar thermal hot water panels. 10% of the developments total predicted energy requirements will be provided by renewable energy, as required by policy 8/16. In my opinion the applicants have fully addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.24 The University have undertaken extensive consultation with the Council's Access Officer and Disability Panel regarding the accessibility of the building; its internal design, fixtures and fittings, which are listed in greater detail in paragraph 6.8. Ongoing dialogue with the Council's Access Officer should continue to ensure fixtures and equipment will meet the needs of disabled people. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.25 Refuse arrangements will be integrated to the site wide arrangements, which can be secured through the imposition of a suitable planning condition. (Condition 17). In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.26 The development provides 50 off site car parking spaces off Charles Babbage Road, as agreed in the 1999 masterplan. The development also provides 10 on site disabled car parking spaces.

- 8.27 To the front of the building 188 bicycle parking spaces are proposed, with provision for a further 44 following phases 2 and 3. The specific design of the cycle shelters can be agreed through the imposition of a suitable planning condition. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Planning Obligation Strategy

- 8.28 This application is for reserved matters approval and it is not appropriate to seek further contributions. The outline approval secured the required contributions and infrastructure improvements.

Third Party Representations

- 8.29 The issues raised in the representations received have been discussed in the above report.

9.0 CONCLUSION

- 9.1 This reserved matters application proposes a high quality, landmark building which accords with the approved masterplan and is very similar in design to the extant permission. APPROVAL is recommended.

10.0 RECOMMENDATION

APPROVE and subject to the following conditions:

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

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

2. Prior to first use of the sports centre, a management strategy for the use of the building hereby permitted, which will include the level of access for members of the public, sports and community groups, shall be submitted to, and approved in writing by the local planning authority. The development shall then be run in accordance with the management strategy with such further variations as the City Council may agree in writing.

Reason: To ensure that the facilities are available to the public. (Cambridge Local Plan 2006 policy 6/2).

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

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. Prior to occupation of the building hereby approved full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

5. Prior to occupation of the building hereby approved a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

8. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

9. Prior to occupation of the building hereby permitted, full details of proposed floodlighting or external lighting 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: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

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

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

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

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

12. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel,
- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

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

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

13. Prior to the occupation of the building hereby approved, details of the design of the cycle parking shelters shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that there is adequate cycle provision to encourage a sustainable method of transport. (Cambridge Local Plan 2006 policy 8/6)

14. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.

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

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

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

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

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

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

Reason: In the interests of amenity of future users of the site, Cambridge Local Plan 2006 policy 4/13.

15. The proposed on-site renewable energy technologies shall be fully installed and operational prior to the occupation of the approved building and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The renewable energy technologies shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16).

16. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228 Part 4: COP for noise and vibration control applicable to piling operations. The development shall be carried out in accordance with the approved details.

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 4/13.

17. Prior to occupation of the development, full details of the on-site storage facilities for trade waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, paladins or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: In the interests of providing adequate facilities for waste storage, Cambridge Local Plan 2006 policy 3/12.

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

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

INFORMATIVE: To satisfy standard conditions relating to Noise Insulation, the noise level from all plant and equipment, vents etc (collectively) associated with this application should not raise the existing background level (L90) by more than 3 dB(A) both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period), at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises.

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 'Method for rating industrial noise affecting mixed residential and industrial areas' or similar. Noise levels shall be predicted at the boundary having regard to neighbouring residential premises.

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

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

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/12, 4/1, 4/4, 4/13, 4/15, 4/16, 6/2, 7/6, 8/2, 8/4, 8/10, 8/16, 8/18.

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

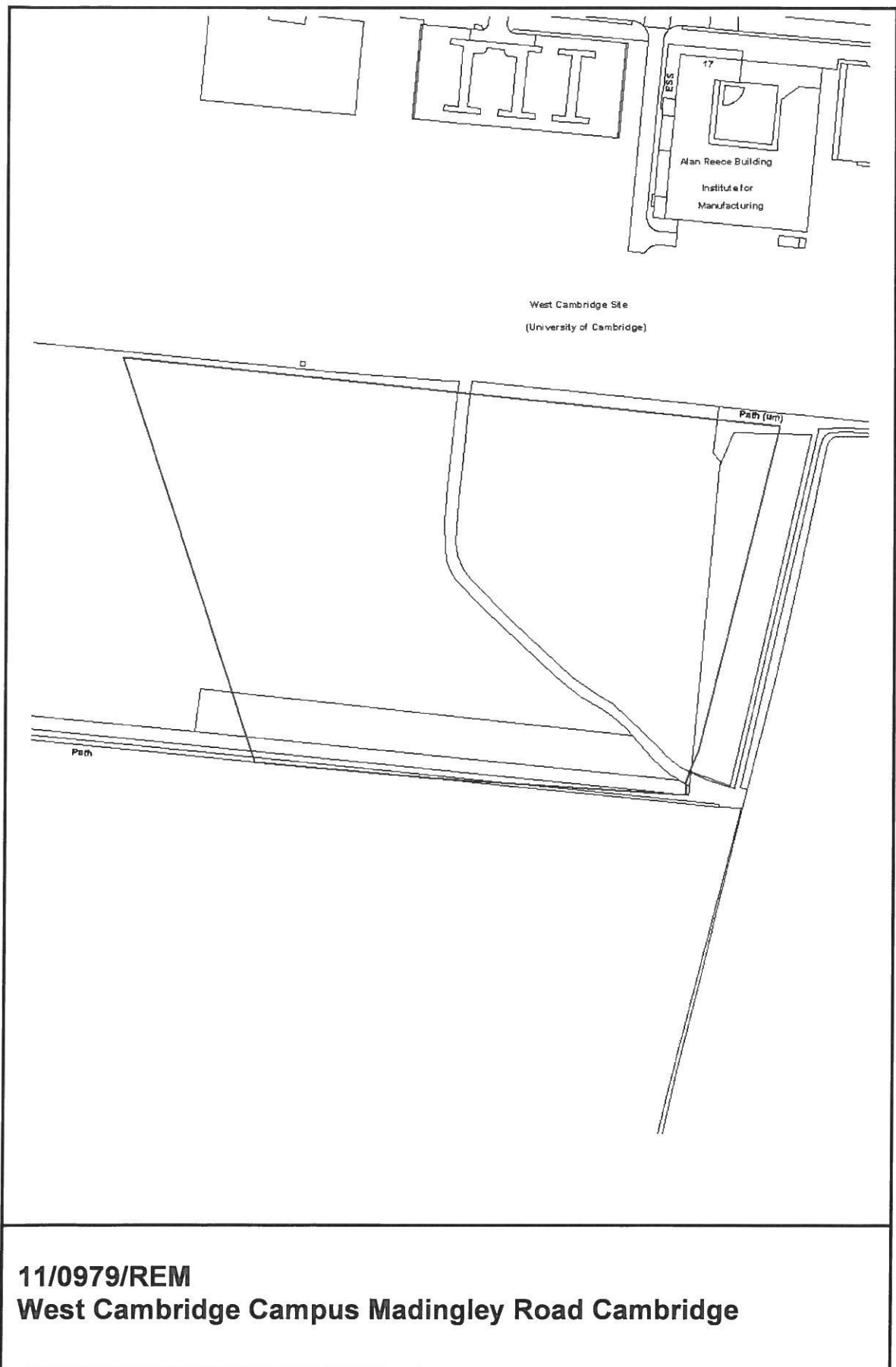
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

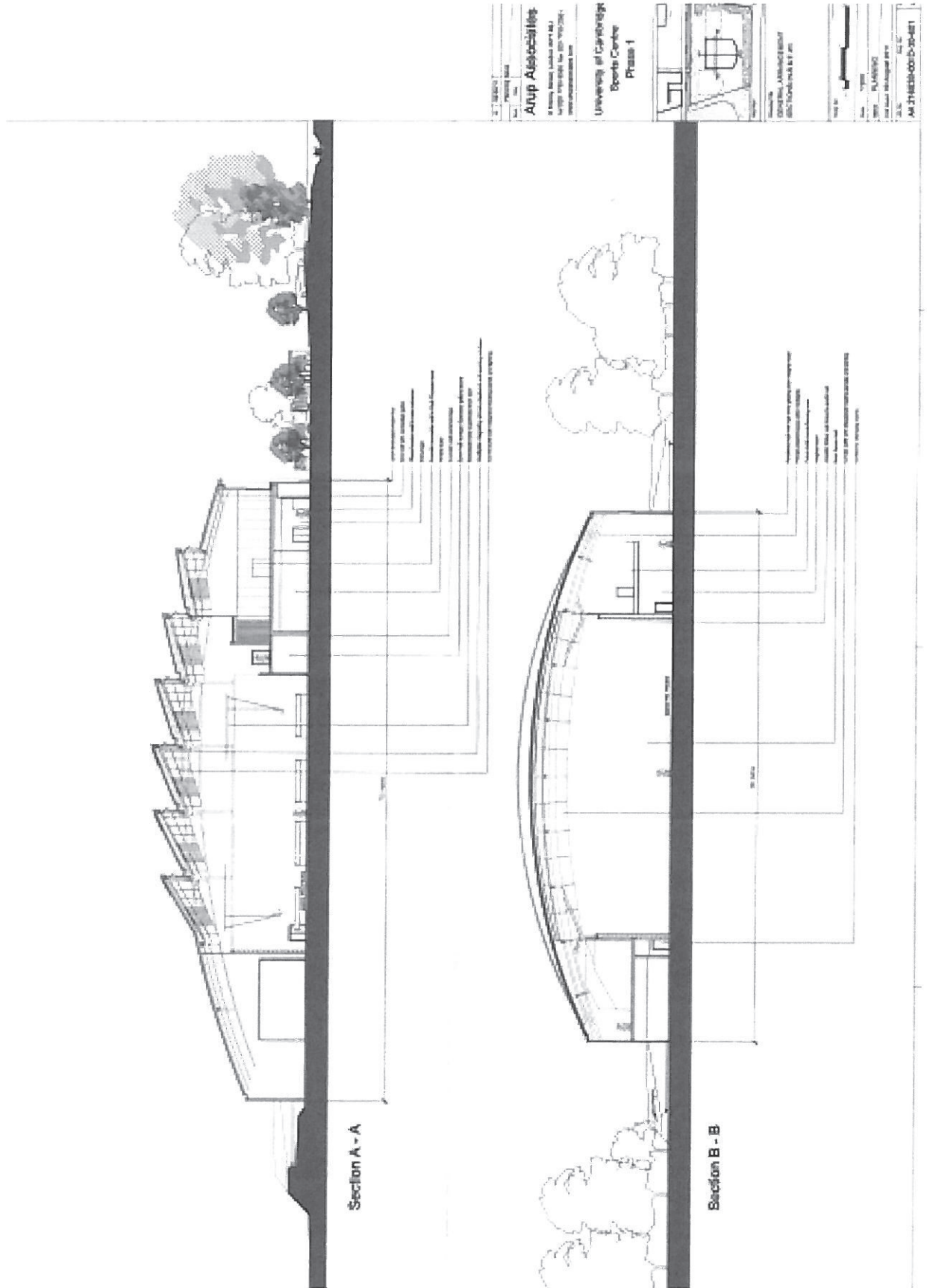
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

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

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.





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PLANNING COMMITTEE

Date: 11th January 2012

Application Number	11/1169/FUL	Agenda Item	
Date Received	6th October 2011	Officer	Mr Toby Williams
Target Date	5th January 2012		
Ward	Petersfield		
Site	Former Cambridge College For Further Education 23 Young Street Cambridge Cambridgeshire CB1 2NA		
Proposal	Construction of three new buildings within Use Class D1 (5044 sqm) for non-residential educational and training use, following demolition of all buildings on site except the Ragged School.		
Applicant	Bishop Hall Lane Chelmsford Essex CM1 1SQ		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The subject site comprises a 0.35ha parcel of land that is bounded by Young Street and St Matthew's Street to the south, New Street to the north, the Brunswick Nursery School and Sturton Street to the east and Cambridge Crown Court to the west (on the opposite side of New Street). The site consists of a number of disused buildings, including the Old Ragged School, which fronts Young Street and is a Building of Local Interest.
- 1.2 The area is mixed in character with residential development to the south, primarily in the form of two-storey Victorian terraced houses on Young Street; to the west the new Crown Court building, a large modern rotunda; to the east the Brunswick Nursery School; and to the north a mixture of a retail/metalwork premises which is an allocated redevelopment site for employment, housing and student accommodation.
- 1.3 The site incorporates a 1m level change within its centre dropping down to Young Street, which is defined by a retaining brick wall which runs parallel to the rear of the Ragged School and adjacent nursery.

- 1.4 The site falls just within City of Cambridge Conservation Area 1 (Central) - (the northern and western boundaries in the immediate area are New Street and St Matthew's Street, respectively), is just outside the Controlled Parking Zone and is within the zone of study identified by the Eastern Gate Development Framework SPD (2001).

2.0 THE PROPOSAL

- 2.1 The application seeks planning permission for the:
- 2.2 -demolition of all existing buildings except for the Ragged School.
- 2.3 -construction of three new buildings for educational and training use (D1).
- 2.4 The application is accompanied by the following supporting information:
1. Planning Statement
 2. Design and Access Statement
 3. Significance Assessment
 4. Heritage Impact Assessment
 5. Transport Statement
 6. Energy Strategy Report
 7. Ecological Assessment
 8. Public Consultation Summary
 9. Sustainability Checklist
 10. Public Art Programme
 11. Archaeological Desk-based Assessment
 12. Surface Water and Flood Risk Assessment
- 2.5 The application is made in order to seek to provide new education and administration space for Anglia Ruskin University, involving the relocation of the Faculty of Health and Social Care (School of Nursing) to the site from its current base at Fulbourn. The proposed development is a fully detailed proposal and is designed in order that it can be delivered in three phases.
- 2.6 Phase 1 is located alongside New Street and seeks to provide the Nursing Faculty. This includes classrooms, administration space and mock-wards. Phase 1 includes the refurbishment of

the Ragged School for educational use, which is also subject to a separate associated application for planning permission for external alterations.

- 2.7 Phase 2 is located on the western corner of the site abutting New Street, St Matthews Street and Young Street. This includes administration space, seminar rooms, a roof terrace and a 200 seat raked lecture theatre. Phases 1 and 2 are linked by a glazed bridge.
- 2.8 Phase 3 adjoins phase 1, extending the built form eastwards along New Road, terminating at Sturton Street. This includes administration space.
- 2.9 Due to the proposed phasing of the development, the application includes landscaping plans for the temporary treatment of land - following the demolition of the CRC buildings - awaiting phases 2 and 3. This includes fencing, the provision of grassed areas and temporary cycle parking provision.
- 2.10 Amended plans and additional information have been submitted and consulted upon.
- 2.11 These include:

Plans showing an indicative landscaping scheme for New Street together with agreement to contribute towards such a scheme through a S106.

The inclusion of a lift in phase 2 (lecture theatre)

Clarification regarding proposed highways works to the New Street/St Matthew's Street junction

Clarification regarding car parking generation and parking demand

Revised plans providing the phased permanent provision of 285 cycle parking spaces

A revised public art programme, detailing aspects of community engagement

The widening of the pavement on Young Street to improve disabled access including the removal and reuse of the Ragged School railings

- 2.12 The amendments have been subject to re-consultation.

3.0 SITE HISTORY

Reference	Description	A/C, REF, W/D
11/1180/CAC	Demolition of all buildings on site except the Ragged School.	Current
11/1307/FUL	External alterations to the Ragged School to create new access points and re-instatement of windows, demolition of timber lean-to, provision of 2 parking bays for disabled persons and landscaped walled garden.	Current
08/0205/FUL	Redevelopment of the site to provide 208 student beds in a mix of 2, 4, 5 and 6 bed flats, 2-bed micro-pad houses and 1-bed studio apartments. The redevelopment includes the retention and conversion of the Ragged School building	A/C
07/1291/FUL	Redevelopment of the site to provide for 244 student beds in a mix of 2, 4, 5 and 6 bed flats, 2-bed micropad houses and 1-bed studio apartments.	W/D
C/04/0745	Erection of 70 new homes (14 houses and 56 flats)	A/C
C/04/0510	Redevelopment for 15 houses and 4no dwellings	Deemed change of use of Ragged School to refusal. Appeal dismissed
C/04/0511	Redevelopment for 18 houses and 1no. dwelling	Deemed change of use of Ragged School to refusal. Appeal dismissed.
C/04/0512	Demolition of all buildings on site except Ragged School	A/C
C/03/0271	Demolition of all buildings.	REF
C/03/0287	Partial demolition and redevelopment for 18no. townhouses and change of use of Ragged School to 1no. dwelling	REF – Appeal dismissed

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 **Planning Policy Statement 5: Planning for the Historic Environment (2010):** sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for

consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.

- 5.4 **Planning Policy Guidance 13: Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.
- 5.5 **Planning Policy Statement 22: Renewable Energy (2004):** Provides policy advice to promote and encourage the development of renewable energy sources. Local planning authorities should recognise the full range of renewable energy sources, their differing characteristics, location requirements and the potential for exploiting them subject to appropriate environmental safeguards.
- 5.6 **Planning Policy Guidance 24 - Planning and Noise (1994):** States at paragraph 12, that planning authorities should consider carefully whether new noise-sensitive development would be incompatible with existing activities. At paragraph 13, a number of mitigation measures are suggested which could be introduced to control the source of, or limit exposure to, noise.
- 5.7 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.8 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Community Infrastructure Levy Regulations 2010 – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

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

5.9 East of England Plan 2008

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

CSR1: Strategy for the Sub-Region

CSR2: Employment Generating Development

5.10 Cambridgeshire and Peterborough Structure Plan 2003

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.11 Cambridge Local Plan 2006

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/11 The design of external spaces

3/12 The design of new buildings

3/13 Tall buildings and the skyline

4/11 Conservation Areas

4/12 Buildings of Local Interest

4/13 Pollution and amenity

4/14 Air Quality Management Areas

4/16 Development and Flooding

5/11 Protection of community facilities

5/12 New community facilities

5/15 Addenbrooke's

7/1 Employment provision

7/2 Selective management of the Economy
7/4 Promotion of cluster development
7/8 Anglia Ruskin University East Road Campus
8/1 Spatial location of development
8/2 Transport impact
8/4 Walking and cycling accessibility
8/6 Cycle parking
8/16 Renewable energy in major new developments
8/18 Water, sewerage and drainage infrastructure
10/1 Infrastructure improvements

Planning Obligation Related Policies

3/7 Creating successful places
8/3 Mitigating measures (*transport*)
8/5 Pedestrian and cycle network
10/1 Infrastructure improvements (*public realm, public art, environmental aspects*)

5.12 **Supplementary Planning Documents**

Cambridge City Council (October 2011) - Eastern Gate SPD: provides clear guidance on the City Council's redevelopment aspirations for the Eastern Gate area. It provides a framework that will co-ordinate and guide future redevelopment in line with Cambridge Local Plan policies and is an important step in helping to reshape this area of the city.

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change

adaptation, water, materials and construction waste and historic environment.

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

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

5.13 Material Considerations

Central Government Guidance

Draft National Planning Policy Framework (July 2011)

The National Planning Policy Framework (Draft 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 Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be 'yes', except where this would

compromise the key sustainable development principles set out in the Draft NPPF

3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted
7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

City Wide Guidance

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

Air Quality in Cambridge – Developers Guide (2008) -

Provides information on the way in which air quality and air pollution issues will be dealt with through the development control system in Cambridge City. It complements the Sustainable Design and Construction Supplementary Planning Document.

Area Guidelines

Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:

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

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

Cambridge Historic Core Conservation Area Appraisal (2006)

Mill Road and St Matthews Conservation Area Appraisal (1999)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Original Response: Further clarification is sought regarding the proposed t-junction with St Matthew's Street and New Street. Queries raised regarding the Transport Statement

Amendment Response: Awaited. This will be reported on the amendment sheet or orally at the meeting.

Cambridgeshire County Council (Transport)

- 6.2 Original Response: Further information is requested regarding the Transport Statement and whether ECATP payments are required.

Amendment Response: Further information has now been provided in relation to the Transport Statement. ECATP payments are not required.

Head of Environmental Services

6.3 No objection:

Environmental Impact: Recommends a condition relating to the submission of a Demolition and Construction Environmental Management Plan.

Contaminated Land: A previous intrusive site investigation was undertaken in 2008. The report did not record any significant contamination issues on the site. No further information is required.

Air Quality: The development will not have any adverse impact on air quality nor does it propose to introduce new receptors into an area of poor air quality.

Waste and Recycling: No concerns, recommends a standard condition relating to on-site storage facilities for waste.

Environment Agency

6.4 No objection: Recommends land contamination and surface water drainage conditions.

Anglian Water

6.5 No objection: Recommends surface water drainage and flood risk assessment conditions.

Cambridgeshire County Council (Archaeology)

6.6 No Objection: Due to previous ground works relating to the existing buildings on the site and damage during WW2, there is little archaeological potential. There are no archaeological recommendations.

Design and Conservation Panel (Meeting of 14 December)

- 6.7 The meeting was convened at the time writing this report. I will attach the minutes to the amendment sheet.

Disability Consultative Panel (Meeting of 9 November 2011)

- 6.8 Raises concerns regarding access to the lecture theatre via the proposed footbridge, which in turn should be increased in width. The width of Young Street should be widened through the relocation of the railings in front of the Ragged School to enable better and unimpeded access from the two disabled car parking spaces. A number of suggestions for the provision of internal fittings and fixtures to improve the accessibility of the buildings are proposed. The Panel would welcome seeing the application again at the detailed design stage.

Cambridge City Council Access Officer

- 6.9 Raises concerns: These relate to access to the lecture theatre and access to a variety of seating within it, the width of the footbridge and width of the pavement on Young Street. A number of internal standards/improvements to the scheme are proposed. It is questioned whether two blue badge parking spaces are enough.

Cambridge City Council Sustainable Drainage Officer

- 6.10 No objection: The provision of a surface water runoff and flood risk assessment together with the use of permeable paving are welcomed. Maintenance of the permeable paving and other SuDS features should be included within the landscape management plan for the site.

Cambridge City Council Cycling and Walking Officer

- 6.11 Original Response: Objection of the grounds of inadequate cycle parking provision below the adopted standard.
- 6.12 Amendment Response: No objection: Revised plans have been submitted which now incorporate all of the cycle stands necessary to accord with adopted standards, that being 285. This is welcomed. Minor revisions to the layout, including a

requirement for the applicants to seek to allow cycle access from phase 3 (Sturton Street) are recommended.

Cambridge City Council Arts Officer

- 6.13 Original Response: No objection: The submission of a public art proposal for Young Street is welcomed. Further information is requested relating to public engagement and the location of the artworks. Recommend a Public Art Delivery Plan is submitted for each phase of the development and secured via a S106 agreement.
- 6.14 Amendment Response: An formal response to the amendments is awaited. A revised Public Art Delivery Plan has been submitted which identifies the public engagement that will be carried out and provides indicative locations for the artwork.

Cambridge City Council Policy

- 6.15 No objection: The principle of the use for higher education purposes is compliant with Local Plan, regional and national planning policy guidance.

Cambridge City Council Senior Sustainability Officer

- 6.16 No objection: The Energy Strategy Report is supported, which indicates a 24.6% reduction in emissions associated with regulated energy and when unregulated energy demands are taken into account, a 14% reduction in carbon emissions. Consideration has been given to integrating the panels into the overall design and maximising solar gain. The target of achieving BREEAM 'very good' with an aspiration of 'excellent' is supported.

Cambridge City Council Landscaping

- 6.17 Original Response: No objection: The proposed amenity space is a positive contribution to the scheme but it should be free of cycle parking, which should be incorporated into the footprint of the building to avoid compromising the quality of the space. The hard urban edge onto New Street is supported. The north side of New Street should be planted with trees to enhance the public realm in accordance with the Eastern Gate SPD. Proposes conditions relating to landscaping matters.

Amendment Response: No objection: The relocation of the cycle parking is supported as is the proposed seating area within the soft landscape area. The indicative proposal to include street trees along New Street is supported and the opportunity is welcomed to explore this in collaboration with the applicant and the Highway Authority.

Cambridge City Council Urban Design and Conservation

- 6.18 Combined Original and Amendment Response: The layout allows for three secure access points into the central courtyard which provides an appropriate level of permeability across the development. Active uses have been provided at ground level with highly glazed frontages onto both New Street and Young Street. Additional glazing has been proposed at the gable end of phase 1 to provide additional overlooking onto Sturton Street. The scale and massing of the development is appropriate and broadly conforms to the Council's 2011 adopted Eastern Gate Development Framework Supplementary Planning Document (SPD).
- 6.19 The New Street elevation creates a striking edge, which comprises a well modulated, curved facade punctuated by ventilation stacks and high levels of glazing. The ventilation stacks provide a strong vertical rhythm to the street and variety to the skyline and streetscape. The curved copper corner of the proposed lecture theatre presents a dramatic, bold feature to the corner of Young Street, New Street and St Matthews Street.
- 6.20 The secondary entrance and termination of the building at the New Street / Sturton Street junction works well in terms of relating both to the main entrance end and to turning the corner in a satisfactory manner. The success of these features along the whole New Street frontage, will depend on nicely detailed transitions between masonry, glazing and roofing – the eaves details, rainwater disposal goods etc. The revised cycle parking proposal received Dec 7th 2011 is strongly supported. The proposals for tree planting along New Street are supported.
- 6.21 The following matters should be addressed:
- a) Reducing the visual impact of the double-decker glazed bridge.

- b) Resolving the vulnerability of the footway level glazing.
- c) Assuring the continuity of materials & detailing from phase to phase.

6.22 A number of conditions are recommended.

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

7.0 REPRESENTATIONS

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

- 121 York Street
- 11 Petworth Street
- 22 Hanover Square, London (on behalf of the Crown Court, East Road)
- 178 Sturton Street (PACT)
- Brunswick Nursery School, Young Street

7.2 The representations can be summarised as follows:

Design

- Height and bulk of tower overpowering, out of proportion, too high in relation to the surroundings. It relates poorly to the scale of Young Street houses. The CGI of this element gives a false impression.
- The tower should be clad in a softer material such as timber rather than copper.
- The permission should be conditioned to ensure copper is used.
- The entrance needs breaking up with more fenestration
- The chimneys on New Street are crude, bulky and overpowering and should be set back.
- The New Street frontage requires softening.
- The roofscape is bulky, complicated and will overpower Young Street residents
- The overall design lacks proportion and finesse.
- The design would harm the character and appearance of the Conservation Area.
- The design is 'industrial' in appearance

-The proposal is an overdevelopment

Privacy

-Western glazed windows and the glazed link passageway in the proposed development would allow views into the Court compound thereby increasing security and privacy issues in its operation. Any permission should be subject to conditions requiring screening and/or obscure glazing from overlooking windows

Impact on Brunswick Nursery School

-Phase 3 presents a number of issues which the school are seeking to be resolved through planning conditions. These are: employment of a party wall surveyor, adaptations and modifications to existing sash windows on the boundary of the two sites and replacement of a back fence to the playground to prevent visibility from the grass area.

-Concern is raised regarding the height and bulk of the phase 3 building, that it will overshadow the nursery garden and that it will dominate the skyline with opportunities for overlooking. Measures should be put in place to limit overlooking through the design of the louvers and a planted buffer zone between the nursery and phase 3. The LPA should consider conditioning out Phase 3 to be designed and put forward at a later date.

Other

-The design should include more car parking as students will try and park in the surrounding streets outside the CPZ and the Beehive Centre.

-The proposed D1 use should anticipate some flexibility for additional car parking provision in the future.

-The surroundings roads would become more congested

-The proposal incorporates only external space, which is internal to the layout of the building and gives nothing back to the community.

-The scheme is poorly landscaped and will result in an intensification of use of nearby open spaces.

-The cycle parking provision (only 100 spaces) is below the adopted standard.

-The energy strategy is weak

- The proposed highways works require further consideration, especially the proposed t-junction
- Any permission should be subject to a CEMP controlling noise and construction impact.

Petersfield Area Community Trust (PACT)

Supports: the return to education use and preservation of the Ragged School

Objects: on the grounds of overdevelopment on the basis that it does not respond positively to its context or setting in terms of its height, scale and form or engage successfully with the Eastern Gate SPD.

- Detrimental to the Conservation Area from views from the south and west. The height and design would be dominant in relation to the Ragged School and the nursery and the building incongruous. Dislike the copper cladding.
- Phase 2 should be set back from Young Street and its design informed by the Ragged School
- New Street frontage is hostile and monotonous. The building should be set back and have height variation, stepping down towards the east to reflect existing residential 2-storey form.
- New Street should be landscaped in accordance with the Eastern Gate SPD
- Concerns regarding impact on the nursery school
- Concerns regarding the lack of parking and the impact this may have on neighbouring streets outside the CPZ.
- The proposal requires a Green Travel Plan
- The Cycle parking provision is below the adopted standard

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces

3. Public Art
4. Renewable energy and sustainability
5. Disabled access
6. Impact on the amenity of neighbouring occupiers
7. Environmental issues
8. Highway safety
9. Car and cycle parking
10. Third party representations
11. Planning Obligation Strategy

Principle of Development

- 8.2 This application is linked to Anglia Ruskin University's (ARU) plans to upgrade its existing facilities and as such links to its 2009 approved masterplan for the East Road campus redevelopment as a whole. The masterplan for East Road has identified a deficit of 13,000sqm against space norms. Phase 1 of the East Road Campus redevelopment has provided 6,000sqm of space. This application proposes the relocation of the ARU Faculty of Health and Social Care to relocate to Young Street from Fulbourn. The development will also provide additional administrative space for departments on the East Road campus.
- 8.3 The School of Nursing comprises around 500 students. Around 200 of them will be on site at any one time with the rest working on placement.
- 8.4 The Young Street site has a history of educational use being the former location of part of Cambridge Regional College, which has relocated to Kings Hedges Road several years ago. The Brunswick Nursery School exists at the southern edge of the site and a Building of Local Interest, the Ragged School, still exists on Young Street.
- 8.5 Phase 1 will accommodate the School of Nursing. Phase 2 will provide a lecture theatre and linking bridge structure. Phase 3 will provide the additional administrative accommodation for the University. All the accommodation is for existing students already living and studying in the area and will not lead to any increase in student numbers at the ARU.

- 8.6 The Draft National Planning Policy Framework (NPPF) sets out a ‘presumption in favour of sustainable development’ (paragraph 14).
- 8.7 Local authorities are required to ‘attach significant weight to the benefits of economic and housing growth’ and ‘approach development management decisions positively – looking for solutions rather than problems so that applications can be approved...’
- 8.8 East of England Plan (2008) policy CSR2 seeks to facilitate the growth of high tech and knowledge-based economy including D1 educational uses through selective management. Policy SS2 requires LDD’s to ensure new development contributes towards the creation of more sustainable communities including provision for the needs of the further and higher education particularly in areas of new development.
- 8.9 The promotion of higher education and healthcare clusters in the City are encouraged by local plan policy 7/4. Policy 7/2 manages the scarce land supply for new employment uses through selective management. D1 educational uses are encouraged under 7/2(d) where they accord with Policy 7/4 where it is in the national interest or there is clear supporting evidence for a Cambridge location. The need for supporting evidence would not apply to ARU as they are an established organisation.
- 8.10 Policy 7/8 is dedicated to ARU’s main Campus at East Road. This makes provision for limited further development at the East Road site provided development accords with the agreed Master Plan and there is a reduction of parking on site. In the longer term whilst East Road will continue to be their primary campus its needs for longer-term growth was to be supported elsewhere in the City, in particular East Cambridge. East Cambridge is now not likely to come forward in the short to medium term owing to Marshalls decision to remain on the site for the foreseeable future.
- 8.11 In conclusion on higher education the principle of development accords with the higher education policies in the Local Plan and are supported by relevant regional and national policies towards higher and further education generally.

Context of site, design and external spaces

- 8.12 The scheme is designed as a three phase development. Phases 1 and 3 face New Street. Phase 2 (the auditorium) is on the corner of New Street and St Matthew's Street, is partly clad in copper and steps down in height as it addresses Young Street. Phases 1 and 3 create a linear footprint that abut the pavement on New Street and are designed as one continuous block upon completion, incorporating a series of bold and regularly spaced 'chimney' stacks along the frontage. A two-storey height footbridge links phases 1 and 2. The buildings are arranged around an internal courtyard space, which surrounds the retained Ragged School. The key issues arising from how the scheme relates to its context, its design and external spaces are considered below.

Access, layout and movement

- 8.13 The layout allows for three secure access points into the central courtyard which provides an appropriate level of permeability across the development. A fourth entrance into the phase 3 building is provided at the scheme's eastern end.
- 8.14 The two components forming the main way onto the site [Phases 1 & 2] are at 'the sharp end' of the wedge-shaped site on its western side. Phases 1 and 2 create something of a small forecourt that channels visitors between the buildings (3m width) before opening out into the court. Some concern has been raised by the Urban Design and Conservation Team that this width can only work if it doesn't physically restrict access or restrict views into the central space of the Ragged School.
- 8.15 In my opinion, the appropriateness of the width for access requirements is more for ARU's consideration in terms of function rather than planning. I consider the 3m width coupled with the alternative access points around the site to be satisfactory. The narrow width would allow for an element of surprise revealing the Ragged School as one enters the central court. This would not be dissimilar to the experience of many College courts. An opening up of the space between phases 1 and 2 would weaken the external built form in my view.
- 8.16 I note the concerns raised in relation to the double-decker bridge link between phases 1 and 2 and the partial loss of a

view of the Ragged School as a result. The two-storey link is necessary for the proper circulation and integration of phases 1 and 2. It is set far enough back from the St Matthew's Street façades to visibly distinguish the two buildings. The view is not a current view afforded of the Ragged School. I do not consider that the marginal benefit of removing one or both of these links to improve views of the Ragged School outweigh the benefits of decent internal circulation between phases. Removal of any link would require a fundamental re-think of the design of the scheme. Any views through this space to the Ragged School would be oblique and from a very limited number of standpoints. Whilst the revisions sought are desirable, they are not necessary in order to grant planning permission.

- 8.17 In terms of cycle access, full provision has been made through amendments to the scheme in accordance with adopted standards within the ground floor of phase 3. This phase can be accessed by foot from Sturton Street, but the scheme has not been designed to accommodate cycle access from this point. Instead, access would be from either New Street, St Matthew's Street or Young Street, each through the central court. I recommend condition 15 to explore the opportunity of revising the entrance to phase 3 to enable the cycle access to be more convenient for cyclists.

Scale and Massing

- 8.18 The majority of the building along New Street comprises 3 storeys, with a mono-pitch roof and glazed frontage, set well back from the main building parapet facing onto New Street. The development has been broken up into two blocks with an internal courtyard. The entrance 'lane' and inner courtyard are of relatively small size and the former is intended to invoke something of a collegiate feel akin to entering into a court through a gatehouse or past a Porter's Lodge. The area of lawn and trees between the Phase 2 building and the Ragged School help to break up the mass of the development and provide a good transition from the larger modern building on Young Street and the smaller Ragged School.
- 8.19 The main buildings are arranged along New Street with the main auditorium block along Young Street and adjacent to the retained Ragged School. This keeps the more modest scale of

the development opposite the terraced housing and the taller parts towards the Mackay's site.

- 8.20 The scale and massing of the development is appropriate and broadly conforms to the Council's 2011 adopted Eastern Gate Development Framework Supplementary Planning Document (SPD). For the westernmost two-thirds of New Street, the SPD defines a maximum height of 4 storeys with the upper floor required to be set back from the 'shoulder' of the building. The SPD also requires a localised height increase at the corner of New Street and Young Street.
- 8.21 The height of the proposed building along this stretch of New Street is 3 storeys (9.5m at the 'shoulder' from pavement level), with an increase to four storeys (13.5m from pavement) at the corner of St Matthews and New Street providing a prominent focal feature but without exceeding the height of the nearby Crown Court. The third storey incorporates a mono-pitch roof that is set back 3.5m from the shoulder and which rises to 12m as measured from pavement level. The SPD assumes floor-floor heights of 4m. The proposed floor-floor heights are between 3.5-3.7m. The ground floor of the scheme is set below the external pavement level by 1m, reducing the overall impact.
- 8.22 The height of the building is therefore below the maximum guidance under the SPD for the westernmost two-thirds of New Street. The drum-like forms of phase 2 (the auditorium), which in turn rises to 15m from the pavement, should work well with the nearby courthouse and the gradually stepping out form and use of copper cladding of phase 2 gives some sense of the internal use (auditorium) of the upper portions.
- 8.23 At the eastern end of New Street, towards Sturton Street, the SPD recommends a maximum height of 3 storeys, with the upper floor again required to be set back from the 'shoulder' of the building. I note that PACT and a third party response consider that the scale of the proposal at this point is too high. The proposal shows a 3-storey building along this section, which partially abuts the boundary with Sturton Street at 3-storeys with no set-back, measuring 9.5m from the pavement to the 'shoulder' on Sturton Street. The apparent scale of the building is reduced by the fact that the ground floor is set 1m below street level, the entrance point onto Sturton Street is recessed, and the top floor is glazed. Whilst I recognise the

concerns, the SPD maximum height is 8m (2 storeys) to the shoulder on this stretch of the building and the proposal seeks 9.5m from the pavement level. The degree of additional height is therefore only 1.5m and only for a short stretch of the eastern elevation(s). I therefore consider the relationship of scale to be acceptable.

- 8.24 The proposal broadly accords with the recommendations within the Eastern Gate SPD in respect to scale and massing and is therefore acceptable.

Elevations, materials and detailing

- 8.25 The New Street elevation creates a striking edge that comprises a well modulated, curved facade punctuated by ventilation stacks and high levels of glazing. A number of representations have referred to this elevation as 'industrial' in appearance, in particular the chimneys on New Street appearing crude, bulky and overpowering and that they should be set back, together with a landscaped softening of New Street.
- 8.26 In my opinion, the ventilation stacks provide a strong vertical rhythm to the street and variety to the skyline and streetscape. The narrowness of New Street and its curved form will help to reduce the scale and visible extent of the north façade of the building. The proposals have effectively restored the continuous frontage to New Street and the perimeter block pattern associated with the Victorian and early 20th century periods. This is a key design element of the scheme and has the support of both the Urban Design and Conservation Team and the Design and Conservation Panel.
- 8.27 The curved copper corner of the proposed lecture theatre presents a dramatic, bold feature to the corner of Young Street, New Street and St Matthews Street. I note a number of third party responses questioning whether this is the most appropriate material. In my opinion, it gives a strong visual identity to the phase 2 building and is appropriate. It will sit neatly alongside the other blocks being in the same family of forms and materials but with an identity of its own. The proposed brick is the TBS Mystique stock brick, the same used on the Accordia site. This is a high quality light buff brick with whiter hues and is appropriate for the development. It is proposed to use this brick throughout.

- 8.28 The secondary entrance and termination of the building at the New Street / Sturton Street junction works well in terms of relating both to the main entrance end and turning the corner in a satisfactory manner. It also allows a view of the roof formation to be appreciated. The success of these features along the whole New Street frontage will depend on well detailed transitions between masonry, glazing and roofing – the eaves details, rainwater disposal goods etc. These are secured through conditions 2-10.
- 8.29 I note that there are a number of residual concerns in relation to the elevations from the Urban Design and Conservation team. These relate to phasing, the treatment of the semi-basement level of the ‘ground floor’, the glazing treatment at footway level and a number of other detailed design matters. In my view, these can all be covered through the imposition of conditions to ensure the detailed elements of the scheme are well designed and will be robust.

Landscape and Public Realm

- 8.30 The proposed scheme includes the provision of an internal landscaped courtyard. The courtyard has the potential to be both an interesting visual and physical amenity space given the south facing aspect and the activation of the space by surrounding ground floor uses, including the Ragged School. It also allows glimpses into the site from Young Street. The hard and soft landscaping will be important to give the new buildings a good setting and this is especially so during the interim periods between phases. The proposed amenity space is considered a positive contribution to the scheme and its detailed finish is covered by condition 11.
- 8.31 Amendments to the scheme have removed cycle parking from the courtyard space and provided a seating area within the central lawn. This greatly improves the setting of the new buildings and the Ragged School.
- 8.32 I note that a number of third party responses and consultees have sought public realm improvements to New Street in accordance with the Eastern Gate SPD. The proposal abuts New Street and is a long and uninterrupted façade that will be visually prominent. Whilst I am of the opinion that the proposed

scheme is of an attractive design, it did not originally incorporate any landscaping on New Street. In this part of the City, development plots adjacent to the streets will be subject to significant urban renewal. It is therefore justifiable to seek an improvement to the public realm to mitigate the visual impact of the scheme and to improve the public realm more generally as a result of increased usage and the changing environment. I therefore agree with the concerns raised by PACT and others.

- 8.33 The applicants have taken on board the third party concerns and the requirements of the Eastern Gate SPD and included within their revised plans an indicative proposal to include street trees along New Street, together with revisions to pathway and carriageway widths and the retention of most of the car parking spaces. The scheme is not detailed but does demonstrate the possibility for improvement and has been generally welcomed. I intend to seek a contribution from the applicants towards a more detailed scheme, in accordance with the guidance in the Eastern Gate SPD, which could either be a standalone public realm improvement for New Street or form part of a jointly funded scheme through monies collected through a S106 on any redevelopment of the Mackay's site opposite or other sites nearby within the influence of the SPD.
- 8.34 Subject to this provision, I am satisfied that the proposed development accords with policies 3/4, 3/7, 3/11 and 3/12 of the Cambridge Local Plan (2006) and guidance contained within the Eastern Gate SPD (2011).

Natural surveillance

- 8.35 Active uses have been provided at ground level with highly glazed frontages onto both New Street and Young Street. Additional glazing has been proposed at the gable end of phase 1 to provide additional overlooking onto Sturton Street, prior to the completion of Phase 3 of the scheme.

Phasing

- 8.36 The applicants intend to build the scheme in three phases, as occupying departments/faculties are moved from other sites and additional funding becomes available. It is imperative that in any intervening period between construction of phases - which might be several years - the buildings present acceptable

facades to the public on the exposed areas awaiting later phases. Interim plans showing these stages form part of the submission. It is a risk to the continuity of appearance, workmanship and detailing that the Phase 1 and Phase 3 parts may be constructed years apart. I note also the Design and Conservation Panel's suggestion that any interim boundary treatment and cycle parking area must be designed to a high standard. I agree and consider that the existing plans fall short of providing an acceptable temporary appearance to the site. I propose condition 15 to deal with an amended temporary cycle park, condition 11 to deal with boundary treatments and condition 10 which requires the development to consider in detail how the finishing is handled moving from phases 1 to 3 if not completed concurrently.

Conclusion

- 8.37 The proposed development relates well to the context of site. It is a high quality design and subject to public realm improvements, will sit comfortably in this transitional area of town. The scale and massing are appropriate and the elevations will provide a rich and new architectural language. The scheme responds well to external constraints and subject to a number of detailed conditions, particularly those relating to phasing, I am satisfied that the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 4/11 and 4/12 and will enhance the Conservation Area.

Public Art

- 8.38 A public art proposal has been submitted to support the Planning Application. The proposal has been developed with a vision that public art be developed as an integral part of the new development, assisting in the improvement and quality of the area. The proposal is for the development and delivery of public art through the proposed three phases of development.
- 8.39 The aims of the public art proposal are supported by the Public Arts Officer. Further information was sought regarding community engagement.
- 8.40 The applicants have provided a revised public art proposal, which takes on board these concerns. The application is fully supported by officers and complies with the Public Art SPD.

- 8.41 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and 9/8 and Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

Renewable energy and sustainability

- 8.42 The Cambridge Local Plan (2006) sets out policies that require new development to take account of climate change, with further detail provided in the Council's adopted Sustainable Design and Construction SPD. Policy 3/1 (Sustainable Development) requires all development to meet the principles of sustainable development, with major applications being required to submit the Council's Sustainable Development Checklist as part of their application. Policy 8/16 (Renewable Energy in Major New Developments) requires all development above a threshold of 1,000 square metres to provide at least 10% of the developments total predicted energy requirements on-site from renewable sources.
- 8.43 The applicant has prepared an Energy Strategy Report setting out the approach being taken to reduce the carbon emissions of the new development. A hierarchical approach to carbon reduction is being followed, which is fully supported. In terms of renewable energy, the report provides an overview of a range of renewable and low carbon technologies, with the final choice of technology being the use of an extensive solar photovoltaic array for each phase of the development. When the three phases of the development are taken together as a whole, the use of this technology is predicted to lead to a 24.6% reduction in emissions associated with regulated energy alone, and when unregulated energy requirements are taken into account, should lead to a 14% reduction in carbon emissions.
- 8.44 The approach is fully supported by the Council's Senior Sustainability officer. Drawings showing the location of the panels are provided as part of the Design and Access Statement, along with sunlight/shadow analysis, which shows that the location of the panels has been devised so as to minimise any overshadowing. This information is welcomed, as it clearly shows that consideration has been given into integrating the panels into the overall design of the scheme.

- 8.45 The application also proposes the provision of an 'energy wall' as part of the new development, which will help to educate occupants of the building as to the benefits of the sustainability measures, which include natural ventilation and night-time cooling, being implemented. The Design and Access Statement makes reference to ARU's target for the building to achieve at least BREEAM 'very good' with an aspiration to achieve BREEAM 'excellent'. Such an approach is fully supported.
- 8.46 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.47 Both the Disability Panel and the Council's Access Officer have raised a number of detailed issues regarding disabled access.
- 8.48 These include: access to the lecture theatre via the proposed footbridge and lack of a lift within phase 2, the width of Young Street in front of the Ragged School and suggestions for the provision of internal fittings and fixtures to improve the accessibility of the buildings.
- 8.49 The applicants have revised the proposed plans to improve the width of the pavement on Young Street by relocating the railings in front of the Ragged School. A fully accessible lift has been provided within phase 2 to allay concerns regarding access within this building, particularly to the lecture theatre.
- 8.50 The Council's Access Officer has welcomed these revisions. Other internal elements of the design to secure fully accessible buildings are outside of planning and will be subject to part M of the building regulations.
- 8.51 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Impact on Amenity of Neighbouring Occupiers

- 8.52 The scheme is sensitive in terms of how phase 2 steps down in height as it turns St Matthew's Street and continues along Young Street. The building form stops opposite the end terrace

property 40 Young Street. A landscaped courtyard is proposed between phase 2 and the Ragged School.

- 8.53 The only concern that I have with regard to the impact of phase 2 on residential amenity is the potential for noise and disturbance arising out of a proposed 2nd floor roof terrace, located at the eastern end of the phase 2 auditorium building, which overlooks the proposed courtyard. Whilst no objections have been raised to the roof terrace, without control to limit its potential use in the evenings, it could prove a source of noise and disturbance if it was used, for example, as a reception area. I intend to limit its use by proposing condition 20 which prohibits use of the terrace past 21.30.
- 8.54 Brunswick Nursery has raised a number of issues with the proposed scheme. They seek for the following issues to be dealt with via planning conditions: employment of a party wall surveyor, adaptations and modifications to existing sash windows on the boundary of the two sites and replacement of a back fence to the playground to prevent visibility from the grass area.
- 8.55 In my opinion, given the increased intensity of use of the site, the request with regard to the windows is reasonable. The applicants have agreed to carry out the works, which will provide privacy to the nursery and I can secure this by condition (see no. 13). I also consider it reasonable to impose a condition regarding boundary treatment. I do not consider it reasonable to require the employment of a party wall surveyor through condition. Any damage to the Brunswick Nursery would be a civil matter between the parties and is outside of planning control.
- 8.56 The nursery has also raised potential overlooking issues from phase 3. This has been partly addressed by the applicants by proposing louvres on the southern elevations of the phase 3 building. I propose condition 12 to ensure that the detailed design of the louvres does not allow for direct overlooking into the nursery garden from phase 3.
- 8.57 The nursery has raised concern regarding the height and bulk of the phase 3 building. These relate to overshadowing of the nursery garden, the overall massing and dominance of the buildings and overlooking.

- 8.58 The nursery and its garden are due south of phase 3. The applicants have submitted a sunlight shadow analysis, which demonstrates minimal sunlight impact from the development site on the nursery and Young Street properties. The proposed scheme has sought to minimise its impact on the garden of the nursery by setting back the 2nd floor façade approximately 5m from the boundary with the nursery. This, together with the shallow mono-pitch roof and proposed fixed wooden louvres to the facade, will provide relief to the massing of the building as perceived from the nursery garden. The application includes a cross-section through the nursery garden and the proposed development. This demonstrates that for the majority of the garden, a clear 45-degree line of view over the top of the development is achievable.
- 8.59 Nevertheless, I recognise that the perceived impact on the garden of the nursery to be a valid concern and I am of the opinion that this is a balanced judgement, especially given the consistent height (13.5m) and length (51m) of the phase 3 building. To aid the assessment of the impact, the applicants have provided an analysis of the approved building form of application 04/0745/FUL compared to the current proposal, which shows a more broken roof form and less impact on the immediate garden area of the nursery.
- 8.60 Weighing up these issues, I am minded not to recommend refusal on the basis of the impact of Phase 3. Condition 12 is proposed to ensure the detailed design of the louvres is such that it mitigates direct overlooking into the garden from the first and second floor office space. Condition 11 is proposed to ensure a planting scheme on the boundary of the nursery garden to soften the visual impact of the development and to ensure the form of boundary treatment is acceptable. I note the request to condition out phase 3, but this is not possible and is contrary to circular 11/95 guidance. The scheme, which includes a detailed proposal for phase 3, should either be approved or refused on the basis of its merits.
- 8.61 In my opinion, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Environmental Issues

- 8.62 A bin storage area is proposed to be accessed from New Street. Sufficient space is laid out for the provision of bins and level access onto the carriageway is provided. Condition 18 is recommended to control the impact of the demolition and construction phase of the development. A previous intrusive site investigation was undertaken in 2008 regarding any potential contamination of the site. The report did not record any significant contamination issues on the site. No further information is required in this regard. The Chief Scientific Officer does not deem the proposal to have any adverse impact on air quality.
- 8.63 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12, 4/13 and 4/14.

Highway Safety

- 8.64 Further clarification was sought from the County Council Highways Engineer regarding an indicative scheme put forward as part of the application for proposed works to the junction of St Matthew's Street and New Street. Currently this junction is a mini-roundabout. The applicants have clarified that a t-junction on a raised table with a tightened radii is shown. The purpose of the indicative scheme is to slow vehicular speeds down and to improve the safety of cyclists crossing the road to access the development. The applicants have indicated that they are willing to contribute towards such a scheme, monies for which should also be secured from the Mackay's site and other developments within the Eastern Gate SPD area. This would be through a S106 agreement. I await advice from County as to whether the clarification is sufficient and whether the works in whole or in part should be secured through the S106. I will report any further comments on the amendment sheet or orally at the meeting.
- 8.65 Subject to clarification on this point, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.66 Full provision of cycle parking has been made through amendments to the scheme in accordance with adopted

standards. This amounts to 285 cycle parking spaces. The bulk of the provision is within the ground floor of phase 3 at the eastern end of the site. The Council's Cycling officer has confirmed that the revisions to the layout are acceptable subject to minor revisions.

- 8.67 The minor revisions sought relate to Phase 3, which is currently designed to be accessed by foot from Sturton Street. The scheme has not been designed to accommodate cycle access from this point, which would be ideal. Instead, access would be from either New Street, St Matthew's Street or Young Street, each through the central court. I recommend condition 15 to explore the opportunity of revising the entrance to phase 3 to enable the cycle access to be more convenient for cyclists. Condition 15 also seeks the approval of cycle plans for the completed development and each of the three phases to ensure that sufficient provision is made whilst the development, particularly phase 3, is being constructed. This condition also covers temporary boundary treatment and cycle shelter details to ensure they are of the high quality.
- 8.68 No car parking, other than two disabled car parking spaces adjacent to the Ragged School, are proposed. Under the adopted standards up to 113 spaces could be provided on site, 6 of which should be specifically for disabled use. The level of disabled car parking provision is therefore below the recommended standard.
- 8.69 The site is located in a highly sustainable location, which is accessible by a variety of different modes of transport. The Eastern Gate SPD requires a consistent street frontage. The provision of additional car parking would erode the internal courtyard space, limiting its use by all students and employees and detract generally from the setting of the Ragged School. There is a limited amount of on-street car parking available nearby, which would be available for disabled parking. Given these reasons and the constraints of the site, I consider that the level of provision for disabled use to be acceptable.
- 8.70 A number of representations have been made with regard to the lack of proposed car parking for students and employees and the subsequent impact this would have on parking within the area.

- 8.71 The adopted standards do not require a minimum number of car parking spaces to be provided. The number of uncontrolled car parking spaces outside the CPZ on the highway is limited (Harvest Way, Abbey Street, New Street, Occupation Road). The development may give rise to additional pressure to use these spaces from employees or students who are used to travelling to the existing faculty in Fulbourn by car. This would in part displace existing daytime commuter use of such spaces. However, the uncontrolled spaces are in high demand and there is limited opportunity to park in them during the day. The central location of the site is likely to attract sustainable travel to and from it and there would be a substantial cost for students and employees to regularly use time-limited pay & display car parking facilities or the Grafton Centre, which would discourage travel by car, if uncontrolled spaces were unavailable. The applicants intend to extend their existing Travel Plan to cover the application site, which can be secured via a S106, to manage the modal shift of staff travel.
- 8.72 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.73 The Crown Court has raised a number of concerns with regard to the proposed development. These relate to western glazed windows and the glazed link passageway in the proposed development potentially allowing views into the court compound thereby increasing security and privacy issues in its operation. They ask that any permission should be subject to conditions requiring screening and/or obscure glazing from overlooking windows.
- 8.74 There would not be any direct overlooking from the glazed footbridge link due to its positioning. Phase 2 does not provide any active windows that would allow direct overlooking. Phase 1 includes a meeting room at third floor level. This would allow overlooking of the court compound area. Whilst I am mindful of the concerns of the court, I consider it unlikely that a member of the public would be able to gain access to this room for the purposes of a view into the compound area. Access to the development site would be controlled and any access would have to be timed to coincide with the arrival of court person(s). I consider that the degree of privacy of persons entering or

leaving the court compound to be the business of the court and that the court could implement measures to further improve this if desired. However, I am of the opinion that the proposed nature of the development means that it is not necessary to condition the meeting room to be obscure glazed in order to grant planning permission.

- 8.75 All other third party representations have been covered in the relevant sections of the report.

Planning Obligations

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

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

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Public Art

- 8.77 The development is required to make provision for public art and officers have recommended as set out in paragraphs 8.38 to 8.41 above that in this case provision for public art should be

made on site. This needs to be secured by the S106 planning obligation.

- 8.78 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and 9/8, Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

Monitoring

- 8.79 The Planning Obligation Strategy (2010) requires that all developments that require a S106 contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term or £300 per non-financial head of term. Contributions are therefore required on that basis.

Other S106 Matters

- 8.80 The following S106 Heads of Terms are required to mitigate the impact of the proposed development. They have been discussed in the relevant sections of the report:

-New Street Public Realm improvement (see paragraphs 8.32-8.33)

-New Street/St Matthew's Street junction improvement (see paragraphs 8.64)

-Extension of the existing ARU Travel Plan to cover the site (see paragraph 8.71)

Planning Obligations Conclusion

- 8.81 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 The proposed development is a high quality design that is appropriate to its context and will enhance the Conservation Area. The scale and massing are appropriate and the elevations will provide a rich and new architectural language. The scheme is sensitive to its neighbours and will provide adequate facilities for students and employees. Public realm enhancements will be secured through a S106 planning obligation.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 1 April 2012 and subject to the following conditions:

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

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

2. No brickwork is to be erected for a phase until the choice of brick, bond, mortar mix design and pointing technique for that phase has been submitted to and approved in writing by the local planning authority by means of sample panels prepared on site. The approved panels are to be retained on site for the duration of the works for comparative purposes, and development must take place only in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12)

3. Full details of the type of coping to the walls for each phase shall be submitted to and approved in writing by the Local Planning Authority prior to the erection of any coping for that phase. Large-scale cross-sectional drawings may be appropriate for depicting some details. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12)

4. Where brickwork turns a corner not at right angles [other than 90 degrees], all bricks used shall be either cut solid bricks or brick specials formed to create a continuous junction [no "crossed knuckles" are permitted]. A mock-up sample panel together with large scale drawings showing the construction of the chimney stacks to accord with this condition shall be prepared on site prior to the erection of any chimney stack for phases 1 and 3. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12)

5. Full details of a strategy for external lighting and signage for the development on a phased basis shall be submitted to and approved in writing by the Local Planning Authority prior to the permanent use of any building. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

6. Full details for each phase of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing shall be submitted to and approved in writing by the Local Planning Authority prior to their erection for that phase. The submission shall include large-scale drawings and samples. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12)

7. Full details for each phase of all non-standard brickwork [for ventilation purposes, etc.] layouts, bonds and the like shall be submitted to and approved in writing by the Local Planning Authority prior to that brickwork being carried out for that phase. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12)

8. Full details for each phase of all proposed lintels and sills to new openings [for doors or windows] shall be submitted to and approved in writing by the Local Planning Authority prior to their installation for that phase. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12)

9. Full details (including samples) for each phase of all external joinery, including finishes and colours, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation for that phase. Joinery is taken to mean all windows and doors, whether made of timber or not. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12).

10. Full details of the construction of interim elements where later phases of building are to abut directly, indicating how the linkage between materials is to be achieved shall be submitted to and approved in writing by the local planning authority prior to the commencement of phase 3. The details shall include how continuity of supply of, in particular, facing materials is to be assured after any delay between phases of construction. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12)

11. No development for each phase shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority for that phase and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure both for temporary and permanent phases of the development, including fencing along the boundary with the nursery school; pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include both temporary and permanent planting plans; a scheme for the introduction of tree specimens immediately to the north and on the boundary of the Brunswick Nursery garden; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

12. Full details for each phase, including large scale drawings and a sample, of all brise-soleil or other sun shading devices fixed to walls shall to be submitted to and approved in writing by the Local Planning Authority prior to their installation for that phase. The details shall include the louvres proposed on the south facing facade towards the Brunswick nursery garden on phase 3 which shall be designed in order to negate direct overlooking into the nursery garden from the office space in this phase. The submission shall demonstrate compliance with this requirement. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate and to safeguard the privacy of Brunswick Nursery School (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12)

13. Prior to the commencement of development, a scheme for the installation of privacy screening for west facing Brunswick Nursery windows shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the timing of the works and the works shall be implemented in accordance with the approved details. In the event that the consent of Brunswick Nursery is not forthcoming for the installation of the screening, a revised landscaping plan to protect the privacy of the nursery from the external courtyard area shall be submitted to and approved in writing by the Local Planning Authority and be implemented prior to the use of the courtyard space.

Reason: In the interests of safeguarding the privacy of the Nursery given the intensification of use of the proposed courtyard space (Cambridge Local Plan policies 3/4, 3/7 and 3/12)

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

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

15. No development shall commence until revised plans showing permanent and temporary details (including the phased provision of the cycle spaces and any relocation to enable phase 3 to commence) of the facilities for the covered, secure parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the Local Planning Authority in writing. The details shall include the results of a scoping exercise to ascertain the possibility of enabling cycle access from the eastern elevation (Sturton Street) entrance. The agreed facilities shall be provided in accordance with the approved details before use of the development commences.

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

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

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

17. Before the development for each phase hereby permitted is commenced details of the following matters for that phase shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel,
- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

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

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

18. No development shall take place for each phase, including any works of demolition, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of the amenity of adjacent residents (Cambridge Local Plan policy 4/13)

19. No development of a phase shall commence until details of the surface water drainage system for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure the satisfactory drainage of the site (Cambridge Local Plan policy 4/13 and PPS25)

20. The proposed 2nd floor external terrace to phase 2 (the auditorium) shall not be used between 21.30 hours and 08.00 hours.

Reason: In order to safeguard the amenity of nearby residential properties from noise, disturbance and privacy (Cambridge Local Plan policies 3/4, 3/7 and 3/12).

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

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

INFORMATIVE: This planning permission should be read in conjunction with the associated deed of planning obligation prepared under s.106 of the Town and Country Planning Act 1990 (as amended). The applicant is reminded that under the terms of the s106 Agreement you are required to notify the City Council of the date of commencement of development.

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

Reasons for Approval

1. This development has been approved subject to conditions and the prior completion of a section 106 planning obligation, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: ENV6, ENV7, CSR1, CSR2

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8, P9/9

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/12, 3/13, 4/11, 4/12, 4/13, 4/14, 4/16, 5/10, 5/12, 5/15, 7/1, 7/2, 7/4, 7/8, 8/1, 8/2, 8/3, 8/4, 8/5, 8/6, 8/16, 8/18, 10/1

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

Unless prior agreement has been obtained from the Head of Planning, and the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 1 April 2012, or if Committee determine that the application be refused, it is recommended that the application be refused for the following reason(s).

The proposed development does not make appropriate provision for transport mitigation measures, public realm improvements, public art and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1 Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, the Public Art Supplementary Planning Document 2010.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

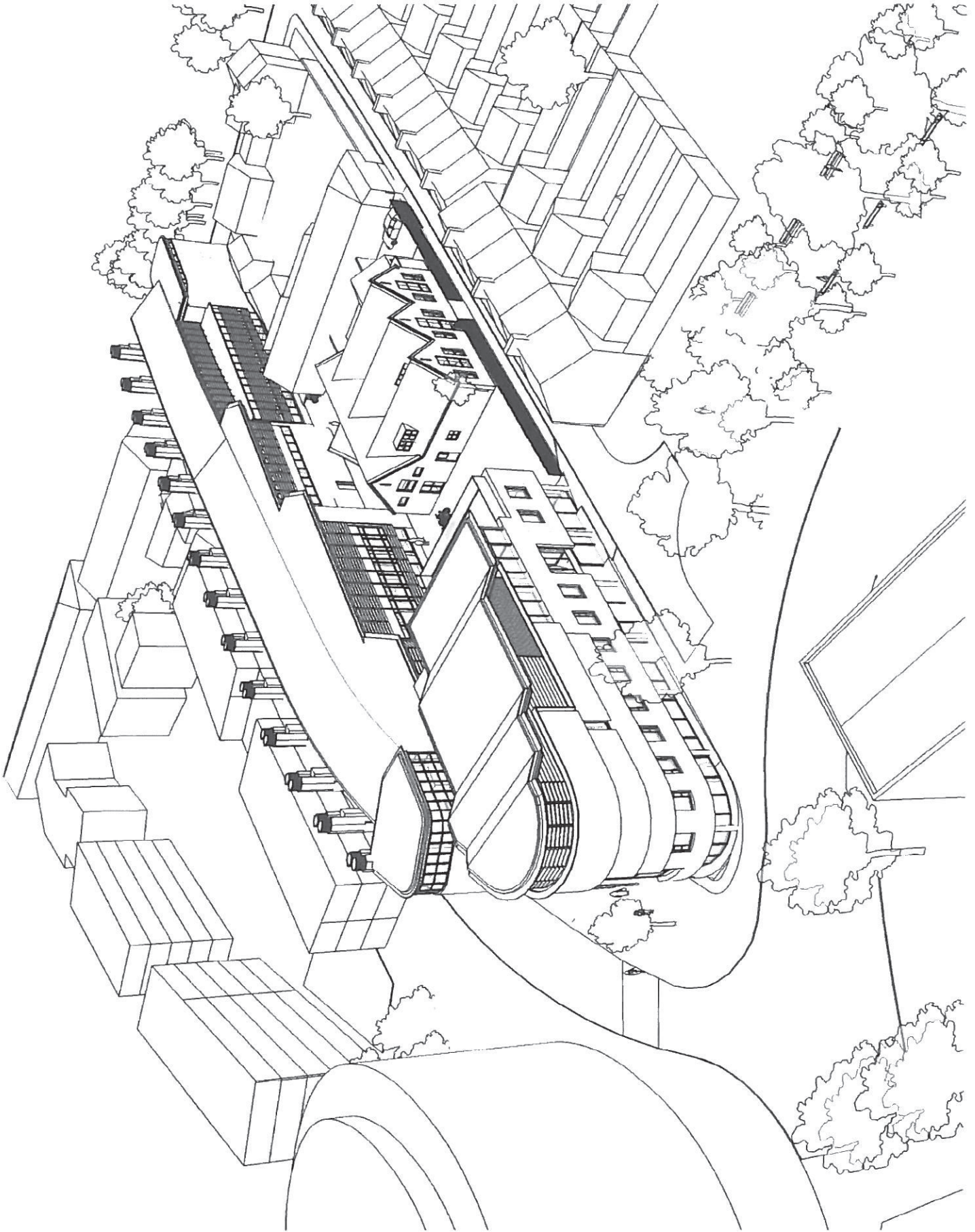
1. The planning application and plans;

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

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.

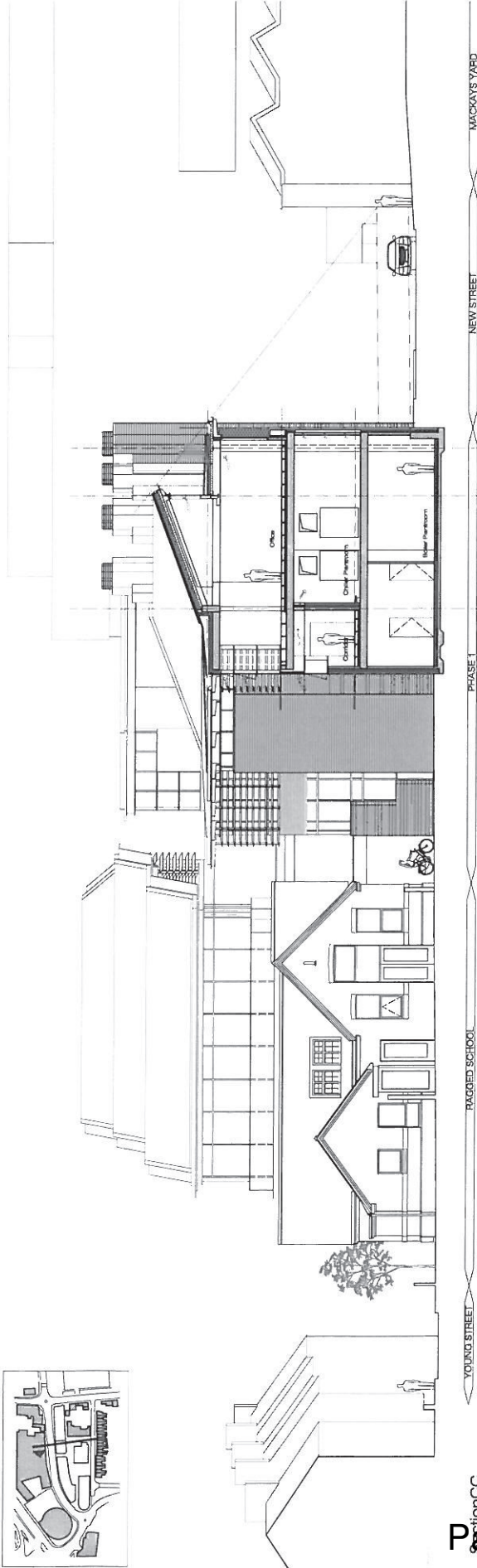
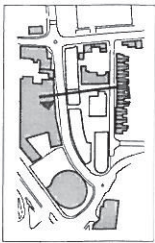


11/1169/FUL
Former Cambridge College For Further Education 23 Young
Street Cambridge

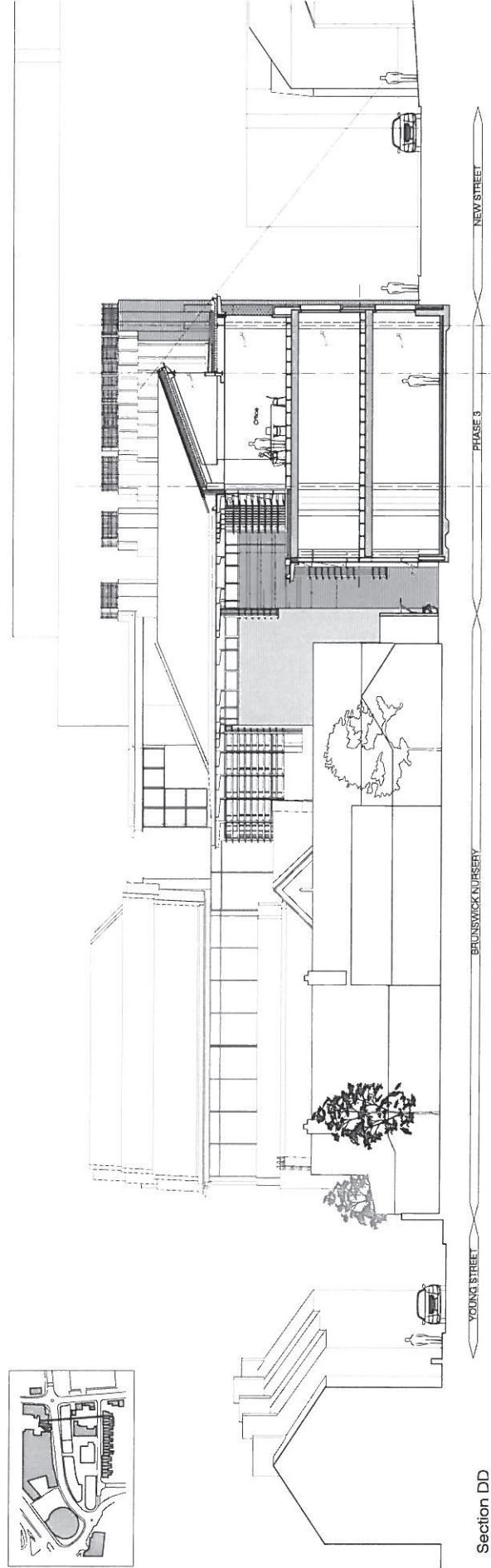
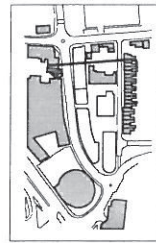


NOTES

Richard Murphy Architects Ltd.
Registered in England No. 201175
17, New Street, Birmingham, B2 4NU
0121 220 4125
www.richardmurphyarchitects.com



Section CC
Through Plant Rooms looking West. Scale 1:100 @A1

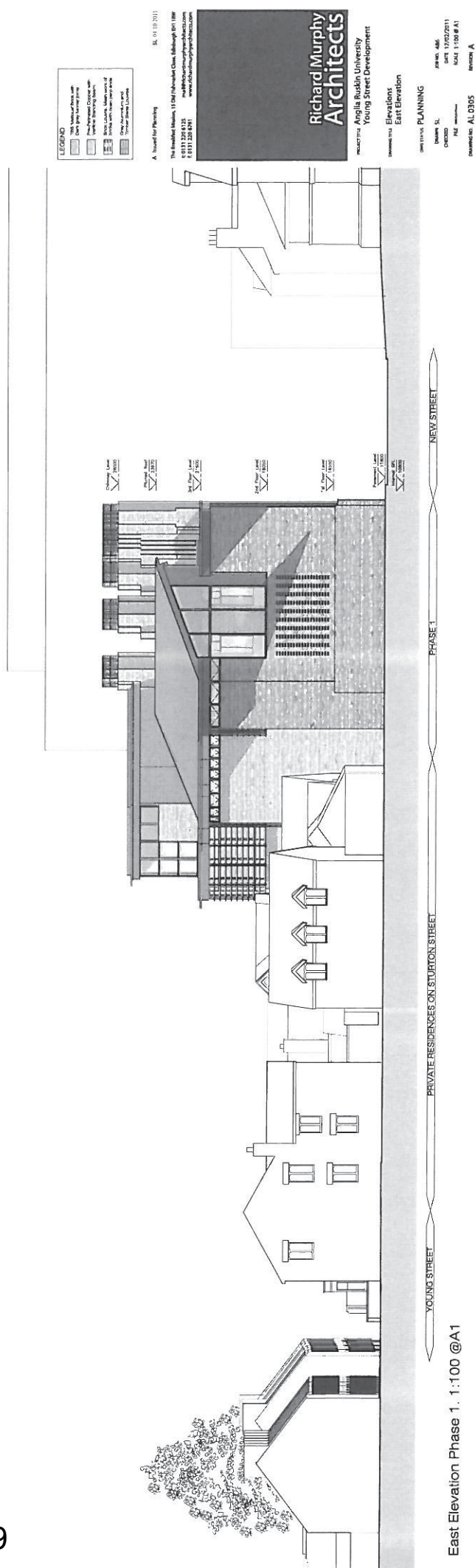
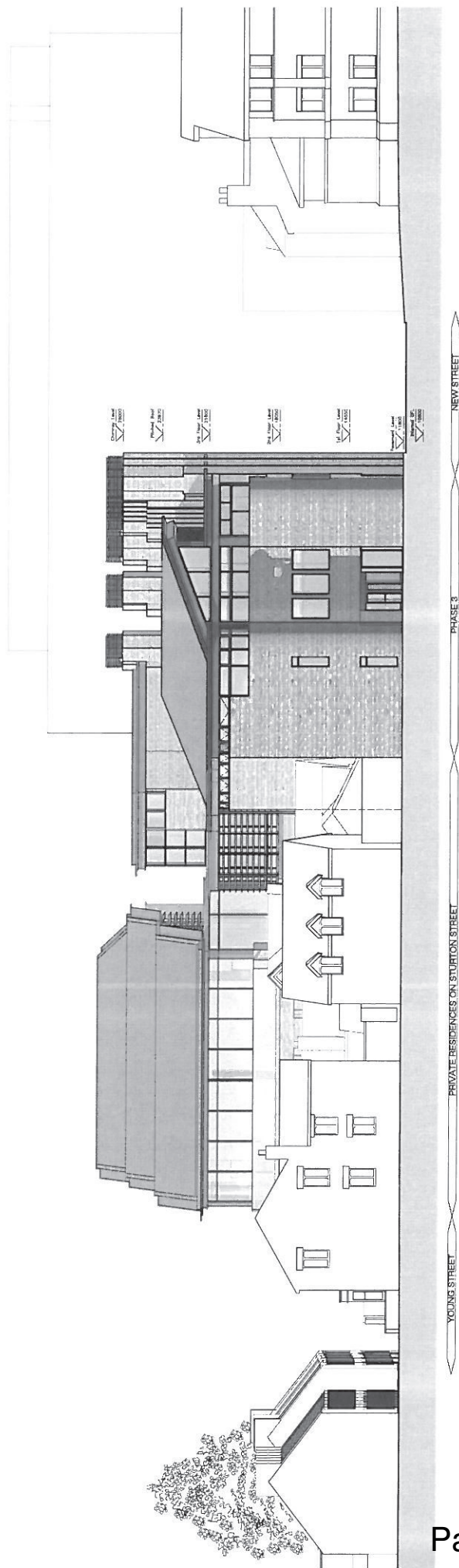


Section DD
Through Brunswick Nursery and Phase 3 Looking West. Scale 1:100 @A1

Issue for Planning
A. STAGE D
17, New Street, Birmingham, B2 4NU
0121 220 4125
www.richardmurphyarchitects.com

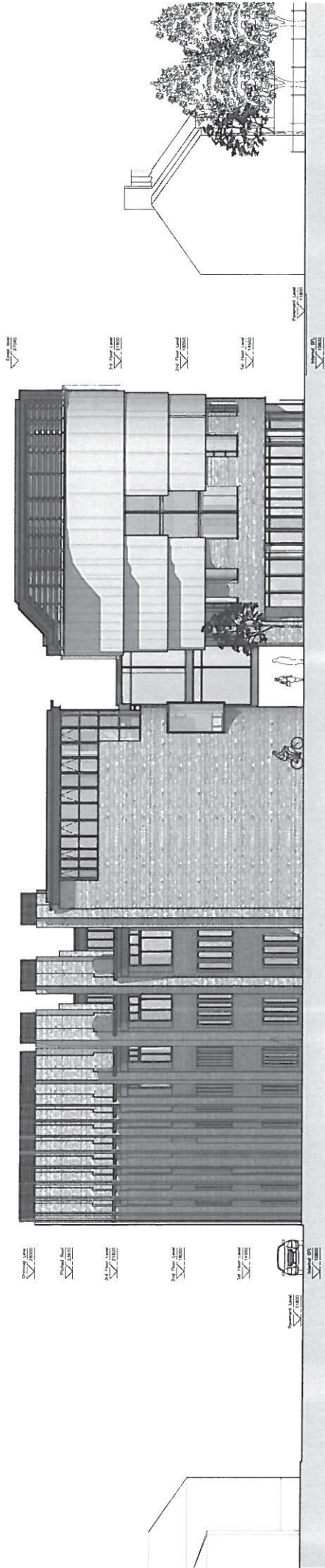
Richard Murphy Architects
Angela Bustin University
Young Street Development
CC & DD

Project No. 448
Date: 17/02/2011
Scale: 1:100 @ A1
Drawing No. AL 0402
Revision B

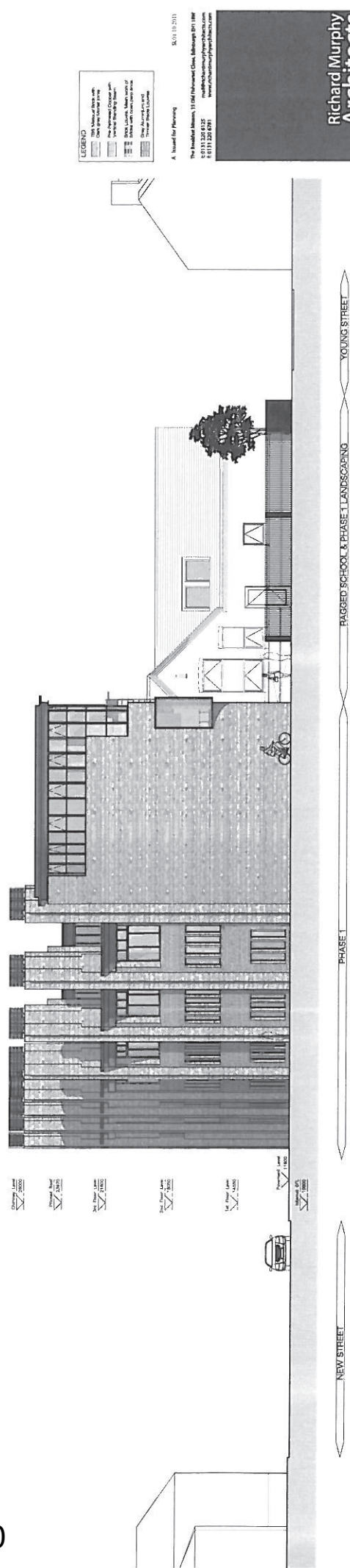


NOTES

Richard Murphy Architects, LLC
 Registered Professional Architects
 The following drawings are preliminary.
 Do not scale from this drawing and from related drawings
 only.



West Elevation All Phases. 1:100 @A1



West Elevation Phase 1. 1:100 @A1

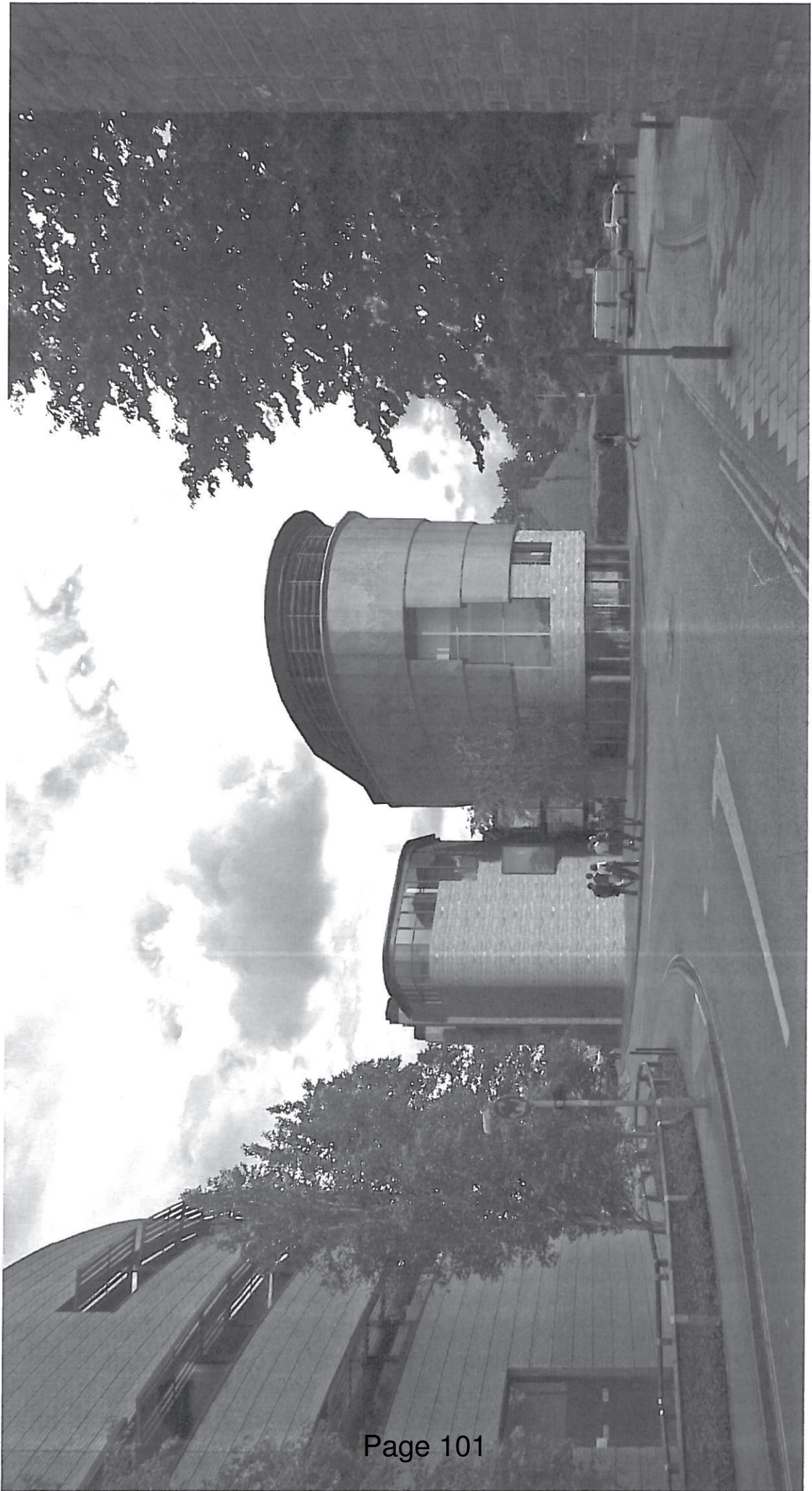
LEGEND

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100 Years of Stone with	100 Years of Stone with
100 Years of Stone with	100 Years of Stone with

A. Issued for Planning
 10/11/2011
 The Ragged School, 1101 West Street, Raleigh, NC 27601
 919.228.6222
 www.raggedschool.com

Richard Murphy Architects
 Young Street Development
 Young Street Development
 Young Street Development

PROJECT: Young Street Development
 DRAWING: West Elevation
 SCALE: 1:100 @A1
 DATE: 10/11/2011
 DRAWN BY: JMM
 CHECKED BY: JMM
 PROJECT NO.: AL 0304
 SHEET NO.: A









Application Number	11/0338/FUL	Agenda Item	
Date Received	28th April 2011	Officer	Mr Tony Collins
Target Date	28th July 2011		
Ward	Abbey		
Site	Intercell House 1 Coldhams Lane Cambridge Cambridgeshire CB1 3EP		
Proposal	Redevelopment of Intercell House as a 127 bed hotel with restaurant and bar, car park and works to the Public Realm/Highway following demolition of Intercell House.		
Applicant	Mr Piers Slater c/o Unex House 132-134 Hills Road Cambridge CB2 8PA		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, which covers 0.22ha, is a very irregularly-shaped polygon on the south-east corner of the intersection of Newmarket Road and Coldhams Lane. Broadly, it comprises an L-shaped section, 40m x 30m, on the corner of the junction, and a wide strip, 15m wide and 60m long, with a right-angle turn in the centre, which connects the rear extremity of the corner site with the highway on Henley Way, to the south-east.
- 1.2 The surrounding area is largely in commercial and industrial uses; such uses surround the site to the south and east (HSS plant hire to the south, Sliderobes, Majestic Wine and Securicor to the east), and car sales occupy the north side of Newmarket Road opposite the site. Residential accommodation in Halfway House lies to the south-east, and a number of semi-detached houses further to the south-east on the corner of New Street. The site immediately to the west on the opposite side of Coldham's Lane (180-190 Newmarket Road, sometimes referred to as the eastern part of Eastern Gate) has been in commercial/light industrial use for some time, but is the subject of a recently-granted planning permission for a 219-bedroom hotel. There are some residential properties on the north side of

Newmarket Road, but they are not immediately opposite the site.

- 1.3 The site makes up just under a quarter of the area of allocation 7.03 in the Cambridge Local Plan (2006). Site 7.03 is allocated for mixed uses including housing, employment B1(a), hotel, student accommodation, and Class A1 non-food retail. The application site also lies wholly within the Eastern Gate Development Brief, which is an adopted Supplementary Planning Document.
- 1.4 There are a number of small trees on the site, which are not subject to tree preservation orders.
- 1.5 The site is not within any conservation area, but the Riverside part of the City of Cambridge Conservation Area No.1 (Central) lies approximately 70m to the north. The site is outside the controlled parking zone (CPZ).

2.0 THE PROPOSAL

- 2.1 The application proposes a hotel of 121 bedrooms on six floors.
- 2.2 The footprint of the building would be broadly L-shaped: a long wing on the west side of the site would curve round the corner from Newmarket Road and run down the full 45m length of the Coldhams Lane frontage. To the rear of this block, a second wing would stretch eastward 30m into the interior of the site, with a short 15m transverse section at the eastern end. Ground level falls by approximately 3m from the Newmarket Road footway to the interior of the site, and the design would exploit this by creating a lower ground floor. Accessed from the rear of the site on Henley Way, this floor would be invisible from the main street frontages. It would contain refuse store, beer cellar plant rooms, laundry, WC's, and staff room beneath the western wing of the building. The central part of this storey would be open to the east side, and would accommodate five car parking spaces and a 16-space cycle store designed primarily for staff. To the east, the space beneath the east-west rear wing, and a small courtyard to the north of it would accommodate nine further car parking spaces, two motorcycle spaces, a further 16 cycle parking spaces, and space for delivery vehicles and refuse collection. The south-east strip of the site, stretching south to Henley Way, would provide access from the street to

the central courtyard for cars, cycles and delivery vehicles, and would also contain 20 further car parking spaces in two rows.

- 2.3 On the street frontage, the ground floor would be extensively glazed, between a series of 600mm wide brickwork columns. A lobby and reception area would fill the curving space on the street corner, with lifts and stairwell behind. A restaurant and serving area would fill the whole of the Coldhams Lane frontage, with a kitchen and stores behind, and four bedrooms facing out over the courtyard. A 17m-long taxi drop-off bay would be created on Coldhams Lane
- 2.4 The bedroom layouts of the first, second, and third floors would conform to the same general template. The Coldhams Lane wing would have bedrooms on both sides of a corridor, with three rooms at the north end facing Newmarket Road, and those on the east side of the corridor facing east over the servicing and car parking courtyard. The east-west wing would also have a double-sided corridor with rooms facing north and south. At the eastern end of this wing rooms would be arranged to face east over the long car parking strip, leaving the north-facing wall adjacent to the 212 Newmarket Road site free from windows. The fourth floor would be limited to the Coldhams Lane wing only, and, following comment from the Joint Urban Design Team, has been amended by being drawn back from the south elevation of the wing by 4m to create a step down towards the HSS Plant Hire site to the south. The southern part of this storey (which would be the uppermost floor of that part of the building) would be set back by 800mm from the Coldhams Lane frontage, and faced in grey cladding panels, rather than the buff brick used for the main elevation.
- 2.5 The fifth floor would be limited to just five rooms at the northern end of the main wing, adjacent to the street corner, measuring 16m east-west, and 15m north-south. Like the southern part of the fourth floor, this would be set back from the frontage by 800mm, and the parapets of both the third and fourth floors at the southern end (13m and 14.5m above street level respectively) would sweep up from a point 20m from the north end of the frontage to become the parapets of the fourth and fifth floors respectively (at 15.8m and 18.2m above street level. The lift overrun, set 9m back from the Coldhams Lane elevation, and 7m back from the Newmarket Road frontage, would rise a further metre above the parapet height.

- 2.6 Roofs would all be flat. That over the southern part of the fourth floor would accommodate an array of solar hot water panels.
- 2.7 Windows on all the bedroom floors would be regular 2m x 1m openings, with vertical emphasis, arranged in consistent vertical lines, and recessed from the elevation. Varying arrangements of brickwork and cladding panels alongside the windows would create an irregular pattern within the overall framework.
- 2.8 The application proposes planting three London Plane trees on the Newmarket Road frontage, at the edge of the area to become public highway. The original proposal to insert four American Sweetgum trees on the Coldhams Lane frontage has now been dropped, because there is insufficient space between the highway and the building for trees to flourish. The application now proposes landscape planters on this frontage.
- 2.9 The application is accompanied by the following supporting information:
1. Design Statement
 2. Planning Statement
 3. Hotel Needs assessment
 4. Landscape Strategy
 5. Acoustic Report
 6. Air Quality Assessment
 7. Transport Assessment
 8. Travel Plan
 9. Energy Strategy Report
 10. Sustainability Statement
 11. Ground Contamination Report
 12. Sunlight and Daylight Report
 13. Public Art Delivery Plan
 14. Applicant's response to Council's Eastern Gate Visioning Document

3.0 SITE HISTORY

No planning history since 1995

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 **Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009):** sets out the government's planning policies for economic development, which includes development in the B Use Classes (offices, industry and storage), public and community uses and main town centre uses, including hotels. The policy guidance sets out plan-making policies and development management policies. The plan-making policies relate to using evidence to plan positively, planning for sustainable economic growth, planning for centres, planning for consumer choice and promoting competitive town centres, site selection and land assembly and car parking. The development management policies address the determination of planning applications, supporting evidence for planning applications, a sequential test and impact assessment for applications for town centre uses, including hotels, that are not in a centre and not in accordance with the Development Plan and their consideration, car parking and planning conditions.

5.4 **Planning for Town Centres: Practice guidance on need, impact and the sequential approach (2004):** Provides advice on preparing and understanding need and impact assessments,

illustrates how the sequential approach can be applied, and encourages a greater degree of consistency and transparency to assist those preparing and reviewing need and impact assessments.

- 5.5 **Planning Policy Statement 5: Planning for the Historic Environment (2010):** sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.
- 5.6 **Good Practice Guide on Planning and Tourism (2006):** Stresses the importance of tourism, and the benefits which it can bring to towns and cities. Paragraph 5 of Annex A states that whatever type of hotel is proposed, it should fit well with its surroundings, having regard to its siting, scale, design, materials and landscaping. Paragraphs 13-16 of that Annex recommend the locating of budget hotels in historic centres within the town centre where possible. Sustainable locations for hotel uses are encouraged throughout the guidance
- 5.7 **PPG13 Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and

services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

- 5.8 **PPS22 Renewable Energy (2004):** Provides policy advice to promote and encourage the development of renewable energy sources. Local planning authorities should recognise the full range of renewable energy sources, their differing characteristics, location requirements and the potential for exploiting them subject to appropriate environmental safeguards.
- 5.9 **PPS23 Planning and Pollution Control (2004):** Emphasises that the planning system plays a key role in ensuring that other uses and developments are not affected by major existing sources of pollution.
- 5.10 **Safer Places: The Planning System and Crime Prevention (2004):** Seeks to identify the contribution which good quality design can make to creating places where people want to live, work, and enjoy themselves in the knowledge that they can do so safely, and foster the inclusion of such design in new development.
- 5.11 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.12 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.
- 5.13 **Community Infrastructure Levy Regulations 2010** – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

5.14 Development Plan Policy

5.15 East of England Plan 2006

SS1: Achieving Sustainable Development

SS6: City and Town Centres

E6: Tourism

T1: Regional Transport Strategy Objectives and Outcomes

T2: Changing Travel Behaviour

T3 Managing Traffic Demand

T9: Walking, Cycling and other Non-Motorised Transport

T13 Public Transport Accessibility

T14 Parking

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

ENG1: Carbon Dioxide Emissions and Energy Performance

WM6: Waste Management in Development

CSR1: Strategy for the Sub-Region

CSR2: Employment Generating Development

5.16 Cambridgeshire and Peterborough Structure Plan 2003

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.17 Cambridge Local Plan 2006

3/1 Sustainable development

3/4 Responding to context

3/6 Ensuring co-ordinated development

3/7 Creating successful places

3/11 The design of external spaces

3/12 The design of new buildings

3/13 Tall buildings and the skyline
4/4 Trees
4/11 Conservation Areas
4/13 Pollution and amenity
4/14 Air Quality Management Areas
6/3 Tourist accommodation
7/1 Employment provision
8/1 Spatial location of development
8/2 Transport impact
8/4 Walking and Cycling accessibility
8/6 Cycle parking
8/8 Land for public transport
8/9 Commercial vehicles and servicing
8/10 Off-street car parking
8/16 Renewable energy in major new developments
10/1 Infrastructure improvements

Planning Obligation Related Policies

3/7 Creating successful places
8/3 Mitigating measures
10/1 Infrastructure improvements

5.18 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

Cambridge City Council (March 2010) – Planning Obligation

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

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

Cambridge City Council (October 2011) – Eastern Gate Development Framework: This SPD aims to provide a framework that will co-ordinate and guide future redevelopment of the Eastern Gate area in line with the Council's Local Plan policies and is an important step in helping to reshape this area of the city. The purpose of the SPD is threefold:

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

5.19 Material Considerations

Central Government Guidance

Draft National Planning Policy Framework (July 2011)

The National Planning Policy Framework (Draft 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 Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be 'yes', except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted
7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all

10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

Letter from Secretary of State for Communities and Local Government (27 May 2010)

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

Written Ministerial Statement: Planning for Growth (23 March 2011)

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

City Wide Guidance

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

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

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

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

Cambridge and South Cambridgeshire Strategic Flood Risk Assessment - in November 2010 the Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (SFRA) was adopted by the City Council as a material consideration in planning decisions. The SFRA is primarily a tool for planning authorities to identify and evaluate the extent and nature of flood risk in their area and its implications for land use planning.

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

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

Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010) Sets out how all residential developments should make provision for public open space, if not on site then by commuted payments. It incorporates elements from the Planning Obligations Strategy Supplementary Planning Document (2010) and the Open Space and Recreation Strategy (2006).

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

Air Quality in Cambridge – Developers Guide (2008) -

Area Guidelines

Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Dimensions required for parking spaces, Henley Way access, footways and taxi drop-off. Conditions sought to control unbound material, vehicle crossing layout, overhanging structures, surface water drainage, completion of accesses and manoeuvring space. Informatives requested.

Cambridgeshire County Council (Transport)

Initial comments on Transport Assessment (27.05.11)

- 6.2 Layout: car and cycle parking layout not clear; cycle parking provision more than minimum standards: car parking significantly less than maximum permitted; use of parking spaces on Henley Way not clear; improvements to pedestrian crossings required; information on relocation of bus stop to enable taxi drop-off required.
- 6.3 Non-car accessibility: well-located for bus transport; improvements required for cycle and pedestrian transport.
- 6.4 Trip generation: requires reassessment, as assumptions regarding the existing use are incorrect.
- 6.5 Car parking: Parking accumulation assessment required; details of parking management required; likely impact on on-street car parking so developer should fund surveys, CPZ consultation and CPZ implementation for three years from commencement.
- 6.6 Servicing: path of delivery vehicles may conflict with location of car parking spaces.
- 6.7 Traffic impact: will be assessed when PARAMICS modelling is complete.
- 6.8 No significant transport concerns, but additional information and planning obligation contributions required.

Initial comments on Travel Plan (27.05.11)

- 6.9 Travel Plan insufficiently robust – must demonstrate commitment to delivering a series of measures to ensure that modal split assumed in Transport Assessment is achieved.

Additional comments following the PARAMICS modelling
(08.12.11)

- 6.10 Results of Atkins modelling can be summarised as follows;

Proposed hotel on application site and Eastern Gate residential scheme will have a negligible individual and joint

impact on the local highway network during weekday morning and evening peak periods.

During the Saturday peak, Atkins identify that the residential scheme alone will have a negligible impact on the highway network but that, with both schemes together, the impact on Coldhams Lane appears to increase by a significant amount.

- 6.11 The results suggest that the proposed hotel development would have a significant impact on the highway network.
- 6.12 Atkins have applied a growth factor of some 17% to background traffic, to represent traffic growth on the network between 2008 and 2018. This is consistent with Department for Transport guidance, but conflicts with local experience; County Council's Traffic Monitoring Report indicates that traffic flows within the city have fallen compared to traffic levels ten years ago, and traffic data collected on Saturdays at East Road indicates very limited growth over the period 2008-2011.
- 6.13 For these reasons, Atkins were commissioned to undertake a sensitivity analysis for Saturdays which adopts a local growth approach assuming flat-growth between 2008 and 2018, but including traffic generated by approved residential schemes on sites at Brunswick and Cromwell Road. This modelling produces different results to Atkins' original modeling. The results of the sensitivity analysis indicates that the proposed Premier Inn would not have a material impact on the highway network.
- 6.14 Conclusion on modelling. Main issue is whether it is reasonable to apply high growth to the analysis for Saturdays. County view is that given the trend of generally declining traffic flow levels in Cambridge over recent years and the limited growth experienced locally on Saturdays, it is unreasonable to assess the development scheme on the basis of 17% growth over the period 2008 – 2018. County is therefore convinced by the results of the Atkins sensitivity analysis i.e. that the Premier Inn will have an acceptable traffic impact on Saturdays.
- 6.15 MOVA (Microprocessor Optimised Vehicle Actuation): Planning consent has been recently granted for a Travelodge hotel to be sited opposite the application site. As part of its s106

commitments, the Travelodge hotel will fund the installation of MOVA at the Newmarket Road / Coldhams Lane junction which will improve the performance of the junction compared to the present system. Such obligation is also being sought from the Eastern Gate residential site, to provide MOVA in the event that the Travelodge development does not proceed.

- 6.16 Barnwell Road roundabout: Flat growth used in Atkins' sensitivity analysis believed to be more realistic than the growth rate used in their original analysis. Therefore, although Atkins considered the improvement of the Barnwell Road roundabout to be necessary to accommodate their original traffic growth prediction, County consider that it may not be required with flat growth.
- 6.17 Car Parking: scheme proposes 40 parking spaces to serve 121 bedrooms. Whitbread has submitted a letter supporting this level of parking provision. The developer will provide a Travel Plan and a Car Parking Management plan: the former document is intended to minimize the amount of vehicle traffic using the site and the latter document will regulate parking arrangements on-site and ensure that overspill parking is directed to nearby car parks.
- 6.18 Notwithstanding the above, the County Council is concerned that there is the potential for hotel related parking to impact on local streets. The County Council considers that the Premier Inn scheme should therefore have the same obligations as recently imposed on the Eastern Gate residential scheme, namely to;
- monitor parking on local streets
 - to consult with residents if problems with hotel parking are established, and
 - if residents agree, to arrange with the local authorities to extend the Controlled Parking Zone to cover the problem area(s).
- 6.19 The County Council considers that, with a travel plan and car park management plan in place, the proposed Premier Inn development will have a minimal impact on the local highway network. As such, the County Council considers that there are no highways or transport related reasons to refuse planning consent.

Planning Policy Manager

- 6.20 Application is supported by Policy 6/3 with regard to improving the quantity of short stay accommodation in the adopted 2006 Local Plan. The site is also allocated for a range of uses including hotel accommodation in the adopted 2006 Local Plan.
- 6.21 As regards PPS4 and the Practice Guidance, the submitted hotel assessment provided by the applicant does not provide adequate justification against stated need for the proposed number of bedrooms.
- 6.22 However PPS4 also states that LPA's should take a balanced decision having regards to the provisions of the development plan, the sequential approach, and impact considerations. The allocation and location would act in favour of this application, as would the scale of the development. Had it not been so sustainably located and not been an allocated site the need and impact considerations would need to be given much greater weight.
- 6.23 Car parking details and the submitted travel plan provisions are welcomed. Further cycle parking would be useful.

Head of Environmental Services

- 6.24 Noise, ventilation, fume extraction, vibration and dust: conditions required.
- 6.25 Air Quality: Modelling indicates a predicted changes in nitrogen dioxide and particulate matter of up to 0.1 micrograms per cubic metre, at each of the 5 receptor points selected. This is contrary to Policy 4/14 of Cambridge Local Plan which states that development within or adjacent to an Air Quality Management Area will only be permitted if it would have no adverse effect upon air quality within the AQMA.
- 6.26 The impact could be mitigated by securing a strong travel plan, improved building insulation above current building regulation standards to reduce emissions further, financial contributions via S106 agreement towards traffic management measures/public transport improvements/incentives for walking and cycling.

- 6.27 Ground contamination – conclusions (after assessing submitted Preliminary Contamination Assessment report by MLM Environmental). Previous investigations undertaken in the surrounding areas have demonstrated considerable issues of ground gas generation and migration from the former infilled pits. MLM report does not consider in depth the potential problem of ground gas ingress within the buildings or the implications to any design proposals.
- 6.28 Permission should not be granted without a comprehensive ground gas monitoring programme (a minimum of six to nine ground gas monitoring visits). Depending on the outcome of the ground gas monitoring the current basement proposals might not be acceptable.
- 6.29 Conditions also required on waste storage and collection.

Senior Sustainability Officer

- 6.30 On the whole, the application's approach to sustainable design and construction is encouraging. Welcome the proposals for the development to undergo a BREEAM Bespoke Assessment, with the aim of achieving a rating of 'Very Good'. Encourage the applicant to consider other means of ensuring that the building can adapt to a changing climate, including landscaping and biodiversity. Not confident cycle parking is adequate
- 6.31 Noise impact assessment for the air source heat pumps will, however, be required, and will need to be considered by colleagues in the Environmental Health team. Subject to the submission of noise impact information to the satisfaction of officers, and given that the combined use of solar hot water panels and air source heat pumps will bring about a 12% reduction in emissions, I would be willing to support the proposed approach to meeting the requirements of Policy 8/16.

Joint Urban Design Team

- 6.32 First advice (23.06.2011)
- 6.33 Scale and Massing: Proposed building height accords with Draft Eastern Gate SPD which indicates that the site has the potential for a 'localised increase in height' with a maximum height of 5.5 storeys. CGIs and models within the D&A Statement reveal that

the proposal does not unduly impact upon the surrounding context.

- 6.34 However, concern expressed that proposal fails to provide an appropriate scale transition from the application building to the adjacent 3-4 storeys proposed for the HSS Hire store to the south in the Draft Eastern Gate SPD. JUDT consider that a consistent 4th floor set back of 2m, which corresponds with the angle of the southern building façade of the 'primary block' would help resolve this transition of scale between the two sites.
- 6.35 Ground Floor Activity: Location of the reception, bar and restaurant wrap round the northern and western facades of the building which animate the frontage, create visual permeability and surveillance and signify this corner. Strongly supported (key development principle within the Draft Eastern Gate SPD). Ground floor glazing on the restaurant should be extended further along the southern face of the building to improve surveillance of proposed future pedestrian route to the south.
- 6.36 Concerns expressed about layout of car park, cycle parking area, servicing arrangements and quality of this space to the rear of the building.
- 6.37 Tree planting proposals supported, but doubts expressed over whether requirements of landscape team and highway authority will be met.
- 6.38 Reservations about brick choice, colour of cladding panels and other materials, and positioning of solar panels.
- 6.39 **Conclusion:** Consider the proposed development meets the aspirations and objectives set out within the draft Eastern Gate Development Framework SPD. The proposed building conforms to the maximum heights outlined within the Built Form, Scale and Massing Strategy of 5.5 storeys, whilst the localised increase in height at the corner of Newmarket Road and Coldhams Lane emphasises this important gateway to the Petersfield residential area. Supported subject to the resolution of the following issues.

Greater set-back required at south end on the 4th floor.
Details of the boundary treatments and access control.
Gate to screen the service/refuse area.

Rearrange the disabled parking spaces cycle parking.
Demonstrate that there is adequate room for proposed trees to grow;
Revisit materials
Clarify the detail of the solar thermal panels.

6.40 Further advice following amendments (10th December 2011)

- 6.41 Revised ground floor plans and supporting letter indicate trees along the Newmarket Road will be located 1.5m inside of the site boundary and 4.5m from the building line. Revised setback of the proposal and inclusion of trees is welcomed. Provision of three trees may be difficult to achieve. Landscape team will comment.
- 6.42 Replacement of American Sweetgum trees located on Coldhams Lane frontage by four raised concrete planters. Original tree planting was welcome addition to Coldhams Lane, but is not indicated in the adopted Eastern Gate Development Framework. Constrained nature of the site leaves few opportunities to green this façade and the proposed planters could help to achieve some degree of softening. Support this proposed change.
- 6.43 4th floor set back by 5 metres from the main southern façade. Consider that this setback and adjustment to the eaves profile improves the scale transition between the application site and that to the south and reduces the overall bulk of the building. Support this proposed change.
- 6.44 Changes to car park and cycle parking layout support the proposed changes.
- 6.45 Applicant confirms that whilst tight, the servicing area provided is adequate for a 14m articulated lorry. No further concerns with the proposed servicing area.
- 6.46 Boundary treatments and access system still require conditions.
- 6.47 Amendments to brick type and other changes to colours of materials welcomed.

- 6.48 **Conclusion:** JUDT consider that the revised application drawings and supporting letter addresses the concerns raised in earlier advice. The applicant still needs to provide further details of the following:

Clarify the location and setback of trees on the Newmarket Road frontage;
Indicate the design of the proposed vehicle barrier and details of how vehicular access will be controlled (although this could be conditioned); and
Confirm that mid-grey will be used for all window metal work, louvre panels and plant housing to match the proposed mid-grey cladding.

Public Art Coordinator

- 6.49 Support the principles for the public art commission within the submitted PADP. However, concerned that the result will be more akin to marketing for the Hotel, if the briefs are too prescriptive and are not grounded in the immediate location of the development. This is not to say that elements of the wider city cannot be incorporated but caution needs to be applied. Recommend that the lead artist is retained to develop and deliver these integrated artworks as part of the team. Not convinced the project will be delivered with quality if they are not.
- 6.50 Further information for both elements of the project should be submitted prior to commencement of the development, with verification of the 1% budget.

Historic Environment Manager

- 6.51 Very conventional commercial architecture, which will rely on use of good materials. Conditions required to control this, and details including entrance and coping. Given the precedent, the proposal may be considered of acceptable height and bulk.

Principal Landscape Officer

Initial advice (06.06.2011)

- 6.52 Proposed setback of the building line is insufficient to achieve the aspiration to 'green' Newmarket Road with trees.

- 6.53 Plane trees need to be planted 1.5m from the back of the footway and 6m from the building line. spacing of the trees along Newmarket Road is considered to be too close. The trees should be planted 9-10m apart to allow them to mature properly. therefore only space for two Planes along this boundary.
- 6.54 The landscape strategy also proposes American Sweetgum trees on the Coldhams Lane frontage. This species does not do particularly well in Cambridge. We would therefore suggest *Liriodendron tulipifera* as an alternative. However to enable trees to establish along this boundary, the building must be setback 6m from the centre of the tree. It should also be recognised that these trees will shade and block views out of bedrooms.
- 6.55 Some concerns about landscaping in the car park area. Would have welcomed consideration of roof gardens. Signage should be indicated in landscaping proposals.

Further advice (26.10.2011)

- 6.56 Amendments do seek to meet aspirations of Eastern Gate Development Framework to 'green' Newmarket Road, but distance of 4.5m from building to trees on Newmarket Road is still insufficient. Not satisfied with replacement of street trees on Coldhams Lane by planters. Planting plan not realistic. Parking bays need to be broken up with more planting.

Third advice following further modifications (14.12.2011)

- 6.57 Courtyard redesign is acceptable. New position of trees must be a matter for Highways to comment on. Landscape team's preference remains that they should be at least 1.5m from highway edge.

Environment Agency

- 6.58 No objection, in principle, subject to conditions governing ground contamination, pollution control, and surface and foul water drainage.

Cambridgeshire Constabulary (Architectural Liaison Officer)

- 6.59 No objection subject to conditions governing access control, car park lighting and CCTV.

Cambridgeshire County Council (Archaeology)

- 6.60 Records indicate that the site lies in an area of high archaeological potential, to the immediate south east of the medieval monastic precinct of Barnwell Priory in what would have then been a rural settlement outside the curtilage of the town. Such establishments were frequently supported by small associated settlements, though the location of such settlement is not presently known from this part of Newmarket Road since so little modern development has occurred that would have enabled archaeological examination. However, pottery from pre-Roman occupation was recovered in garden plots of Edwardian residential streets on the south side of Newmarket Road in early C20. Nature of this archaeological evidence not fully accessible or fully understood. Thought that remains from this period will be found within the current applications bounds.
- 6.61 Condition required to secure programme of archaeological investigation.

Design and Conservation Panel

(Meeting of 15th December 2010)

- 6.62 **Conclusion:** Panel welcome the proposals as being broadly in line with proposals for the city's Eastern Gate but see that this is a difficult site on which to develop a hotel: it is on a difficult junction; it is irregular in shape; it is divided between a number of plots whose freeholds become available at different dates; and it is also subject to a number of constraints set out in the Visioning Document. The Panel recognise the potential of the proposals but expressed doubts about the viability of a high quality development at this location during the current economic climate. Given the design team's strategy, the scheme's success will be heavily dependent on the quality of the detailed design and its execution and on achieving the quality of animation of the street frontage that the Visioning Document seeks to encourage. The Panel hopes that the architects will

continue to treat the scheme as a key part of the city's 'Eastern Gate', bearing in mind the design and landscaping of the Travelodge opposite, and will ensure that the hotel makes the contribution to the local street-scene/townscape that the Joint Urban Design Team wishes to promote.

- 6.63 The proposals set out in the Visioning Document is still in the process of being resolved and the input from the County Highways Authority will be crucial to their finalisation as an SPD. Only when the County's proposals for the area are known, will the Panel be in a position to judge the viability of key elements of the proposals such as the drop-off point or the streetscape arrangements.

6.64 **VERDICT – AMBER (unanimous)**

(Meeting of 8th June 2011)

- 6.65 **Conclusion:** Panel welcomes the way in which the concerns it expressed last time have been addressed: the design of the corner has been re-examined and the palette of materials has been simplified. However, this remains a difficult site for a hotel with the outcome of the County Highways modelling work as yet unknown. The Panel believe the design of the rear courtyard needs to be revised. As proposed, it will be dim, gloomy and inescapably 'budget' in appearance. A reduction in the number of rooms overlooking the courtyard and the use of even more planting, perhaps a 'green wall', might not only improve the view from these rooms but would minimise the impact of future developments on neighbouring sites. The City Council's Visioning Document allows for a development of this corner with a building even taller than the Travelodge proposed for the opposite side of Coldhams Lane. The Panel feels however that a smaller-scale hotel designed with particular attention to the detailing, would result in a more successful scheme though it recognises that a hotel with fewer rooms is unlikely to meet the aspirations of the client.

6.66 **Verdict – AMBER (unanimous)**

- 6.67 The full relevant section of the minutes of the June 2011 panel meeting are attached to this report as Appendix A

Disability Consultative Panel

(Meeting of 2nd February 2011)

- 6.68 Proposal for outdoor seating on Coldhams Lane frontage seen as ambitious, due to the poor air quality and traffic noise. Entrance requires lighting and fully automated doors. Panel were concerned by the likely corridor width of less than 1.5 meters. Fire/smoke doors would need to be as asymmetric as possible and left open at all times. Fusible links would make them easier to use in an emergency. Rooms should be fitted with a special alert system for hearing impaired evacuation, linked to standard smoke detectors.
- 6.69 Staircases would need a continuous handrail on both sides. Lifts need a secondary power source for fire evacuation, as well as a mirror, handrail and hearing loop for the emergency telephone. Panel expressed concern regarding automated reception.
- 6.70 Standard bathrooms need handrails. Accessible WCs would be among the details the Panel would like to see. Charging points and secure parking for electric scooters required within the hotel building. Reception and bar areas should be fitted with hearing loops.
- 6.71 Panel requested that once a detailed plan was developed, including the layout of a standard 'Premier Inn' room, this would be brought back to the Panel for further scrutiny.
- 6.72 Conclusion: There is a shortage of accessible hotel accommodation in Cambridge. Panel would be very keen to see these proposals in greater detail, with more disabled access features incorporated into the design. Dialogue between City Council officers and the Highways Authority needs to take place in terms of managing pedestrian, traffic and cycle movement in this area.

(Meeting of 1st June 2011)

- 6.73 Shower provision and sliding doors in bathrooms welcomed. Employee changing rooms next to the cycle bays welcomed. Additional disabled parking bays welcomed. Panel welcome the architects' aspiration to fund improvements to the nearby

crossing but accept that any upgrading would be subject to approval by the County Council.

- 6.74 Conclusion: Panel appreciate the response to their earlier comments and those of the Access officer. The scheme is much improved, with a greater consideration given to the needs of the disabled.

Cambridge City Council Access Officer (10th May 2011)

- 6.75 Should be 8 not 7 accessible rooms. 2-4 of the ground floor bedrooms should be fully Part M compliant disabled rooms. Disabled rooms should have showers. Accessible rooms are not near lifts, but ironically near stairs. The route from lift to accessible room is long and through sets of doors. No mention of colour contrast, tactile information, fire precautions for hearing impaired
- 6.76 Should be a further 4 marked disabled car parking spaces.
- 6.77 Planning obligation should be sought to improve pedestrian crossings and footways in locality for disabled access.
- 6.78 In conclusion, considers the proposal:
- does not meet Local Plan aim of making the city open to all citizens and visitors,
may not meet Building Regulations
falls woefully short of the current quality standard of B38300 2009,
could be vulnerable under Equalities Act legislation.
- 6.79 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 Representations have been received from:

The occupiers of 1/1A Silverwood Close
Agents acting on behalf of Dernford Estates, the freeholders of 212 Newmarket Road, which lies immediately to the east of the site.

The three local residents' associations (PACT, RARA and BRUNK)

7.2 The representations can be summarised as follows:

dull, monolithic design
insufficient room for tree planting on both street frontages
insufficiently welcoming entrance
need for hotel not proven
noise
compromises the possibilities for future development on neighbouring sites
unacceptable traffic impact; respondents reject the County Council advice on this issue for the following reasons:

- less-than-sustainable location will result in many visitors arriving by car
- conflicting results of modelling indicate that small changes in assumptions have major impacts on results in these predictions; residents do not accept that the 'flat-growth' model is a reasonable assumption, especially not on Saturdays
- strategic view on traffic growth in the area is required

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Public Art
4. Renewable energy and sustainability
5. Disabled access
6. Residential amenity
7. Environmental Health issues
8. Refuse arrangements
9. Highway safety
10. Traffic

11. Car and cycle parking
12. Trees
13. Third party representations
14. Planning Obligation Strategy

Principle of Development

- 8.2 The proposed hotel would in my view, strengthen and diversify the range of short-stay visitor accommodation in the city in accordance with policy 6/3 of the Cambridge Local Plan (2006). The application site forms part of the allocation 7.03 on the proposals map of the Cambridge Local Plan (2006). That allocation is for a range of uses, including hotel use. The application site is also a sustainable location, close to bus routes and within 400m of the boundary of the city centre as defined in the Local Plan.
- 8.3 In this context, I consider hotel use to be appropriate, notwithstanding the recent increase in hotel provision in and around the city. The advice of the Planning Policy Manager confirms this. The advice recognizes that were the site less sustainable, and not specifically allocated for hotel use, local policy and national planning guidance would suggest a requirement for assessment of need and impact. The Planning Policy Manager indicates that the needs assessment submitted in support of the application would not be adequate were a full needs impact assessment required, as there are a number of shortcomings in its assumptions and elements missing from the data supplied. In the context of an allocated site, such assessments are not required. Although applications for further hotel capacity have been submitted since the Planning Policy Manager's original comments, the principle that such use is in line with the allocation of the site remains valid, notwithstanding the successful application for hotel use on the opposite corner. The Draft National Planning Framework makes it clear that unnecessary obstacles should not be placed in the way of development, and this broad principle adds further weight to my view that the issue of need is not a reason to refuse this application.
- 8.4 Representations have suggested that the development would be contrary to policy 3/6 of the Cambridge Local Plan (2006) which seeks to ensure co-ordinated development over wider sites. Representatives of the freeholders of the neighbouring

site at 212 Newmarket Road object to the proposal on the basis that it would compromise appropriate development at 212. The objection is particularly anxious about the transverse wing of the proposed hotel, at the rear of the site, asserting that because of the height and the position of windows in this wing, severe limits would be placed on what could be erected on the frontage, and at the eastern end of the 212 site. The representation discounts the sketch masterplan for the wider site included at page 20 of the Design and Access Statement, believing it to be insufficiently detailed to provide any security for the 212 owners.

- 8.5 I acknowledge the genuine concern expressed in this representation. I also acknowledge that 212 Newmarket Road would be a difficult site to develop in the future, but in my view this is more a function of its irregular shape, lack of rear access, and shallow depth than of the development proposed here.
- 8.6 The complicated land tenure position on these sites, in which some adjoining leases stretch almost a quarter of a century into the future makes it very likely that existing forms and uses will remain in place on adjoining sites for some time. I accept that policy 3/6 should prevent any development which does not give due consideration to safeguarding future development on adjacent sites, but I do not consider that the present proposal has failed in this respect. The proposed building has been kept free from windows on boundaries with adjacent sites, and is pulled back from the western boundary. I agree that the courtyard shown in sketch form on the 212 site in the masterplan would be of limited size, and would not enjoy a high level of sunlight or openness. It has been accepted elsewhere, however, that outdoor amenity space of limited dimensions and restricted sunlight can be considered appropriate in central locations, and in my view, this could be accepted here. I do agree that the location of the rooms on the north elevation of the transverse wing, which at the eastern end is only 8m from the common boundary with 212, would make it very difficult to place windows of habitable rooms in residential accommodation along the south side of the western part of the 212 site. This is a very limited restriction on development, however, because other configurations and uses are possible. Given the uncertainty about future development taking place, I do not consider this is a sufficient reason to refuse the application.

- 8.7 In my opinion, the principle of the development is acceptable and in accordance with policies 3/6 and 6/3 of the Cambridge Local Plan (2006) and with government guidance in PPS1, PPS4, the Ministerial Statement on Planning for Growth and the draft National Planning Policy Framework

Context of site, design and external spaces

- 8.8 The Eastern Gate Development Framework SPD provides a detailed background of urban design principles and aspirations against which to assess the proposal. I refer to the key relevant aspects of the SPD guidance below.
- 8.9 Massing (SPD Section 3.4): The SPD urges a range of heights, and recommends a maximum of 5+1 storeys for the application site, indicating that there is the potential for a localised increase in height at the corner adjacent to the junction. The design submitted conforms exactly to this guidance, proposing a building which varies in height from four to six storeys, employing a modest set-back of the uppermost storey, and a 'swept-up' parapet to bring the height up to a localised area of six storeys at the corner. In my view this is a successful approach, which addresses the aspirations of the SPD in an appropriate manner.
- 8.10 Achieving a human scale and environment (SPD paragraph 3.4.17): The SPD urges a number of methods to foster this aim, including the creation of well-defined entrances, the maximising of windows for natural surveillance, and the avoidance of blind facades. The proposal has a well-defined entrance at the corner, achieves a large number of windows overlooking the street, and avoids blind frontages except on the east-facing elevation adjacent to Newmarket Road, where in my view such a frontage is essential to keep open the possibility for development on the adjacent site. I acknowledge that hotel room windows provide a lower level of surveillance than residential accommodation, but the hotel ground floor would provide a significant degree of surveillance. In my view the proposal is successful in meeting this aspiration of the SPD.
- 8.11 Increasing the active character of the street frontage (SPD paragraphs 3.3.12 – 3.3.14): As I have indicated above, it is my view that the proposal responds well to this aspiration.

- 8.12 Reflecting the strong vertical rhythm characteristic of Newmarket Road (SPD paragraph 3.4.19): In my view the proportions of windows and their arrangement, in which a consistent pattern of strong vertical lines is maintained on both frontages, is successful in achieving this aim.
- 8.13 Meeting the challenge of accommodating the typical building forms of uses such as hotels and student accommodation within the grain of the area (SPD paragraph 3.3.11): The proposal does use the double-sided corridor configuration which gives rise to the SPD's anxiety on this issue. However, a number of features of the building mitigate the impact of the floorplan, including the set-back upper floor, the varied height, the curved corner, and the slanted gable and unorthodox layout forced on the building by its tightly-constrained site. I do not consider it reasonable to expect a hotel development to eschew the double-sided corridor, and in this instance, I am of the view that the building's particular features would avoid its being read as obtrusive or alien in the townscape.
- 8.14 Car parking (SPD paragraph 3.15): The SPD urges that car parking provision be arranged in a way so as not to detract from the quality of the external environment, and that access to it should be as unobtrusive as possible. In my view, the lower ground floor parking solution and entrance off Henley Way are an entirely appropriate response to this part of the SPD's guidance.
- 8.15 Provision of land for highway improvement (SPD paragraph 3.2.5): The provision of this strip of land is integral to the proposal.
- 8.16 Aspiration that Newmarket Road become a tree-lined approach to the city (SPD paragraph 3.3.5): The application proposes the insertion of three London Plane trees on the Newmarket Road frontage. The creation of the necessary space for these trees to flourish is one of the most problematic constraints on this site, because it limits the developable area. In my view, this issue has been resolved, and the requirements of both the City's Principal Landscape Officer and the highway authority with respect to plane trees on Newmarket Road are satisfied by the details submitted. The substitution of planters for sweetgum trees on the Coldhams Lane frontage is supported by the Joint Urban Design Team, and in my view, it is a realistic and

acceptable step; it is not reasonable, on this tightly constrained corner site, to expect a development to support large-scale tree planting on both frontages.

- 8.17 Biodiversity (SPD paragraph 3.3.6): In my view an appropriate condition can ensure that the final landscaping solution on the site promotes biodiversity to an acceptable level.
- 8.18 It is my view that in all these key areas the response of the design proposed here to the guidance and aspirations of the SPD is satisfactory.
- 8.19 The Joint Urban Design Team (JUDT) originally raised a number of concerns about the design. Those relating to the distance of the building from the Newmarket Road, the profile of the southern facade, and the car park and servicing layout have been resolved by amendments to the original design. The applicants have also altered the palette of materials proposed, substituting grey cladding panels on the uppermost floor and adjacent to windows for the original white panels, and an acceptable buff brick for the originally proposed bland grey sample. The JUDT considers these changes acceptable, and I share this view. Conditions relating to materials remain necessary, including one to ensure that window units match the colour of cladding panels. Conditions are also necessary, as suggested by the JUDT to control boundary treatments and the access from Henley Way.
- 8.20 Concerns raised by Design and Conservation Panel when the proposal was brought before them for the second time in June 2011 about materials, trees and the layout for car parking and servicing have been addressed by subsequent amendments. Panel remained concerned about the tightness of space on the site, and the consequent gloominess of the rear courtyard, and suggested that a smaller hotel might be more appropriate on the site. I note this advice, but I remain firmly of the view that the scale parameters suggested in the Eastern Gate SPD are appropriate. Given the constraints of the site, and the fact that hotel use is indicated in the site allocation, I do not consider that it would be reasonable to require a design for budget hotel use to create a quality of outlook from all rooms higher than is proposed here.

- 8.21 Residents have suggested that the design of the entrance is insufficiently welcoming. The Joint Urban Design Team are content with the design of the entrance, believing that it meets the aspirations of the Eastern Gate Development Framework for a more active street frontage. I concur with this view; I do not feel it is realistic, or even appropriate, to expect that a budget hotel on this very constrained site should have a more prominent entrance.
- 8.22 In my view, the design proposed has responded well to the challenge of inserting a hotel building into such a constrained site. The scale, massing, elevation detail, floorplan configuration, materials and landscaping all respect the aspirations of the Eastern Gate Development Framework SPD and the concerns raised by the city's urban design and landscape teams. I consider that the proposed building would be a positive addition to the townscape and contribute to raising the quality of the environment in the Eastern Gate area.
- 8.23 In my opinion the proposal is successful in design terms, and compliant in this respect with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, the guidance and aspirations of the Eastern Gate Development Framework SPD (2011), and government guidance on design in PPS1.

Public Art

- 8.24 A Public Art Delivery Plan was submitted with the application. The Public Art Co-ordinator is content with the broad principles of the plan, but raises concerns that without vigilance, the scheme which emerges may stray too close too, or even across, the borderline between public art and marketing. The retention of an artist in the team implementing the scheme is considered to be essential. Submission of further details of both the commissioning and implementation elements of the scheme is essential, as is verification of the budget.
- 8.25 In my opinion, subject to the submission of the necessary additional information as the project progresses, and retention of the selected artist within the project team (matters which can be safeguarded through the Section 106 agreement), the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and 9/8 and Cambridge

Renewable energy and sustainability

- 8.26 The sustainability officer welcomes the proposal for the development to undergo a BREEAM Bespoke Assessment, with the aim of achieving a rating of 'Very Good'. Many elements of the Sustainability Strategy are also welcomed, including the travel plan, the use of sustainably-sourced building materials, the use of rainwater harvesting to serve non potable water requirements and methods to reduce excessive solar gain.
- 8.27 In terms of energy generation, the application proposes to save 4.2% of carbon production through use of solar hot water panels on the roof and 7.8% of carbon production through air source heat pumps. The sustainability officer recognizes that the range of energy technologies which could be deployed on this site is limited, and supports this approach subject to a condition to control any noise from the heat pumps. I concur with this view.
- 8.28 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.29 The access officer raised concerns about number of accessible rooms, distance of accessible rooms from lifts, showers in accessible rooms, number of disabled car parking spaces number of accessible rooms on the ground floor. He also raised concerns about interior details such as colour contrast, tactile information and fire precautions for hearing impaired, and suggested planning obligation contributions should be sought to improve pedestrian crossings and footways in locality for disabled access.
- 8.30 Subsequent amendments by the applicants addressed the concerns raised about location of rooms, shower provision, routes to the lifts, and the number of disabled car parking spaces. Since the overall number of rooms has now been reduced, seven accessible rooms does comply with local plan

policy which requires 6% of rooms to be accessible. Details of internal arrangement are not subject to planning control, but I recommend an informative to encourage the applicants to address these points. The highway authority will bear in mind the needs of disabled highway users in agreeing the details of planning obligations required.

- 8.31 Disability Panel's satisfaction with the amendments made in response to the Access Officer's comments of 10th May 2011 is reflected in their positive verdict on the application at the meeting of 1st June. I share this view; in my opinion the proposal is compliant, in respect of access for all users, with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

- 8.32 The only residential accommodation on which the proposed hotel is likely to have any direct impact in terms of privacy, sunlight, outlook, light spillage or noise is the Halfway House building on the opposite side of Coldhams Lane. At its nearest, this building is 28m from the frontage of the hotel, which would lie to the north-east. I do not consider that at this distance it would have any detrimental impact on the amenity of the occupiers of Halfway House. I note that the occupiers of 1 Silverwood Close are concerned about these issues, but that house is even further from the hotel, and I do not consider the impact here would be significant.
- 8.33 In my opinion the proposal adequately respects the residential amenity of its neighbours and I consider that it is compliant in this respect with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Environmental Health issues

Noise, vibration, dust and odours

- 8.34 The Head of Environmental Services notes a significant issue with traffic noise, and recommends a condition to ensure adequate noise insulation against this hazard, along with further conditions to control other matters under this heading.

Air Quality

- 8.35 The Principal Scientific Officer notes that the proposal would result in a small deterioration in air quality, in an area already suffering from poor air quality, and therefore recommends refusal of the application on this ground. I note this advice, but I also note the guidance given by the Planning Inspector in June 2010 on the appeal on the residential proposal slightly further west along Newmarket Road (09/0382/FUL), which was refused on air quality grounds in very similar circumstances. The Inspector stated:

Although I agree with the Council's approach that even a very modest adverse impact on air quality is important because of the cumulative effect when taken together with developments, I am also mindful that a refusal under Policy 4/14's total prohibition of any adverse effect on air quality within the AQMA has to be justified in terms of the more flexible advice in PPS23: 'Planning and Pollution Control', including securing mitigation measures to allow development to proceed rather than be sterilised ... I therefore consider it unlikely that a dismissal of the appeal on this ground alone would have been justified.

- 8.36 In my view, since significant planning obligation contributions towards transport improvements and a robust travel plan (highlighted by the Principal Scientific Officer as key ways in which negative air quality impact could be ameliorated) will be required in respect of this development in any case, the inspector's decision quoted above provides strong support for my view that air quality impact should not be a reason to refuse this application. I recognize that there is a cumulative impact where a number of developments each worsens the air quality situation by a small amount, but in my view, the Inspector's decision referred to was made in the context where further development was expected in the area. Even in the context of an area of cumulative development, I do not consider that the air quality impact of the proposal is a reason to refuse the application, especially where mitigating impacts will be secured through a Section 106 agreement.

Ground contamination

- 8.37 The initial view of the Principal Scientific Officer (PSO) was that the site-specific conceptual model submitted with the application was inadequate failing properly to consider issues related to the earlier remediation of the petrol station on the site, the potential migration of hydrocarbons to the site before the petrol station clean-up, or the full possible implications for this sensitive use of the concentrations of ground gases, including carbon dioxide and methane from the infilled pits on and around this site. He recommended refusal of the application on environmental health grounds unless further ground gas monitoring were completed.
- 8.38 Additional ground gas monitoring has now been completed, and on the basis of the findings from that work, the PSO is now satisfied that no unacceptable concentrations of carbon dioxide or methane are present and that the ground gas monitoring issue is resolved. In the light of the results of this monitoring, the PSO is of the view that environmental health issues on the site can be addressed by conditions, and I accept that advice.
- 8.39 Subject to conditions, I am of the view that issues relating to air quality, ground contamination, and other sources of pollution and harm to environmental health on the site have been satisfactorily resolved, and that in this respect, the application is in accordance with policies 3/1, 4/13 and 4/14.

Refuse Arrangements

- 8.40 The Waste Strategy Manager raises a number of issues about the scale of waste storage required, and the management of its collection. She recommends a condition to control these issues, a view with which I concur. Subject to such a condition, the proposal is, in my opinion, compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.41 The highway authority raises no issues regarding highway safety, and in my opinion the proposal is compliant in this respect with Cambridge Local Plan (2006) policy 8/2.

Traffic

- 8.42 The applicants have funded a modelling exercise using the PARAMICS system, which displays real-time images of predicted traffic flows, as well as providing detailed predictions on travel times over sections of the highway network. The first results of this modelling suggested that the proposed hotel on this site, even when taken in conjunction with the residential development proposed (and since approved) on the nearby site at 9-15 Harvest Way, would not have a significant impact on congestion or journey times through the Newmarket Road and Coldhams Lane parts of the network during weekday peak hours. The impact of the combined applications on traffic flows on Saturdays, however, appeared to be significant, and the modelling suggested that this was largely, if not wholly, a product of the hotel use rather than the residential use.
- 8.43 The view of the Transport Assessment Manager at Cambridgeshire County Council on this first stage of modelling was that the assumption of 17% traffic growth over the period to 2018, whilst in line with central government guidance, paid insufficient attention to data specific to Cambridge, which indicates a decline in vehicle movements on the network over the recent past. A further round of modelling was therefore carried out on the basis of 'flat growth'. This scenario still takes account of other developments already approved in the area, but does not assume growth in overall traffic flows. Like the first round of PARAMICS modelling, it also assumes installation of MOVA technology to improve traffic signal effectiveness at the junction of Newmarket Road and Coldhams Lane, and a modification to lane layout at the Newmarket Road/ Barnwell Road roundabouts. On these assumptions, the PARAMICS modelling suggests that the impact of the proposed hotel on traffic flows on Saturdays would be relatively minor. The Transport Assessment Manager is of the view that the 'flat growth' version of the PARAMICS modelling is a more realistic predictor of the actual future situation on this part of the network.
- 8.44 There is a fundamental difference of opinion between local residents and the County Council about whether it is reasonable to assume 'flat growth' of traffic on this part of the network over the next seven years. I acknowledge and understand the concern of local residents, who have considerable experience

of the current situation. However the residents' associations do not provide any reason, other than their own doubts about the assumptions made in the modelling exercise, to reject the County Council's argument. Because the County Council's advice that traffic levels are likely to flatline or decline slightly run counter to widely-held expectations, it is easy to understand why doubts are raised about them. They are, however, based on survey data, and in my view, the expertise of the County Transport Assessment Manager in this area must be respected.

- 8.45 On this basis, and subject to the conditions and planning obligations recommended by the highway authority, it is my view that the traffic impact of the proposal would be acceptable, and that the proposal is compliant in this respect with policies 8/2 and 8/3 of the Cambridge Local Plan (2006).

Car and Cycle Parking

- 8.46 The maximum car parking provision permitted by the Cambridge Local Plan (2006) for hotels outside the CPZ is two spaces for every three bedrooms, and one space for each resident member of staff. The application appears to indicate that no staff would be resident, and therefore the maximum level of on-site car parking permitted would be 80. The application proposes 39 spaces, seven of which would be for disabled users. This is in accordance with the Standards of the local plan. Local residents, the Planning Policy Manager, and the highway authority are all concerned that although the level of provision is in accordance with policy, and the proposed hotel is close to the city centre and served by bus routes, there is a risk that visitors using private cars will increase pressure on on-street car parking in neighbouring residential streets. I recognize that this is a genuine risk. A robust Travel Plan will provide a degree of protection against this problem, but I acknowledge that it would not be a complete answer. A more effective safeguard would be a residents' parking scheme for nearby streets at present not so designated. This would be effective in my view, because many hotel guests would wish to arrive before, and/or leave after, the normal time boundaries of residents' schemes, or to leave their cars in the area during the day. They would therefore be compelled to use other car parking solutions, such as nearby public car parks, if the hotel's provision were full. I therefore concur with the highway authority's view that a Section 106 agreement should

incorporate developer contributions to cover surveys for and implementation of a residents.

9.0 CONCLUSION

- 9.1 The use proposed here is in accordance with the allocation of the site in the Cambridge Local Plan (2006). The design of the building conforms to the guidance in the adopted Eastern Gate Development Framework SPD (2011), and protects the aspiration to create a tree-lined approach to the city on Newmarket Road. The County Council is satisfied that realistic modelling of future traffic flows suggests that the hotel would not have an unacceptable impact on the transport network. In my view, the proposal is appropriate for this prominent site, in terms of both use and design, and would cause no conflict with local or national policy.

parking scheme if requested during the first three years of occupation of the hotel.

- 8.47 In my opinion, subject to completion of a planning obligation agreement to cover these costs, the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

- 8.48 The cycle parking standards of the Cambridge Local Plan (2006) require two cycle parking spaces for every ten bedrooms, and one space for every two full-time members of staff. This would amount to 24 staff cycle parking spaces and 25 visitor cycle parking spaces, a total of 49. The application proposes 50 spaces, 32 of which would be in two rows of hoops in the rear service and car parking courtyard, and the remaining 18 on the Newmarket Road frontage. Reservations expressed by several parties about the layout of the rear courtyard have been resolved in my view; amended drawings show sufficient clearance to access the cycle racks in a convenient manner. I do not regard the arrangement as ideal; in my view it would be better to accommodate a higher proportion of cycles to the rear of the hotel. However, I do not consider this to be a reason for refusal, and in my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

Trees

- 8.49 There are existing trees on the site, and the Principal Arboricultural Officer has raised concerns that no information

relating to the existing trees has been submitted. My initial view is that the trees on the site do not have significant amenity value, and that their loss would more than be compensated for by the proposed planting on the Newmarket Road frontage. However, I have sought a tree survey from the applicants, and I will include an update on this issue on the amendment sheet or at the Committee meeting.

Third Party Representations

8.50 I have addressed the issues relating to design in paragraphs 8.9, 8.10, 8.12 and 8.13 above, tree planting in paragraph 8.15, need in paragraphs 8.2 and 8.3, the entrance in paragraphs 8.10, 8.11 and 8.21, neighbour amenity in paragraphs 8.32 and 8.33, the issues relating to coordinated development in paragraphs 8.4-8.7, and the issues relating to traffic in paragraphs 8.42-8.45.

Planning Obligations

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

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

8.52 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Transport

- 8.53 The Highway Authority has made an assessment of the proposal, and requires that contributions are agreed to the following aspects of infrastructure:

ECATP (£141,865)

A strip of land across the width of the site to be made available to the County Council (dimensions to be agreed between the developer and the county council) to enable highway improvements

Installation of MOVA at the Newmarket Road / Coldhams Lane junction (in the event that it has not already been funded by a development or developments on the opposite corner)

Survey work and implementation of residents-only parking is requested within three years of hotel occupation

- 8.54 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1, P9/8 and P9/9, Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Public Art

- 8.55 The development is required to make provision for public art and officers have recommended as set out in paragraphs 8.24 and 8.25 above that in this case provision for public art should be made on site. This needs to be secured by the S106 planning obligation.
- 8.56 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and 9/8, Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

Monitoring

- 8.57 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring

the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term, £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

- 8.58 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 The use proposed here is in accordance with the allocation of the site in the Cambridge Local Plan (2006). The design of the building conforms to the guidance in the adopted Eastern Gate Development Framework SPD (2011), and protects the aspiration to create a tree-lined approach to the city on Newmarket Road. The County Council is satisfied that realistic modelling of future traffic flows suggests that the hotel would not have an unacceptable impact on the transport network. In my view, the proposal is appropriate for this prominent site, in terms of both use and design, and would cause no conflict with local or national policy.

10.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 29th February 2012 and subject to the following conditions:

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

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

2. No development shall commence until such time as details at a scale of 1:20 (including plans, elevations and sections of IN) have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

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

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 3/12)

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

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

8. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

9. No occupation of the hotel hereby approved shall take place until a scheme for controlling access to the car park and service yard has been approved in writing by the local planning authority, and put in place on site.

Reason: To ensure convenient access to the site for all users, and to safeguard the security of users and their property. (Cambridge Local Plan 2006 policy 3/7)

10. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

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

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

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

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

13. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel,
- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,

- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

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

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

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

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

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

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

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

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006))

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

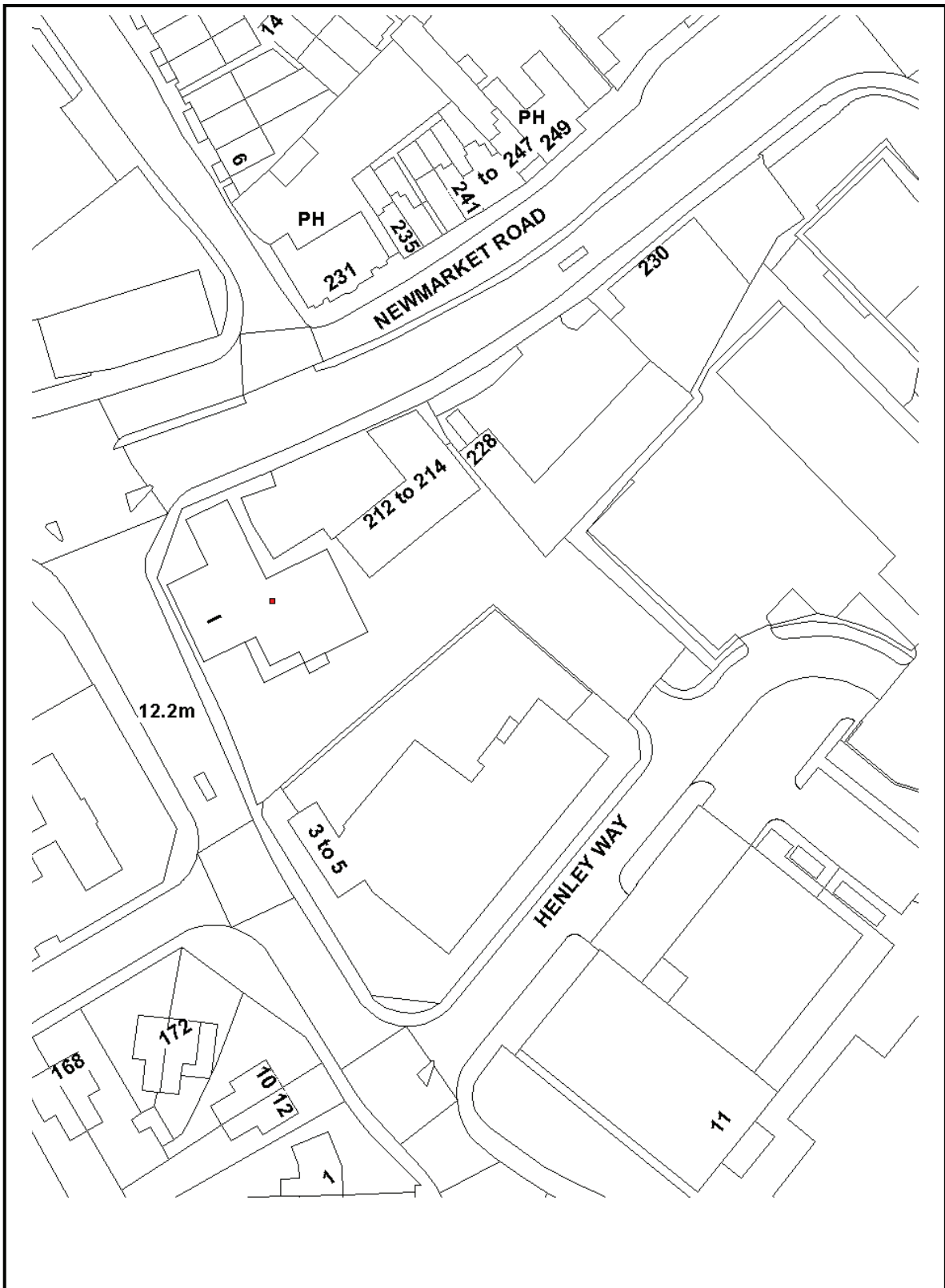
Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

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

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.



11/0338/FUL
Intercell House 1 Coldhams Lane Cambridge

**Cambridge City Council
Design & Conservation Panel**

**Notes of the relevant item of the meeting Wednesday 8th June
2011**

Present:

Dr Nick Bullock	Chair
Terry Gilbert	RTPI (Vice Chair)
Russell Davies	RTPI
Tony Nix	RICS
David Grech	English Heritage
Martin Lindus	RIBA
Chris Davis	IHBC
Carolyn Gohler	Cambridge PPF
Jon Harris	Co-opted member
Ian Steen	Co-opted member

Officers:

Tony Collins	City Council
Matthew Paul	City Council
Jonathan Hurst	City Council
Charlotte Jackson	City Council

Observing:

Cllr Paul Saunders	City Council
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**2. Presentation – Intercell House, 1 Coldham's Lane
(11/0338/FUL)**

The application to redevelop the site of the vacant Intercell House building on the corner of Coldham's Lane and Newmarket Road, with a part five-storey, part six-storey hotel, with 127 bedrooms, a bar, restaurant and car park. The vehicle access would be from Henley Way. This was last seen by the Panel in December 2010 (verdict AMBER). Presentation by Jake Snell of Stock Woolstencroft Architecture & Urbanism.

The Panel's comments are as follows:

The Design and Materials of the Elevations. The Panel broadly welcomed the change in the approach to the design of the

elevations and thought that the choice of brick a more appropriate material for a budget hotel. Members of the Panel hoped that a more rugged, textured brick would be used in place of the samples presented at the meeting. There was extended discussion of the curvature of the façade, the ease with which this could be standard bricks and the way that the recessed panels flanking the windows would accommodate the sweep of the curve.

The Attic floor. The Panel was concerned about the view of the hotel from New Street and felt that the set back of the attic floor from the brick façade needed further consideration. The Panel also thought that the use of a darker colour for the attic storey cladding would improve its appearance.

Signage on the east elevation. Clear signage emphasising the entrance is needed, but this will need to be incorporated successfully into the façade, making the most of the materials of the elevations. The John Lewis store, Grand Arcade where signage has been incorporated into an art installation, was suggested as a successful alternative to the lights and usual signage associated with a budget hotel chain.

Courtyard. The welcome increase in the width of the pavement along Coldham's Lane has been bought at the expense of reducing the size of the courtyard to the rear. The Panel recognise that a budget hotel chain will be committed to maximising the number of rooms, but recommends nevertheless a reduction in the number of rooms overlooking the courtyard on each floor from seven to four. A larger courtyard space, possibly softened with a green wall, might palliate the impact on these rooms of the future development of the neighbouring sites.

Ground floor rooms. Because of problems of noise and air pollution, the Panel questioned whether rooms should be provided on the ground floor.

Arrival. With the limited number of parking spaces and the difficulties for pedestrians of crossing the busy roads, arrival by taxi seems to be the best option.

The turning space and parking. The Panel thought the provision for service vehicles was very tight.

Cycle parking. This needs to be reconsidered. The current location in front of a window is inappropriate.

Street trees. The Panel thought these were shown too close to the building and would be likely touch the windows of the second storey bedrooms. The Panel thought the building would need to be set back even further to accommodate trees of this size.

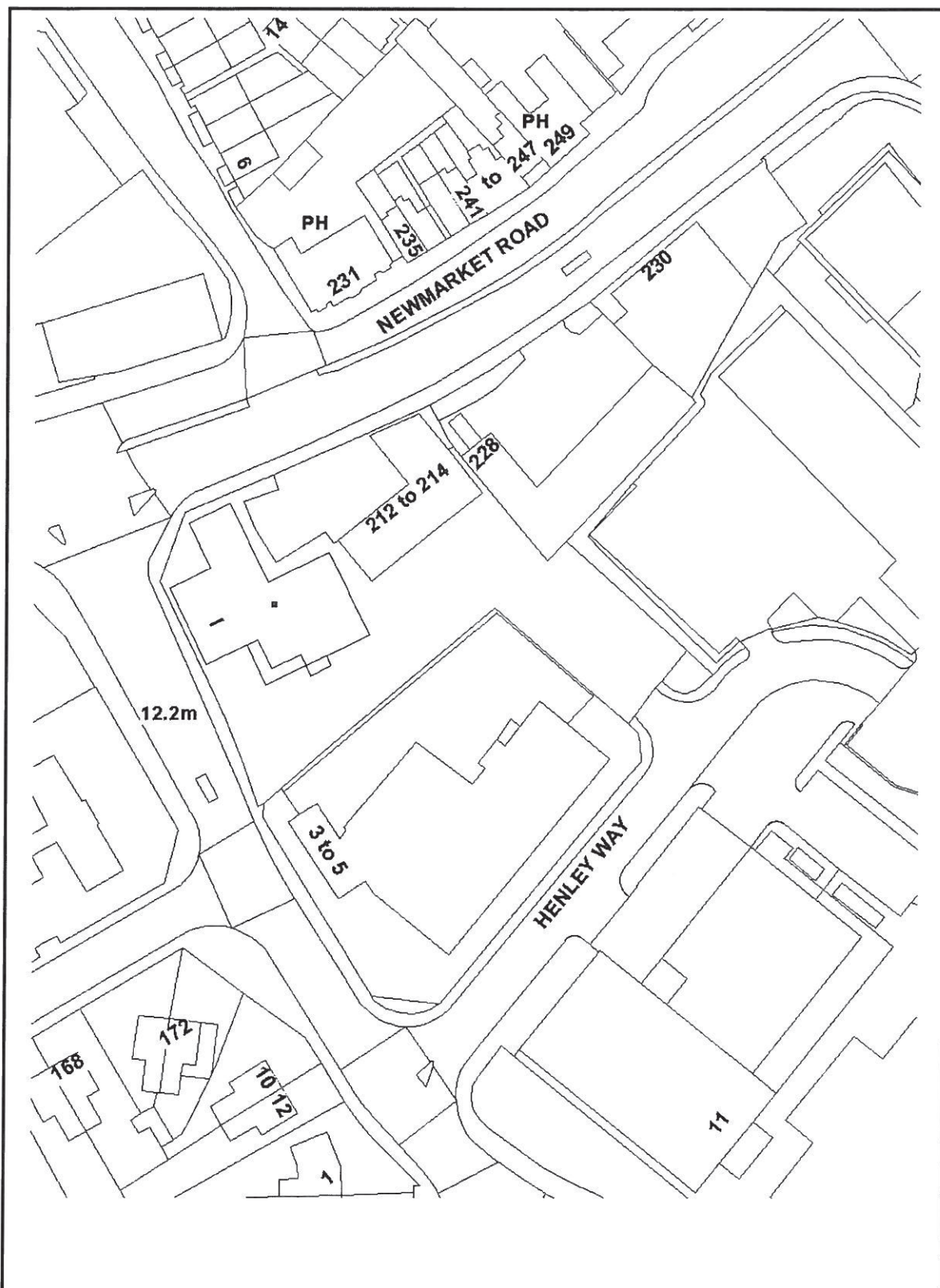
Solar panels. It is proposed that these be mounted flat, rather than angled, and the Panel thought this would greatly reduce their performance.

Conclusion.

The Panel welcomes the way in which the concerns it expressed last time have been addressed: the design of the corner has been re-examined and the palette of materials has been simplified. However, this remains a difficult site for a hotel with the outcome of the County Highways modelling work as yet unknown. The Panel believe the design of the rear courtyard needs to be revised. As proposed, it will be dim, gloomy and inescapably 'budget' in appearance. A reduction in the number of rooms overlooking the courtyard and the use of even more planting, perhaps a 'green wall', might not only improve the view from these rooms but would minimise the impact of future developments on neighbouring sites.

The City Council's Visioning Document allows for a development of this corner with a building even taller than the Travelodge proposed for the opposite side of Coldham's Lane. The Panel feels however that a smaller-scale hotel designed with particular attention to the detailing, would result in a more successful scheme though it recognises that a hotel with fewer rooms is unlikely to meet the aspirations of the client.

VERDICT – AMBER (unanimous)

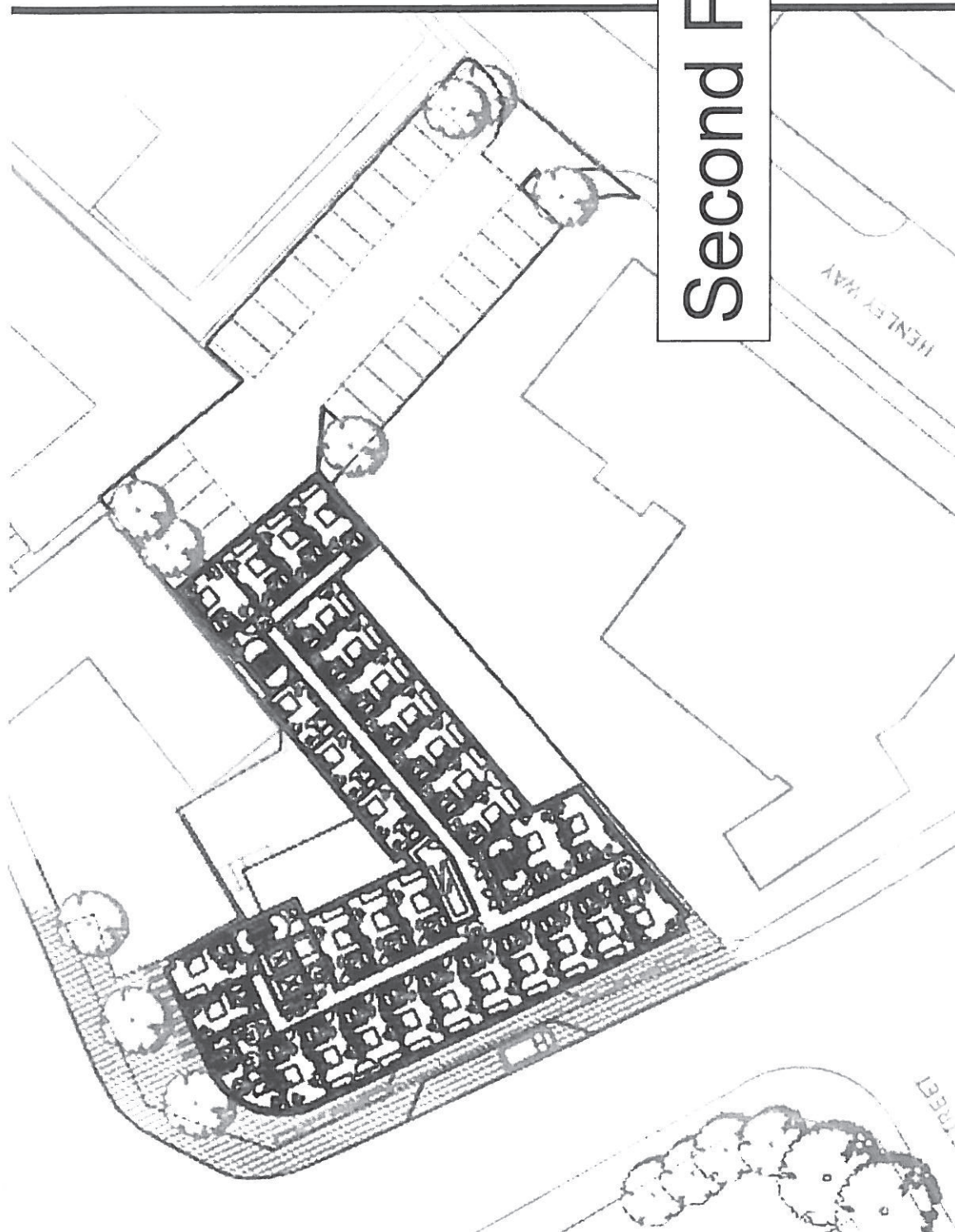


11/0338/FUL
Intercell House 1 Coldhams Lane Cambridge

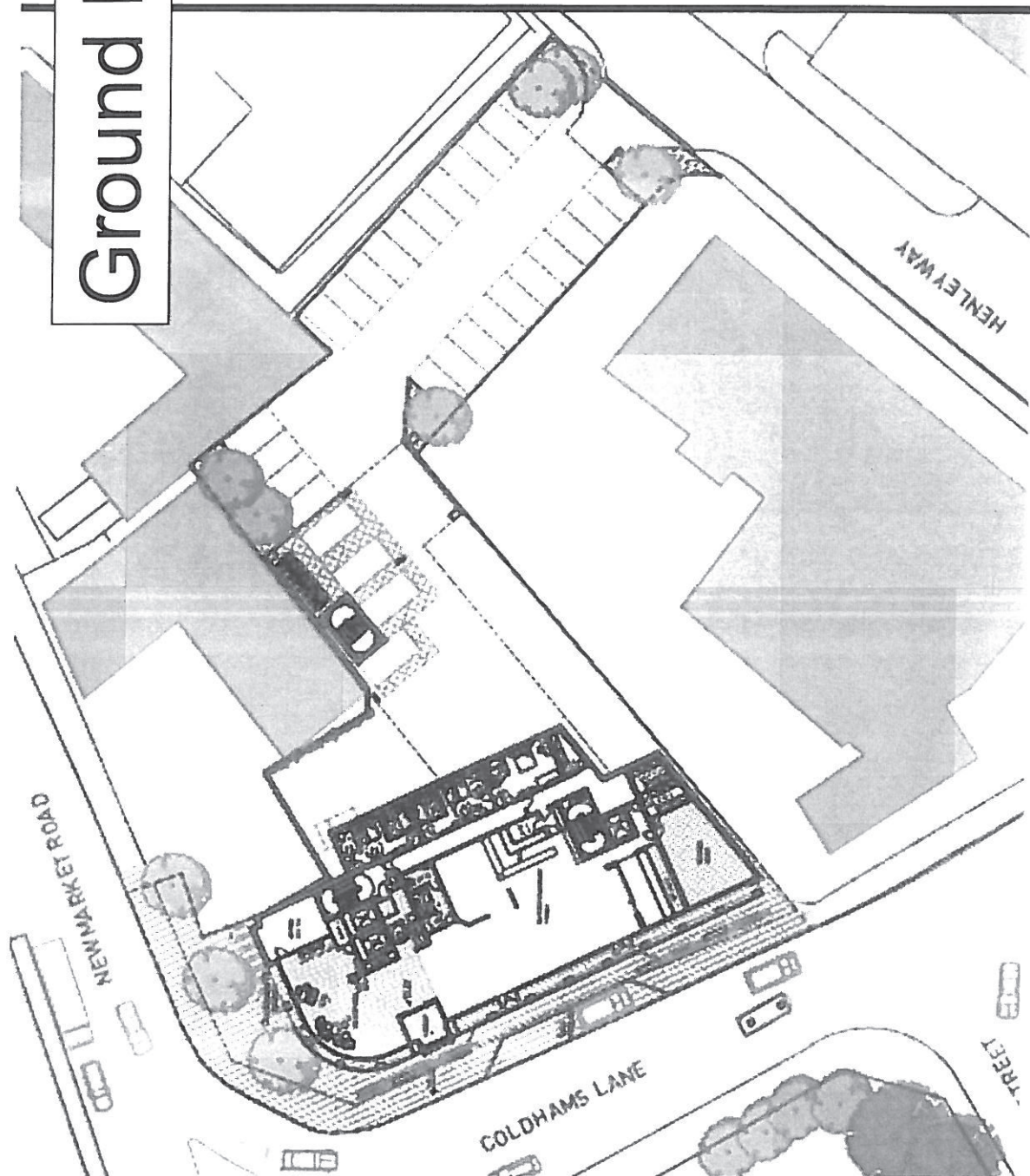


Coldhams Lane Elevation

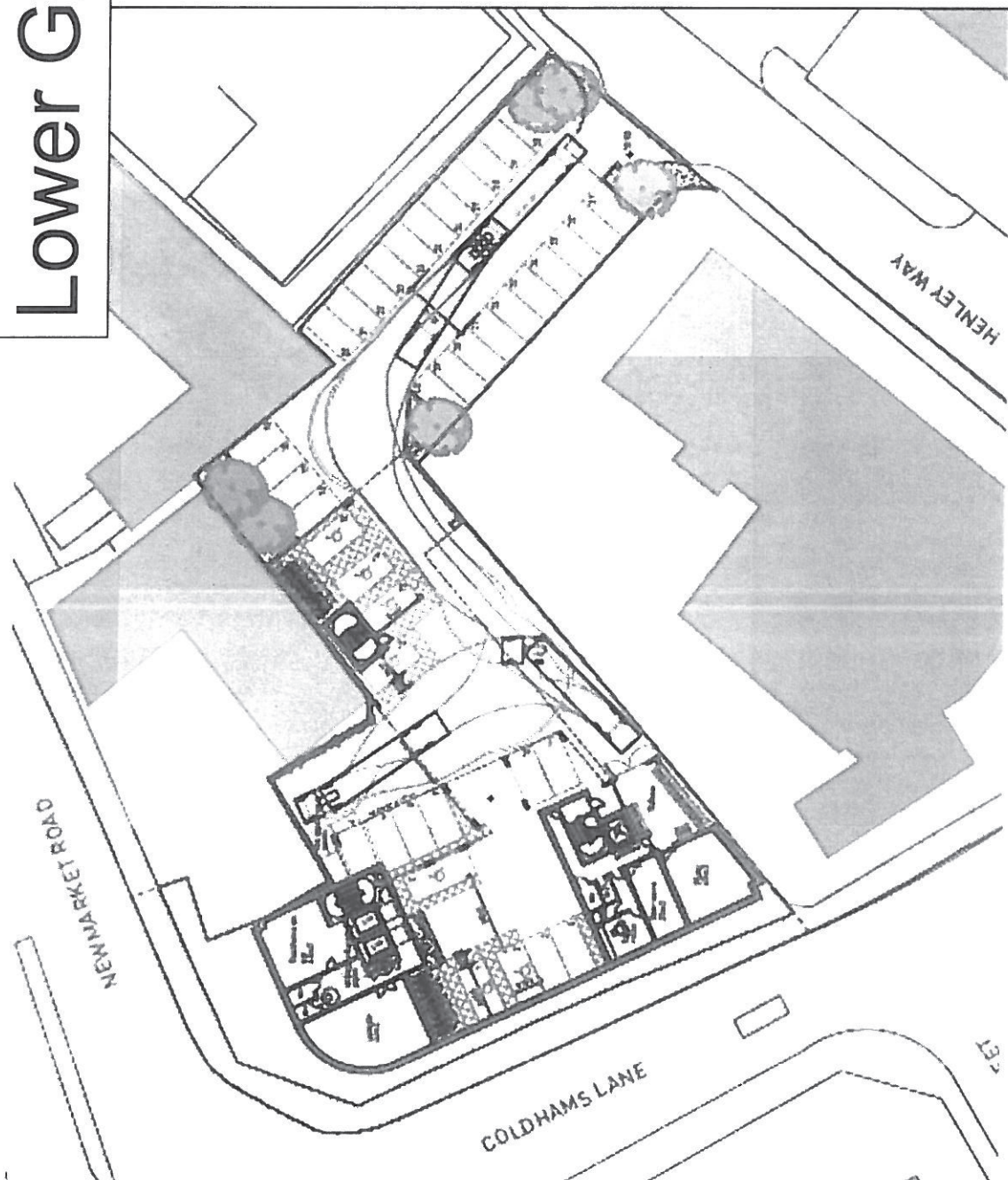
Second Floor



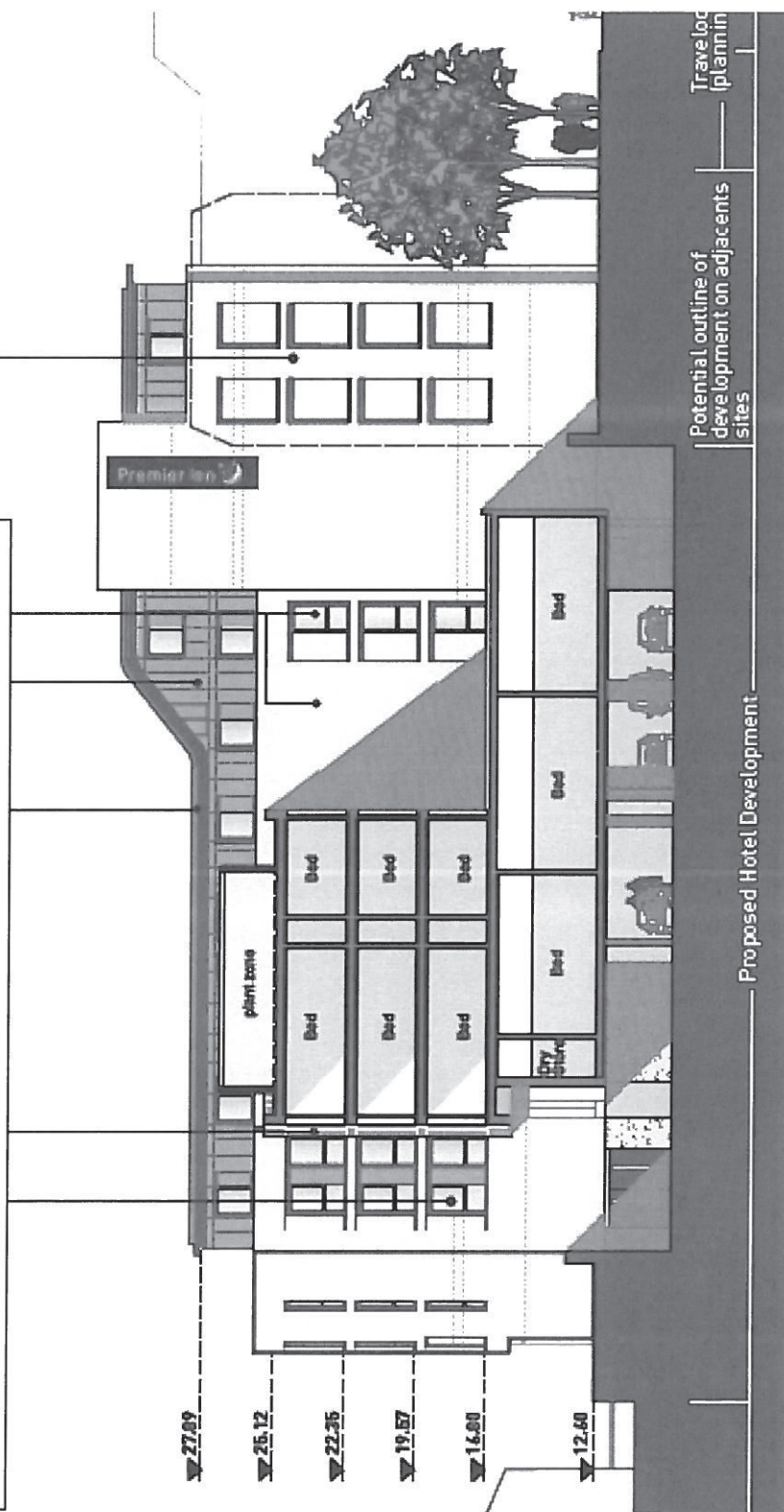
Ground Floor



Lower Ground Floor



North-South Section



CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 11 January 2011
WARDS: Trumpington

OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER NO. 19/2011

1.0 INTRODUCTION

- 1.1 Tree Preservation Order number 19/2011 was provisionally served protecting a tree at 25 Shelford Road.
- 1.2 An objection to the Order has been received from the owner.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

2.0 RECOMMENDATION

- 2.1 City of Cambridge Tree Preservation Order 19/2011 be confirmed at 25 Shelford Road.

3.0 BACKGROUND

- 3.1 In May 2011 the Council received a 211 Notice to fell a Sycamore T1 located in the rear garden of 25 Shelford Road in, order to allow the construction of a rear access area and more light to the property.
- 3.2 The tree is actually a Purple Maple and is located at the rear of a reasonably sized garden and on the boundary with The Brambles.
- 3.3 It is middle-aged tree, approximately 11m in height. It is clearly visible from The Brambles and Shelford Road and as such offers significant contribution to the character and appearance of the area.
- 3.4 There were a number of objections to the 211 Notice back in May.
- 3.5 In considering the 211 noticed, the impact of the tree on light to adjacent properties was considered. However given the location of the tree, at the bottom of the garden, and its north-east position in relation to the house, the loss of direct sunlight was not considered sufficient to warrant the tree's removal. Furthermore the tree's contribution to public amenity was considered to out way the private benefit of a rear access. It was decided therefore that the trees should be protected.

4.0 Making a Tree Preservation Order

4.1 The Secretary of State advises a Tree Preservation Order should be used to protect selected trees if their removal would have a significant impact upon the local environment and its enjoyment by the public. The criteria set out are as follows:

- (1)**Visibility** The trees should be visible to the public, the benefit may be present or future.
- (2)**Individual impact** Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. The Local Planning Authority is required to assess the tree's particular importance by reference to its size and form, its future potential as an amenity, taking into account such factors as its rarity, value as a screen or contribution to the character or appearance of a conservation area.
- (3)**Wider impact** the significance of the trees in their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.

Expedient

- If the tree is in good arboricultural management it may not be appropriate to serve an Order.
- If there is a risk of the tree being cut down or pruned in ways which would have a significant impact on the amenity of the area it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe the tree is at risk generally from development pressures and so the protection by a precautionary Tree Preservation Order might be considered expedient.

4.2 The assessment of the trees.

(1) **Visibility** The tree is visible to all those using The Brambles and travelling north along Shelford Road.

(2) Individual impact

- The tree is of a suitable species and compliments its surroundings.
- It is a healthy tree that is expected to live for in excess of 50 years
- The trees provides a colour interest with its purple foliage
- The tree has no rarity value.

(3) Wider impact

The tree's contribution to the wider character of the area is limited.

Expedient

The Tree Preservation Order was served because the tree was proposed to be removed.

5.0 CONSULTATIONS

5.1 A Tree Preservation Order must be served upon anyone who has an interest in the land. The Council served the Tree Preservation Order on the owner and the adjoining properties.

5.2 An objection has been received to the Tree Preservation Order from the owner of the tree.

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

- 1 The tree blocks out a significant amount of light to the rear gardens of 23 and 25 Shelford Road.
- 2 It is a young tree so the problem will only get worse.
- 3 The loss of the tree is required to actuate the approved application to create a rear access.
- 4 There are other trees in the area so the loss of the subject tree will not have the amount of negative impact as is being suggested.

6.2 Officer's response to the Objection.

- 1 The tree will block light to parts of the garden as it tracks but not to an unreasonable extent.
- 2 As the tree grows, considered remedial works can be carried out to mitigate negative impact without materially effecting the tree's visual amenity.
- 3 Given the limited extent of boundary with highway, this appears to be true. However the public benefits of retention are considered to out way the private nuisance.
- 4 Other significant trees in the area are more secluded and offer more limited public amenity contribution.

7.0. OPTIONS

7.1 Members may

- Confirm the Tree Preservation Order
- Decide not to confirm the Tree Preservation Order.

8.0 DECISION

8.1 City of Cambridge Tree Preservation Order 19/2011 be confirmed

9.0 IMPLICATIONS

(a)	Financial Implications	None
(b)	Staffing Implications	None
(c)	Equal Opportunities Implications	None
(d)	Environmental Implications	None
(e)	Community Safety	None

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

TWA 11/168/TTCA

City of Cambridge Tree Preservation Order 19/2011

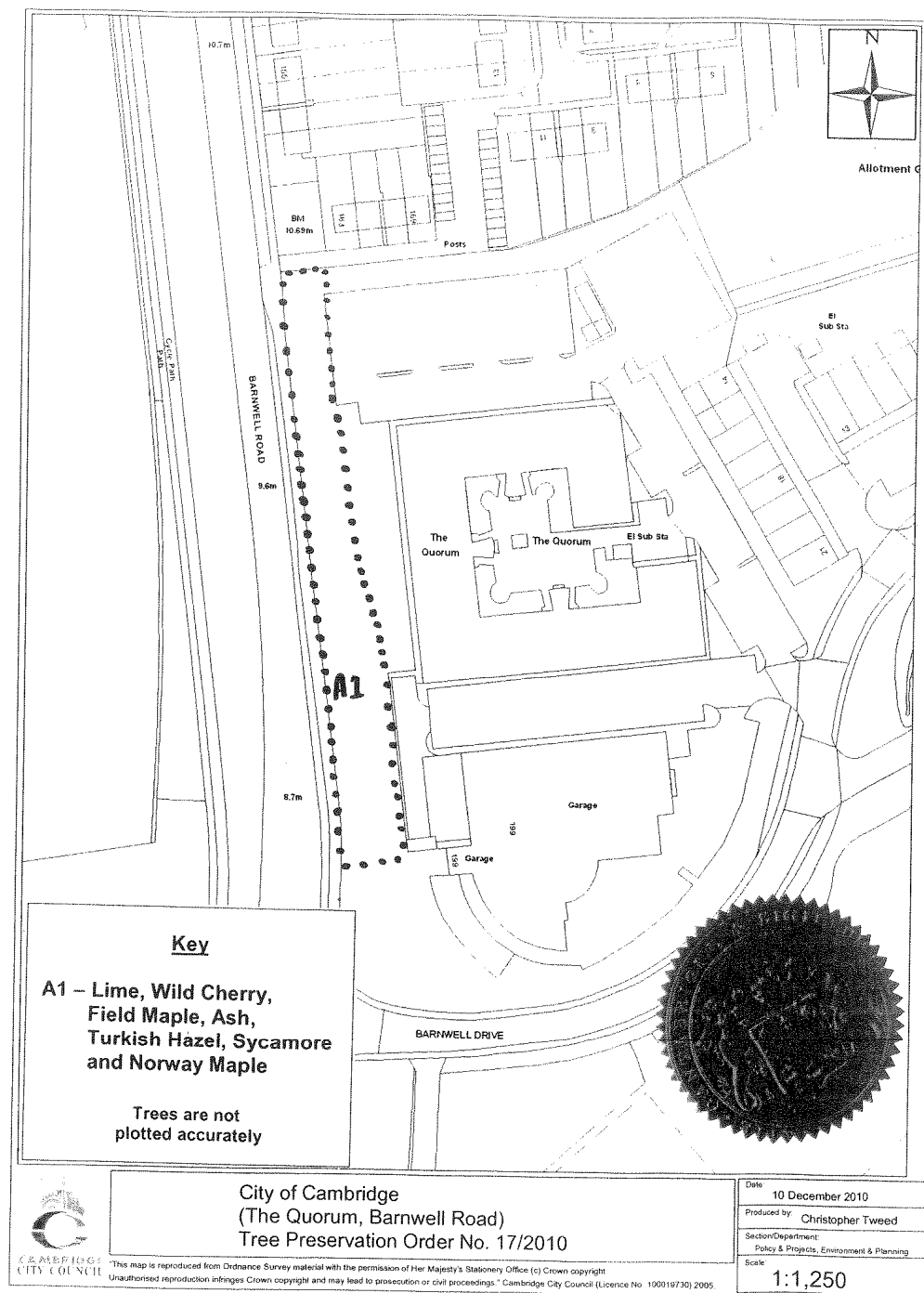
Tree Preservation Orders: a guide to the law and good practice

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 22 December 2011

Date of last revision: 22 December 2011



S.P.T. 21

Existing Tree Preservation Order

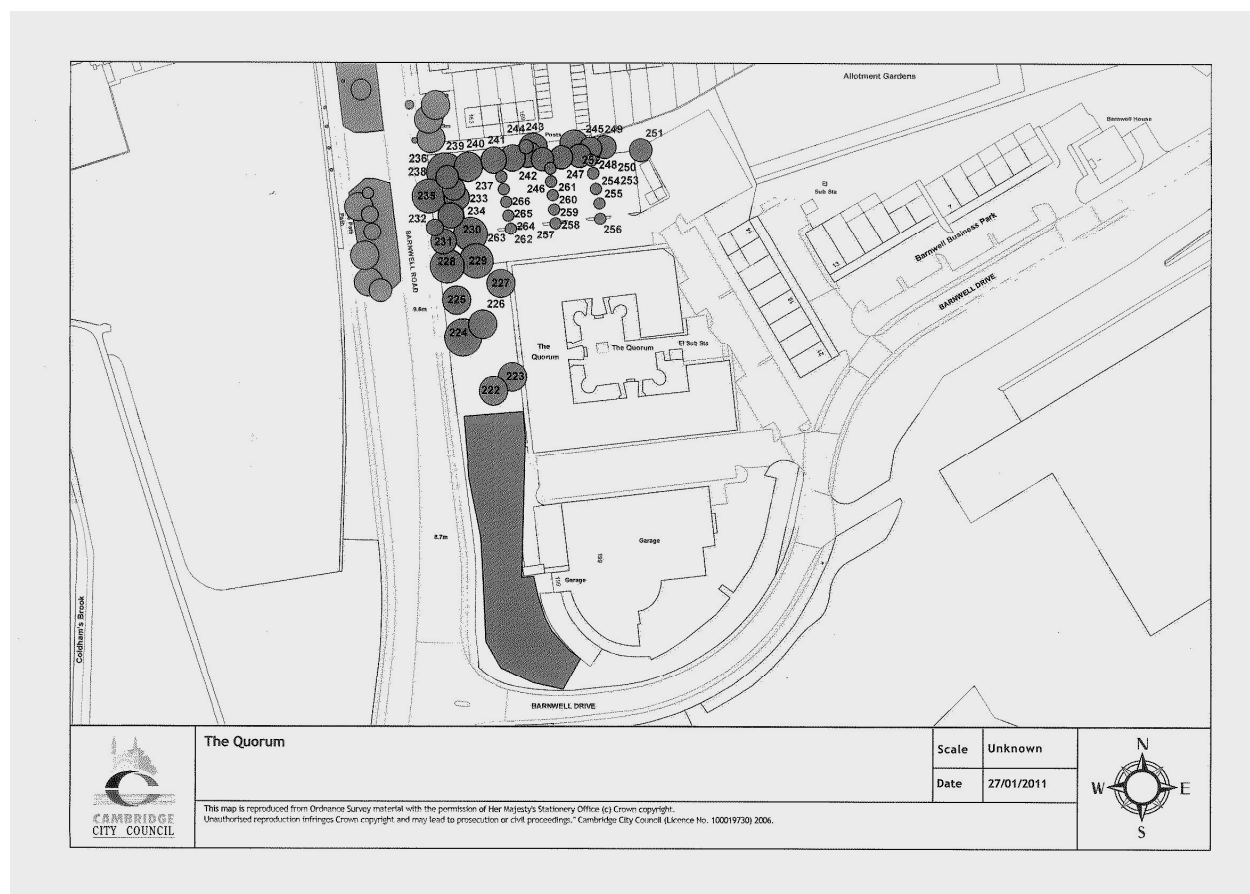
SCHEDULE 1		
SPECIFICATION OF TREES		
Trees specified individually (encircled in black on the map)		
Reference on map	Description	Situation
Trees specified by reference to an area (within a dotted black line on the map)		
Reference on map	Description	Situation
A1	Lime, Wild Cherry Field Maple, Ash, Turkish Hazel Sycamore, Norway Maple	road frontage of The Quorum, Barnwell Road
Groups of trees (within a broken black line on the map)		
Reference on map	Description (including number of trees in the group)	Situation
	None	
Woodlands (within a continuous black line on the map)		
Reference on map	Description	Situation
	None	

Above:

Existing Tree Preservation Order Schedule

Below:

Trees surveyed for Proposed Tree Preservation Order



CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 11 January 2011
WARDS: Petersfield

OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDERS NO. 18/2011 and 20/2011

1.0 INTRODUCTION

- 1.1 Tree Preservation Order numbers 18/2011 and 20/2011 was provisionally served protecting trees at 8 and 12 Lyndewode Road.
- 1.2 An objection to the Orders has been received from 10 Lyndewode Road.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Orders.

2.0 RECOMMENDATION

- 2.1 City of Cambridge Tree Preservation Orders 18/2011 and 20/2011 be confirmed at 8 and 12 Lyndewode Road.

3.0 BACKGROUND

- 3.1 In May 2011 the Council received two 211 Notices from 10 Lyndewode Road. TWA 11/167/TTCA recommended the felling of 2 trees in 8 Lyndewode Road but only proposed the removal of branches overhanging number 10. TWA 11/141/TTCA proposed a crown lift of two trees at 12 Lyndewode Road to 6m
- 3.2 The trees are a Gleditsia, two Birch and a Tulip Tree.
- 3.3 The trees are located in the rear gardens of 8 and 12 Lyndewode Road on the boundaries with number 10.
- 3.4 A subsequent application was made by 12 Lyndewode Road to carry out and crown lift to 3m, this was approved.
- 3.5 In considering the 211 notices, the impact of the trees on light to number 10 was assessed, the extent that trees overhang the boundary along with the impact that the proposed would have on the trees.

- 3.6 The proposed works were considered in excess of that reasonable and contrary to BS 3998 'Tree Works' therefore the Tree Preservation Orders were made.

4.0 Making a Tree Preservation Order

- 4.1 The Secretary of State advises a Tree Preservation Order should be used to protect selected trees if their removal or works to them would have a significant impact upon the local environment and its enjoyment by the public. The criteria set out are as follows:

- (1)**Visibility** The trees should be visible to the public, the benefit may be present or future.
- (2)**Individual impact** Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. The Local Planning Authority is required to assess the tree's particular importance by reference to its size and form, its future potential as an amenity, taking into account such factors as its rarity, value as a screen or contribution to the character or appearance of a conservation area.
- (3)**Wider impact** the significance of the trees in their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.

Expedient

- If the tree is in good arboricultural management it may not be appropriate to serve an Order.
- If there is a risk of the tree being cut down or pruned in ways which would have a significant impact on the amenity of the area it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe the tree is at risk generally from development pressures and so the protection by a precautionary Tree Preservation Order might be considered expedient.

- 4.2 The assessment of the trees.

(1) Visibility

8 Lyndwode Road. The Tulip Tree and one of the Birch trees are located in the rear garden of this property and are visible only from Tenison Avenue. Located a few gardens away from Tension Avenue they are somewhat obscured from view by other closer vegetation. As the trees increase in size however their visual impact will also increase.

12 Lyndewode Road. The other Birch and the Gleditsia are located in the rear garden of this property. Closer to Tenison

Avenue, these two trees along with two others in the same garden, are clearly visible from the road. They too have the capacity to increase in size along with their visual amenity.

(2) Individual impact

- The trees are of a suitable species and compliment their surroundings.
- The trees are all healthy and are expected to live for in excess of 40 years
- While not rare the Tulip Tree and the Gleditsia are not typical.

(3) Wider impact

All the trees contribute to the arboreal corridor that runs from Tenison Road through to Highsett and enhance the diversity of this wildlife resource.

Expedient

The Tree Preservation Order was served because the works proposed to the trees was considered in excess of that reasonable.

5.0 CONSULTATIONS

5.1 A Tree Preservation Order must be served upon anyone who has an interest in the land. The Council served the Tree Preservation Order on the owners of 8 and 12 Lyndwode Road and the adjoining properties.

5.2 An objection has been received to the Tree Preservation Order on behalf of the owner of 10 Lyndewode Road.

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

- 1 No significant public interest by way of preservation of visual amenity is served by these orders and they fail the 'amenity' test'.
- 2 The TPO was raised without the benefit of a site visit.
- 3 There is an error in the location of the trees.
- 4 No harm to the health of the trees would arise from the works.
- 5 The works were the minimum required to protect the client's reasonable enjoyment of his property.

6.2 Officer's response to the Objection.

- 1 The trees at number 12 are clearly visible from Tenison Avenue and therefore contribute to the character and appearance of the area. While the trees at number 8 are more remote and less

- visible they are well placed to offer significant future contribution to the character and appearance of the area.
- 2 The site visit was made on 27th October 2011. The lack of amenity value to Lyndewode Road was noted at this time along with the visibility of the trees from Tenison Avenue and their contribution to the wildlife corridor.
 - 3 The plan was incorrect when issued but was amended and reissued.
 - 4 A crown lift to 6m would require the removal of a significant percentage of crown, which would impact on the trees' resources.
 - 5 The three subject properties benefit from generous south facing gardens. The four trees, the subject of the original 211 notice, only marginally overhang number 10 and block light to the garden for limited periods of time. A crown lift of 6m is not required to allow reasonable access or enjoyment.

7.0. OPTIONS

7.1 Members may

- Confirm both Tree Preservation Orders.
- Confirm only TPO 18/2011 at 8 Lyndewode Road
- Confirm only TPO 20/2011 at 12 Lyndewode Road.
- Decide not to confirm either Tree Preservation Order.

8.0 DECISION

8.1 City of Cambridge Tree Preservation Orders 18/2011 and 20/2011 be confirmed

9.0 IMPLICATIONS

(a) Financial Implications	None
(b) Staffing Implications	None
(c) Equal Opportunities Implications	None
(d) Environmental Implications	None
(e) Community Safety	None

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

TWA 11/168/TTCA

TWA 11/141/TTCA

City of Cambridge Tree Preservation Orders 18/2011 and 20/2011

Tree Preservation Orders: a guide to the law and good practice

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 22 December 2011
Date of last revision: 22 December 2011

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CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 11 January 2011
WARDS: Newnham

OBJECTION TO CITY OF CAMBRIDGE TREE PRESERVATION ORDER NO. 23/2011

1.0 INTRODUCTION

- 1.1 Tree Preservation Order number 23/2011 was provisionally served protecting a tree at 34 Hardwick Street.
- 1.2 An objection to the order has been received from 32 Hardwick Street.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

2.0 RECOMMENDATION

- 2.1 City of Cambridge Tree Preservation Orders 23/2011 be confirmed at 34 Hardwick Street.

3.0 BACKGROUND

- 3.1 In June 2011 the Council received a 211 Notices from 32 Hardwick Street. TWA 11/219/TTCA proposed the felling of an Oak tree in the rear garden of number 34.
- 3.2 It is mature tree located on the boundary between number 32 and number 34.
- 3.3 The removed was proposed because of excessive shading and risk of damage to property.
- 3.4 In considering the 211 notices, the impact of the tree on light to number 32 was assessed as was the possibility of improving light the property with considered remedial works as opposed to removal.
- 3.5 It was considered that a crown lift and reduction would significantly reduce the impact of the tree on number 32 and that insufficient evidence was presented to justify the tree's removal, therefore the Tree Preservation Order was made.

4.0 Making a Tree Preservation Order

4.1 The Secretary of State advises a Tree Preservation Order should be used to protect selected trees if their removal or works to them would have a significant impact upon the local environment and its enjoyment by the public. The criteria set out are as follows:

- (1)**Visibility** The trees should be visible to the public, the benefit may be present or future.
- (2)**Individual impact** Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. The Local Planning Authority is required to assess the tree's particular importance by reference to its size and form, its future potential as an amenity, taking into account such factors as its rarity, value as a screen or contribution to the character or appearance of a conservation area.
- (3)**Wider impact** the significance of the trees in their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.

Expedient

- If the tree is in good arboricultural management it may not be appropriate to serve an Order.
- If there is a risk of the tree being cut down or pruned in ways which would have a significant impact on the amenity of the area it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe the tree is at risk generally from development pressures and so the protection by a precautionary Tree Preservation Order might be considered expedient.

4.2 The assessment of the trees.

(1) Visibility

Although not a prominent feature, the tree can be seen through the gap in houses on Hardwick Street and from The Cenacle to the rear.

(2) Individual impact

- The tree is mature native specimen that offers habitat to native fauna.
- It is a healthy specimen and is expected to live for in excess of 40 years
- The tree is not rare and has no increased value in this sense.

(3) Wider impact

The tree is a wildlife resource and contributes to the arboreal habitat between Hardwick Street and King's Road to the west.

Expedient

The Tree Preservation Order was served because no sound arboricultural reason was submitted for the works in the manner proposed and the loss of the tree was proposed.

5.0 CONSULTATIONS

5.1 A Tree Preservation Order must be served upon anyone who has an interest in the land. The Council served the Tree Preservation Order on the owners and the adjoining properties.

5.2 An objection has been received to the Tree Preservation Order from the owner of 32 Hardwick Street.

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

- 1 Tree excessively shades number 32.
- 2 Amenity contribution is limited.
- 3 The potential for the tree to cause damage to number 32 and number 34. There is an error in the location of the trees.
- 4 No objection to the TPO has been received from the tree owner at number 34.

6.2 Officer's response to the Objection.

- 1 Remedial work in the form of crown lift and crown thin will significantly reduce the shading to adjacent properties while retaining the benefits of retention.
- 2 It is acknowledge that the tree is not a prominent feature of the street scene but it does contribute to the character and appearance of the area.
- 3 Trees close to buildings often have the potential to cause damage but in most situations damage never occurs. If the loss of trees was generally accepted to avoid the potential for damage, the built environment would look quite different. In most cases if trees are removed at the earliest evidence of damage, repairs can be made at limited cost.

7.0. OPTIONS

7.1 Members may

- Confirm the Tree Preservation Orders.
- Decide not to confirm the Tree Preservation Order.

8.0 DECISION

8.1 City of Cambridge Tree Preservation Orders 23/2011 be confirmed

9.0 IMPLICATIONS

(a)	Financial Implications	None
(b)	Staffing Implications	None
(c)	Equal Opportunities Implications	None
(d)	Environmental Implications	None
(e)	Community Safety	None

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

TWA 11/219/TTCA

City of Cambridge Tree Preservation Orders 23/2011

Tree Preservation Orders: a guide to the law and good practice

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 23 December 2011

Date of last revision: 23 December 2011

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer

TO: Planning Committee

20/12/11

WARD: Castle

TREE WORKS APPLICATION 11/349/TTPO APPLICATION TO FELL T5 A COPPER BEECH AT 102 RICHMOND ROAD

1.0 INTRODUCTION

- 1.1 An application has been received to fell a Copper Beech in the rear Garden of 102 Richmond Road protected by Tree Preservation Order number 09/11.
- 1.2 The item is brought before Members because objections have been received to the removal of the tree.
- 1.3 The Local Planning Authority can deal with this application in one of three ways:
 - (1) Grant consent for the works without condition,
 - (2) Grant consent to works with condition or,
 - (3) Refuse permission for the works.

2.0 RECOMMENDATION

- 2.1 The Council grant consent for the works on condition that a replacement is planted.

3.0 BACKGROUND

- 3.1 As part of an insurance claim at 149 Histon Road a tree works application has been submitted for the removal of a Copper Beech in the rear garden 102 Richmond Road. The application was made by OCA, a company specialising in the arboricultural aspects of subsidence claims. The owner of the tree and a couple of neighbours in Richmond Road have objected to the trees removal on the grounds of insufficient evidence, tree's high amenity value and that the property has been sold and will be demolished anyway to accommodate new development.
- 3.2 The reasons for the works:
 - Subsidence damage to 149 Histon Road.
- 3.3 The Arboricultural Officer considers that it is only the facts of the application that can be considered by the Council and that removal is

therefore justified given the evidence presented with the application. Objection submissions do not account for the desiccation found. Furthermore as the tree is located on land owned by 102 Richmond Road, should the owner dispute the claim, they can choose to retain the tree.

4.0 CONSULTATIONS

- 4.1 Ward councillors, residents and the tree owner were consulted and a Site Notice was issued for display.
- 4.2 Objection to the removal of T5 has been received by the owner and a couple of neighbours.

5.0 CONSIDERATIONS

- 5.1. Is the TPO still appropriate

Amenity

Does the tree still make a significant contribution to the character and appearance of the area

Condition

Has the tree's condition deteriorated sufficiently to make it exempt from the TPO

Justification for Removal

Are there sound practical or arboricultural reasons to remove trees or carry out tree works.

- What is the justification
- Is there a financial consideration
- Is there a health and safety consideration
- Does the nuisance outweigh the benefit of retention

- 5.2 The Arboricultural Officer's assessment of the trees

Is the TPO still appropriate

Amenity

While the tree is not a prominent feature of the street scene it can be seen through the gaps between houses and does contribute to the character and appearance of the area.

Condition

The tree is still in a good state of health with no indication of poor vitality or significant defect.

Justification for Removal

- What is the justification
The tree has been identified as the primary contributor to subsidence damage to 149 Histon Road.
- Is there a financial consideration

The engineer's report states a repair cost of £7000 if the tree is removed as opposed to £27000 if the tree is retained.

- Is there a health and safety consideration
No.

- Does the nuisance out way the benefit of retention5.2.

The difference in the cost of repair is significant and this should be considered against the tree's back garden location. A future claim to the Council for the difference could be made should the application be refused.

5.3 Applicants reasons for wishing to fell the trees

- The applicant has applied to remove the tree on the grounds that it is causing damage to the adjacent 149 Histon Road. Evidence has been submitted in the form of:
 - Soil analysis – shrinkable, clay soil that has been desiccated.
 - Crack analysis – cracking is classified as moderate.
 - Level monitoring – shows cyclical movement, which is typical in tree related subsidence.
 - Root sample – Roots from Beech were found below foundations.

5.4 Objections

- The tree is the subject of a Tree Preservation Order and is of considerable amenity value.
- The new owner plans to demolish the existing dwelling and develop the land which negates the need for repair.
- Two letter reports from Firebrace Partnership Limited suggest:
 - Lack of evidence supporting the claim.
 - The poor condition of the drainage system, with leaking water washing out the finer particles of the sandy, silty, clay, causing it to settle, is a more likely cause of the damage.

6.0. OPTIONS

6.1 Members may

- Grant consent for the works without condition,
- Grant consent to works with condition or,
- Refuse permission for the works.

7.0 CONCLUSIONS

7.1 The Council grant consent for the works subject to replacement planting.

8.0 IMPLICATIONS

(a) Financial Implications

£20000

(b)	Staffing Implications	None
(c)	Equal Opportunities Implications	None
(d)	Environmental Implications	None
(e)	Community Safety	None

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

TWA 11/349TTPO – Fell Copper Beech T5

Tree Preservation Orders: a guide to the law and good practice

Objections, including two neighbour responses and a letter from the tree owner submitting the Firebrace Partnership Limited letters

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

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