



# Public Document Pack

## Cambridge City Council

### Planning Committee

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

Alternate Councillors: Herbert and Tucker

*Published & Despatched: Tuesday, 19 June 2012*

**Date:** Wednesday, 27 June 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 2 May 2012.

The minutes of the meeting held on 30 May 2012 will be approved at a future meeting. (*Pages 1 - 8*)

#### 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 11/0338/FUL: Intercell House, 1 Coldhams Lane (*Pages 9 - 68*)

4b 12/0489/FUL: Former Cambridge College For Further Education, 23 Young Street (*Pages 69 - 122*)

4c 12/0321/FUL: 190-192 Histon Road (*Pages 123 - 164*)

## **5 General Items**

5a 11/0219/FUL: 9-15 Harvest Way (*Pages 165 - 168*)

5b CB1 Blue Phase Brick Sample Panel (*Pages 169 - 172*)

## **DEVELOPMENT PLAN POLICY, PLANNING GUIDANCE AND MATERIAL CONSIDERATIONS**

### **1.0 Central Government Advice**

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

1.2 **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.

1.3 **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.

### **2.0 East of England Plan 2008**

SS1: Achieving Sustainable Development

SS2: Overall Spatial Strategy

SS3: Key Centres for Development and Change

SS6: City and Town Centres

E1: Job Growth

E2: Provision of Land for Employment

E3: Strategic Employment Locations

E4: Clusters

E5: Regional Structure of Town Centres

E6: Tourism

H1: Regional Housing Provision 2001to 2021

H2: Affordable Housing

C1: Cultural Development

T1: Regional Transport Strategy Objectives and Outcomes

T2: Changing Travel Behaviour

T3 Managing Traffic Demand

T4 Urban Transport

T5 Inter Urban Public Transport

T8: Local Roads

T9: Walking, Cycling and other Non-Motorised Transport

T13 Public Transport Accessibility

T14 Parking

T15 Transport Investment Priorities

ENV1: Green Infrastructure

ENV3: Biodiversity and Earth Heritage

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

ENG1: Carbon Dioxide Emissions and Energy Performance

WAT 2: Water Infrastructure

WAT 4: Flood Risk Management

WM6: Waste Management in Development

CSR1: Strategy for the Sub-Region

CSR2: Employment Generating Development

CSR4: Transport Infrastructure

### **3.0 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

### **4.0 Cambridge Local Plan 2006**

*3/1 Sustainable development*

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

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

5/1 Housing provision  
5/2 Conversion of large properties  
5/3 Housing lost to other uses  
5/4 Loss of housing  
5/5 Meeting housing needs  
5/7 Supported housing/Housing in multiple occupation  
5/8 Travellers  
5/9 Housing for people with disabilities  
5/10 Dwelling mix  
5/11 Protection of community facilities  
5/12 New community facilities  
5/15 Addenbrookes

6/1 Protection of leisure facilities  
6/2 New leisure facilities  
6/3 Tourist accommodation  
6/4 Visitor attractions  
6/6 Change of use in the City Centre  
6/7 Shopping development and change of use in the District and Local Centres

6/8 Convenience shopping  
6/9 Retail warehouses  
6/10 Food and drink outlets.

7/1 Employment provision  
7/2 Selective management of the Economy  
7/3 Protection of Industrial and Storage Space  
7/4 Promotion of cluster development  
7/5 Faculty development in the Central Area, University of Cambridge  
7/6 West Cambridge, South of Madingley Road  
7/7 College and University of Cambridge Staff and Student Housing  
7/8 Anglia Ruskin University East Road Campus  
7/9 Student hostels for Anglia Ruskin University  
7/10 Speculative Student Hostel Accommodation  
7/11 Language Schools

8/1 Spatial location of development  
8/2 Transport impact  
8/4 Walking and Cycling accessibility  
8/6 Cycle parking  
8/8 Land for Public Transport  
8/9 Commercial vehicles and servicing  
8/10 Off-street car parking  
8/11 New roads  
8/12 Cambridge Airport  
8/13 Cambridge Airport Safety Zone  
8/14 Telecommunications development  
8/15 Mullard Radio Astronomy Observatory, Lords Bridge  
8/16 Renewable energy in major new developments  
8/17 Renewable energy  
8/18 Water, sewerage and drainage infrastructure

9/1 Further policy guidance for the Development of Areas of Major Change  
9/2 Phasing of Areas of Major Change  
9/3 Development in Urban Extensions  
9/5 Southern Fringe  
9/6 Northern Fringe  
9/7 Land between Madingley Road and Huntingdon Road  
9/8 Land between Huntingdon Road and Histon Road  
9/9 Station Area

10/1 Infrastructure improvements

Planning Obligation Related Policies

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

## 5.0 **Supplementary Planning Documents**

- 5.1 **Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.
- 5.2 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012):** The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. It provides advice on assessing planning applications and developer contributions.
- 5.3 **Cambridge City Council (January 2008) - Affordable Housing:** Gives advice on what is involved in providing affordable housing in Cambridge. Its

objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.

- 5.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.
- 5.5 **Cambridge City Council (January 2010) - Public Art:** This SPD aims to guide the City Council in creating and providing public art in Cambridge by setting out clear objectives on public art, a clarification of policies, and the means of implementation. It covers public art delivered through the planning process, principally Section 106 Agreements (S106), the commissioning of public art using the S106 Public Art Initiative, and outlines public art policy guidance.
- 5.6 **Old Press/Mill Lane Supplementary Planning Document (January 2010)** Guidance on the redevelopment of the Old Press/Mill Lane site.

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

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

## 6.0 **Material Considerations**

### **Central Government Guidance**

- 6.1 **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.

## 6.2 **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.

## 6.3 **City Wide Guidance**

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

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



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

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

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

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

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

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

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

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

The strategy:

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

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

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

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

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

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

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

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

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

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

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

**Cycle Parking Guide for New Residential Developments (2010)** – Gives guidance on the nature and layout of cycle parking, and other security

measures, to be provided as a consequence of new residential development.

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

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

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

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

#### 6.4 **Area Guidelines**

**Cambridge City Council (2003)–Northern Corridor Area Transport Plan:**

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

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

**Cambridge City Council (2003)–Western Corridor Area Transport Plan:**

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

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

**Brooklands Avenue Conservation Area Appraisal (2002)**

**Cambridge Historic Core Conservation Area Appraisal (2006)**

**Storeys Way Conservation Area Appraisal (2008)**

**Chesterton and Ferry Lane Conservation Area Appraisal (2009)**

**Conduit Head Road Conservation Area Appraisal (2009)**

**De Freville Conservation Area Appraisal (2009)**

**Kite Area Conservation Area Appraisal (1996)**

**Newnham Croft Conservation Area Appraisal (1999)**

**Southacre Conservation Area Appraisal (2000)**

**Trumpington Conservation Area Appraisal (2010)**

**Mill Road Area Conservation Area Appraisal (2011)**

**West Cambridge Conservation Area Appraisal (2011)**

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

**Jesus Green Conservation Plan (1998)**  
**Parkers Piece Conservation Plan (2001)**  
**Sheeps Green/Coe Fen Conservation Plan (2001)**  
**Christs Pieces/New Square Conservation Plan (2001)**

Historic open space guidance.

**Hills Road Suburbs and Approaches Study (March 2012)**  
**Long Road Suburbs and Approaches Study (March 2012)**  
**Barton Road Suburbs and Approaches Study (March 2009)**  
**Huntingdon Road Suburbs and Approaches Study (March 2009)**  
**Madingley Road Suburbs and Approaches Study (March 2009)**  
**Newmarket Road Suburbs and Approaches Study (October 2011)**

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

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

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

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

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

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

## **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

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

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

For further information on speaking at committee please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

### **Representations on Planning Applications**

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

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

A written representation submitted to the Environment Department by a member of the public after publication of the officer's report

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

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

**Filming,  
recording and  
photography**

The Council is committed to being open and transparent in the way it conducts its decision making. Recording is permitted at council meetings which are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chair of the meeting will facilitate by ensuring that any such request not to be recorded is respected by those doing the recording.

Full details of the City Council's protocol on audio/visual recording and photography at meetings can be accessed via:

[www.cambridge.gov.uk/democrac/y/ecSDDisplay.aspx?NAME=SD1057&ID=1057&RPID=33371389&sc h=doc&cat=13203&path=13020%2c13203](http://www.cambridge.gov.uk/democrac/y/ecSDDisplay.aspx?NAME=SD1057&ID=1057&RPID=33371389&sc h=doc&cat=13203&path=13020%2c13203)

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

### **Queries on reports**

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



### **General Information**

Information regarding committees, councilors and the democratic



process is available at  
[www.cambridge.gov.uk/democrac](http://www.cambridge.gov.uk/democrac)  
[y](#).

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**PLANNING COMMITTEE**2 May 2012  
9.30 - 11.25 am

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

**Officers:** Tony Collins (Principal Planning Officer), Cara de la Mare (Legal Advisor), Joanna Davies (Interim Arboricultural Officer), Patsy Dell (Head of Planning Services), Sarah Dyer (City Development Manager), Glenn Burgess (Committee Manager), Sophie Pain (Planning Officer), Alison Twyford (Planning Enforcement Officer).

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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**12/21/PLAN Apologies**

None.

**12/22/PLAN Declarations of Interest**

<b>Name</b>	<b>Item</b>	<b>Interest</b>
Councillor Saunders	12/24/PLANa	Personal: Member of Cambridge Past, Present and Future
Councillor Brown	12/24/PLANa	Personal: Member of the Campaign for Real Ale (CAMRA)
Councillor Marchant-Daisley	12/24/PLANb	Prejudicial: As the applicant. Left the room and did not vote during this item
Councillor Hipkin	12/26/PLANb	Personal: Friend of the Chair of the association that owns Pinehurst South

**12/23/PLAN Minutes**

The minutes of the 4 April 2012 meeting were approved and signed as a correct record.

**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.

**12/24/PLAN Planning Applications****12/12/PLANa 12/0086/FUL: 169 - 173 High Street, East Chesterton**

The committee received an application for full planning permission.

The application sought approval for a proposed residential development (erection of 11 dwellings) and a retail unit (with 2 bedroom flat above) following demolition of Nos 169 and 171 High Street.

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

- Mr Michael Bond

The representation covered the following issues:

- (i) Whilst its primary use may be a restaurant, the space has never stopped being used as a public bar.
- (ii) The views of local people needed to be taken into account.
- (iii) The National Planning Policy Framework (NPPF) and the Local Plan protect community facilities and needed to be taken into account.
- (iv) Concern regarding the loss of retail space within East Chesterton high street.
- (v) Consider 12 houses to be overdevelopment of the site.
- (vi) Proposal would be out of character with the area.

Mr Colin Brown addressed the committee in support of the application.

Councillor Bird (Ward Councillor for East Chesterton) addressed the committee about the application.

The representation covered the following issues:

- i. The Committee should take into account the views of local residents and reject the application.
- ii. Concerned about the loss of another public house in East Chesterton.
- iii. The relevant sections of the NPPF need to be taken into account and the site protected as a community asset.
- iv. Overdevelopment of the site.
- v. The proposal is of a poor design and provides little amenity space for future residents.
- vi. The development will overshadow its neighbours.
- vii. Traffic and a lack of parking is already an issue in East Chesterton and this development will add to it.
- viii. There is no spare capacity within local schools for the additional pupils that this development will generate.
- ix. The proposal is of a poor design.

#### The Committee:

**Resolved (by 4 votes to 5)** 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 6 votes to 2)** to refuse the application contrary to the officer recommendations for the following reasons:

1. The proposal would lead to the loss of a mixed-use restaurant/public house within a prominent location in Chesterton High Street local centre. In the absence of any compelling argument that the premises could no longer cater for peoples day to day needs as a community facility for the foreseeable future, the application is contrary to paragraph 70 of the National Planning Policy Framework (2012).

2. The proposed development does not make appropriate provision for public open space, community development facilities, pre school and life-long learning facilities, 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 and the Open Space Standards Guidance for Interpretation and Implementation 2010.

Councillor Marchant-Daisely proposed to also refuse the application contrary to the officer recommendations due to the lack of amenity space for future residents. This proposal was lost by 2 votes to 4.

**Resolved (by 5 votes to 4)** to refuse the application contrary to the officer recommendations for the following reasons:

1. The proposal would lead to the loss of a mixed-use restaurant/public house within a prominent location in Chesterton High Street local centre. In the absence of any compelling argument that the premises could no longer cater for peoples day to day needs as a community facility for the foreseeable future, the application is contrary to paragraph 70 of the National Planning Policy Framework (2012).
2. The proposed development does not make appropriate provision for public open space, community development facilities, pre school and life-long learning facilities, 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 and the Open Space Standards Guidance for Interpretation and Implementation 2010.

**12/12/PLANb 12/0345/LBC: 33 Parkside**

The committee received an application for listed building consent.

The application sought approval for Installation of signage to the property, together with lighting to the lower front elevation and garden area.

The Committee:

**Resolved (unanimously)** to accept the officer recommendation to approve planning permission as per the agenda with an amendment to Condition 2 as set out below:

Condition 2:

The advertisement hereby approved shall only be illuminated until 23:00 hrs Monday to Sunday.

Reason: In the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 3/15)

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: ENV6 and ENV7

Cambridge Local Plan (2006): 3/4,3/7,3/15,4/10,4/11

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](http://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.

**12/25/PLAN      General Items****12/25/PLANa      Request for Variation of Section 106 Agreement Pertaining to the Student Accommodation Site (McLaren) at the Former Brunswick Site, Newmarket Road**

The committee received a request for variation of Section 106 Agreement pertaining to the student accommodation site (McLaren) at the Former Brunswick Site, Newmarket Road, Cambridge.

The application sought approval that the Section 106 Agreement is varied in relation to the McLaren Student Accommodation Site, Former Cambridge Regional College, Newmarket Road, Cambridge to allow the occupation of the approved building in the priority described in paragraph 1.3 of the Officer's report, during the summer vacation.

The Committee:

**Resolved (unanimously)** that the Section 106 Agreement be varied in relation to the McLaren Student Accommodation Site, Former Cambridge Regional College, Newmarket Road, Cambridge to allow the occupation of the approved building in the priority described in paragraph 1.3 of this report, during the summer vacation.

**12/25/PLANb      Planning Enforcement Item - Former Howard Mallett**

The committee received an application for planning enforcement action to be taken.

The application sought authority to serve an Enforcement Notice to address a breach of planning control through failure to comply with the requirements of a planning condition.

Site: Howard Mallett Centre, Sturton Street, Cambridge

Alleged Breach: Without planning permission, material change of use from a sui generis use as broadcasting studio, cafe-bar and multi media education centre, and community facility to a D2 Assembly and Leisure use as a gymnasium.



The Committee:

**Resolved (unanimously)** that the Head Of Legal Services be granted delegated authority by the Planning Committee to authorise the issue of an enforcement notice (provided that he is first satisfied that the appropriate conditions and legal tests for the issue of the notice are met) under the provisions of Section 172 of the Town and Country Planning Act 1990 (as amended) in respect of the following breach of planning control: "Without planning permission the carrying out of a material change of use as a broadcasting studio, café-bar and multi-media education centre and community facility to a D2 Assembly and Leisure use as a gymnasium.

**12/26/PLAN Tree Items****12/26/PLANa Tree Works Application No. 12/019/TTPO Bishops Court**

The committee received an application to fell a Willow in the communal gardens of Bishops Court, Trumpington, protected by Tree Preservation Order number 07/2008.

The Committee:

**Resolved (unanimously)** to accept the officer recommendation and refuse consent for the removal of the tree.

**12/26/PLANb Tree Works Application No. 12/082/TTPO Pinehurst South**

The committee received an application to carry out various tree works including the removal of 3 from 4 Yews located within the grounds of Pinehurst South, Grange Road protected by Tree Preservation Order number 23/2007.

The Committee:

**Resolved (by 7 votes to 0)** to accept the officer recommendation and grant consent for all works subject to condition.

The meeting ended at 11.25 am

**CHAIR**

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# Agenda Item 4a

**PLANNING COMMITTEE**

**27<sup>th</sup> June 2012**

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<b>Application Number</b>	11/0338/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	28th April 2011	<b>Officer</b>	Mr Tony Collins
<b>Target Date</b>	28th July 2011		
<b>Ward</b>	Abbey		
<b>Site</b>	Intercell House 1 Coldhams Lane Cambridge Cambridgeshire CB1 3EP		
<b>Proposal</b>	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.		
<b>Applicant</b>	Mr Piers Slater C/o Unex House 132-134 Hills Road Cambridge CB2 8PA		

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<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <p>The use proposed is in accordance with the allocation of the site in the Cambridge Local Plan (2006).</p> <p>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.</p> <p>The County Council is satisfied that the hotel would not have an unacceptable impact on the transport network.</p>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 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 Coldham's 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 three bedrooms facing out over the courtyard. A 17m-long taxi drop-off bay would be created on Coldham's 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 Coldham's 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 Colhams 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 2.3m x 1.2m 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

Application	Proposal	Outcome
87/0804/FP	Use of building for any purpose within class B1	Approved with conditions

### 4.0 PUBLICITY

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

### 5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

## 5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	SS1 E6 T2 T9 T14 ENV6 ENV7 ENG1 WM6 CSR1 CSR2 CSR4
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/10 3/11 3/12 3/13 3/15 4/4 4/11 4/13 4/14 4/15 6/3 8/2 8/6 8/8 8/9 8/10 8/16 10/1

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

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



<p>Material Considerations</p>	<p><u>Central Government:</u></p> <p>Letter from Secretary of State for Communities and Local Government (27 May 2010)</p> <p>Written Ministerial Statement: Planning for Growth (23 March 2011)</p>
	<p><u>Citywide:</u></p> <p>Biodiversity Checklist</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan</p> <p>Open Space and Recreation Strategy</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cambridge Walking and Cycling Strategy</p> <p>Cambridgeshire Design Guide For Streets and Public Realm</p> <p>Air Quality in Cambridge – Developers Guide</p> <p>Cambridge Shopfront Design Guide</p> <p>Cambridge Hotel Futures (2012)</p>
	<p><u>Area Guidelines:</u></p> <p>Eastern Corridor Area Transport Plan</p> <p>Suburbs and Approaches Study:</p> <p>Newmarket Road</p>

## **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)**

Updated and final advice (11.06.2012)

- 6.2 County Council has applied the standard process for assessing the transport impacts of development.
- 6.3 Building has existing permission for office use. . Weekday traffic generation from the proposal would be lower than from the existing use.
- 6.4 Saturday traffic generation from the existing use would, however, be virtually nil, so predicted Saturday figures have been assessed in comparison with this. Saturday peak hour is taken as 1500-1600. Existing vehicle movement total at this time is 7337, based on 2009 count and checked against 2011 count. 2018 forecast figure including growth, using Department for Transport Tempro forecast would be 7739. Forecast vehicle movements in this hour from the proposed hotel are 16. Forecast vehicle movements from the proposed hotel added to the approved hotel and proposed residential development immediately to the west are 56. This is an 0.72% increase on the predicted 2018 total of 7739.
- 6.5 Using a worst-case scenario for the distribution of these movements on the various 'arms' of the junction, the forecast increase for Coldhams Lane only would be 4%.
- 6.6 Iterative runs of the PARAMICS system traffic model provided no evidence to contradict the above predictions.
- 6.7 The highway authority does not consider that the proposal will have any significant impact on the highway network. Subject to the securing of ECATP contribution, dedication of land for

transport improvements on Newmarket Road, funding for additional highway works, and a Travel Plan, the highway authority has no objection.

- 6.8 The full text of this advice is attached to the agenda as Appendix A.

### **Planning Policy Manager**

(Comments made at the time of the application)

- 6.9 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.

### **Head of Environmental Services**

- 6.10 Noise, ventilation, fume extraction, vibration and dust: conditions required.
- 6.11 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.
- 6.12 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.
- 6.13 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.

6.14 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.

6.15 Conditions also required on waste storage and collection.

### **Senior Sustainability Officer**

6.16 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

6.17 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**

First advice (23.06.2011)

6.18 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.

6.19 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 4<sup>th</sup> 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.

- 6.20 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.
- 6.21 Concerns expressed about layout of car park, cycle parking area, servicing arrangements and quality of this space to the rear of the building.
- 6.22 Tree planting proposals supported, but doubts expressed over whether requirements of landscape team and highway authority will be met.
- 6.23 Reservations about brick choice, colour of cladding panels and other materials, and positioning of solar panels.
- 6.24 **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 Coldham's 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 4<sup>th</sup> 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.

Further advice following amendments (10<sup>th</sup> December 2011)

- 6.25 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.
- 6.26 Replacement of American Sweetgum trees located on Coldham's Lane frontage by four raised concrete planters. Original tree planting was welcome addition to Coldham's 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.
- 6.27 4<sup>th</sup> 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.
- 6.28 Changes to car park and cycle parking layout. Support the proposed changes.
- 6.29 Applicant confirms that whilst tight, the servicing area provided is adequate for a 14m articulated lorry. No further concerns with the proposed servicing area.
- 6.30 Boundary treatments and access system still require conditions.
- 6.31 Amendments to brick type and other changes to colours of materials welcomed.
- 6.32 **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**

- 6.33 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.
- 6.34 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**

- 6.35 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)

- 6.36 Proposed setback of the building line is insufficient to achieve the aspiration to 'green' Newmarket Road with trees.
- 6.37 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.
- 6.38 The landscape strategy also proposes American Sweetgum trees on the Coldham's 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.

- 6.39 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)

- 6.40 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)

- 6.41 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**

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

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

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

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

- 6.44 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.

- 6.45 Condition required to secure programme of archaeological investigation.

### **Design and Conservation Panel**

#### **(Meeting of 15<sup>th</sup> December 2010)**

- 6.46 **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.
- 6.47 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.

**6.48 VERDICT – AMBER (unanimous)**

**(Meeting of 8<sup>th</sup> June 2011)**

6.49 **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 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.

**6.50 Verdict – AMBER (unanimous)**

6.51 The full relevant section of the minutes of the June 2011 panel meeting are attached to this report as Appendix B

**Disability Consultative Panel**

(Meeting of 2<sup>nd</sup> February 2011)

6.52 Proposal for outdoor seating on Coldham’s 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 a-symmetric 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.

- 6.53 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.
- 6.54 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.
- 6.55 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.
- 6.56 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 1<sup>st</sup> June 2011)

- 6.57 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.
- 6.58 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 (10<sup>th</sup> May 2011)**

- 6.59 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

6.60 Should be a further 4 marked disabled car parking spaces.

6.61 Planning obligation should be sought to improve pedestrian crossings and footways in locality for disabled access.

6.62 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.

6.63 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 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. In this context, I consider hotel use to be appropriate. In my view, the allocation is a consideration of considerable weight, and that weight is not significantly diminished by the recent increase in hotel provision in and around the city. The advice of the Planning Policy Manager confirms this.

8.3 This context is also recognized in the Cambridge Hotel Futures report considered by Development Plan Scrutiny Committee on 17<sup>th</sup> April and 12<sup>th</sup> June 2012. Given the allocation in the 2006 Local Plan, the report includes the potential additional budget hotel bedrooms proposed in the present application in its modelling of future hotel bedroom supply in the city to 2031.

8.4 The Cambridge Hotel Futures report include a number of findings which are of relevance to the present application.

There is a severe lack of available and affordable hotel development sites and conversion opportunities in the city centre. The report recommends that future policy be as enabling and supportive as possible towards city centre development conversion and upgrading.

The survey undertaken for the report comparing Cambridge with a number of similar cities showed that Cambridge has a similar level of budget hotel provision to Chester, more budget hotels than Bath and Oxford, and significantly lower budget hotel provision than Norwich and York.

The report's medium-growth scenario predicts a need for 460 additional budget rooms by 2031. The high-growth scenario predicts a need for 594 additional rooms. The Travelodge developments at Orchard Park and Newmarket Road, and the present application (none of which is included in the scenario baseline) would together provide 477 additional bedrooms.

The report predicts that the two budget hotels proposed on Newmarket Road (Travelodge and the current application) may open well ahead of market growth, increasing the existing downward pressure on lower-grade hotels and guest houses. The report suggests that better-located and better-quality small hotels and guest houses, and those with a loyal customer base may be less affected, but poorer-quality, less

well-run and less well located establishments may exit the market.

- 8.5 In my view, the shortage of potential city centre sites for hotel development supports the view that hotel development on an edge-of-centre site such as this should be encouraged. Although the report suggests that if future growth in the city does not exceed the medium-level scenario modelled, then little further budget provision beyond this application will be needed to meet demand up to 2031, I do not consider that this is a reason to refuse the present application.
- 8.6 I do not consider that any of the report's findings provide a justification for overriding the allocation in the Cambridge Local Plan (2006). 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.
- 8.7 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 expresses particular anxiety 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.
- 8.8 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.
- 8.9 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 eastern boundary. The proposal also allows for the possibility of vehicular access to other sites fronting Newmarket Road from the eastern end of the application site.

- 8.10 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.
- 8.11 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 the National Planning Policy Framework

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

- 8.12 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.
- 8.13 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.

- 8.14 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.
- 8.15 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.
- 8.16 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.
- 8.17 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.

- 8.18 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.
- 8.19 Provision of land for highway improvement (SPD paragraph 3.2.5): The provision of this strip of land is integral to the proposal.
- 8.20 Aspiration that Newmarket Road become a tree-lined approach to the city (SPD paragraph 3.3.5): This paragraph of the SPD states: 'It is an aspiration of this strategy that these principal routes become a tree lined approach into the city. Further east of the study area, mature London Planes occupy the median strip of Newmarket Road and it is felt an opportunity exists to extend this area of 'green' character westward.'
- 8.21 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 SPD is not specific about whether median or lateral planting of trees is the better option. I am satisfied that the lateral planting proposed in this application represents an acceptable and practical means of establishing the green character sought for this part of Newmarket Road in the SPD.
- 8.22 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.

- 8.23 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.
- 8.24 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.
- 8.25 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, although the applicants have now altered the colour of window frames to grey. Conditions are also necessary, as suggested by the JUDT to control boundary treatments and the access from Henley Way.
- 8.26 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.
- 8.27 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.

8.28 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.

8.29 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 the national Planning Policy Framework.

### **Public Art**

8.30 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 to, 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.

8.31 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 Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

## **Renewable energy and sustainability**

- 8.32 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.
- 8.33 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.
- 8.34 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**

- 8.35 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.
- 8.36 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.

- 8.37 Disability Panel's satisfaction with the amendments made in response to the Access Officer's comments of 10<sup>th</sup> May 2011 is reflected in their positive verdict on the application at the meeting of 1<sup>st</sup> 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**

- 8.38 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.
- 8.39 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

- 8.40 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

- 8.41 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.

8.42 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

8.43 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.

- 8.44 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.
- 8.45 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 of the Cambridge Local Plan (2006).

### **Refuse Arrangements**

- 8.46 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**

- 8.47 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**

- 8.48 The advice of the County Council is that on weekdays, the proposed hotel would generate a lower level of vehicle movements than the existing office use on the site. The hotel use could not therefore be regarded as having a detrimental impact on the transport network on these days. The position on Saturdays is different, however, as the office use would be



expected to generate no vehicle movements at all at weekends. The County Council has therefore examined the predicted traffic generation of the hotel on Saturdays, and particularly during the peak time of 1500-1600hrs. Their advice is that during this hour, the hotel would be expected to generate 16 vehicle movements. Combined with the 31 movements in that hour expected to be generated by the approved hotel development on the opposite corner, at 180-190 Newmarket Road, and the 9 movements from the proposed residential development at 9-15 Harvest Way, this would give a total of 56. This would represent an increase of 0.72% on the 7739 movements in the hour expected on the network in 2018. If the worst-case (and unlikely) assumption is made that all the 56 movements would use Coldham's Lane, this would be a 4% increase on the total using that road in the hour in 2018. These increases are less than the variation which would be expected between one Saturday and another, and are not considered by the County Council to be significant.

- 8.49 The conclusions of this basic analysis of additional vehicle movements are sufficiently unequivocal as to render more detailed analysis unnecessary. However, in order to provide a technical check, the County Council has engaged consultants who have carried out 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 results which emerge from this iterative modelling do not provide any evidence that the proposed hotel on this site, even when taken in conjunction with the residential development proposed on the nearby site at 9-15 Harvest Way and the hotel already approved at 180-190 Newmarket Road, would have any material impact on the transport network, when compared to the 2018 projection without these three developments.
- 8.50 Independent consultants, WSP, were engaged by the City Council to review County Council advice on this application following the concerns which arose over assumptions made in earlier advice.
- 8.51 Having considered the advice of the County Council, WSP are satisfied that this advice is sound in all the following respects:

It identifies the correct periods of time in the week to assess significant transport impact  
It has a realistic understanding of present traffic conditions  
It is based on up-to-date data  
It uses an analysis which properly reflects actual conditions  
It gives proper consideration to existing use on the site  
It includes committed developments in the base figures  
It rests on appropriate predicted traffic generation estimates  
It avoids sole reliance on modelling  
It considers the implications of the advice given  
It reaches a sensible conclusion

8.53 WSP question whether the application of the DfT standard traffic growth percentage is realistic in the Cambridge context, but do not believe this issue is of any relevance to considering the impact of the development. (This view is shared by the County Council, who have provided 2018 traffic level figures both with and without the addition of a growth percentage.)

8.54 WSP also question some technical aspects of the modelling approach adopted, but this does not alter their view that the basic conclusions, arrived at without the use of modelling, are correct.

8.55 I fully appreciate the concerns expressed by local residents about this issue. Confusion has been created by omissions in analyses carried out at earlier stages of the discussion about this part of the transport network and by the discovery that incorrect assumptions had underlain part of the advice given earlier by the highway authority. However, I am satisfied that the basic conclusions of the most recent advice from the County Council, which has been reviewed by independent consultants, is correct, and that, regardless of any shortcomings in the modelling techniques used as a technical check on the County's conclusions, the number of vehicle movements generated by the proposed development is likely to be so small when compared to overall traffic flows that neither its impact nor the cumulative impact of the three adjacent development sites taken together, would be significant.

8.56 I am aware that transport advice given at an earlier stage in the lengthy planning history of this part of Newmarket Road has suggested that new development should be permitted only if it produced 'nil detriment' on the highway network. Furthermore,

paragraph 8.7 of the Cambridge Local Plan (2006) states that in areas of the city where traffic congestion is particularly high, the council may seek a zero increase or reduction in traffic generation through any proposed redevelopment, although Policy 8/2 itself (to which paragraph 8.7 is supporting text) states only that developments will only be permitted if they do not have an 'unacceptable transport impact'.

- 8.57 I recognize that the junction of Coldhams Lane and Newmarket Road is at times a highly congested part of the highway network, and that this causes inconvenience and frustration to local residents, commuters, businesses in the area and visitors. I do not, however, accept the view that this fact makes it unacceptable to permit any development here which generates any vehicular traffic. I do not believe it is reasonable to suggest that the much-desired redevelopment of this site (or its two neighbours to the west) could take place without the generation of any vehicle movements, and I consider that the quest for a 'zero-traffic-generation' solution here is unrealistic. I do not consider my position to be in conflict with local plan policy, and in my view, the following factors must be taken into consideration when assessing the transport impact of this proposal:

This is an allocated site in the local plan, and hotel use is one of those indicated as desirable (other uses in the allocation would be likely to generate higher levels of traffic).

The existing building could at any time be refurbished and used as an office. The extent of car parking space on the site means that this use would generate considerable vehicle movements on weekdays. This existing use must be accepted as the base level, which means that the proposed use would almost certainly secure a reduction in traffic flows at all the weekday peak hours when compared to the potential flows from the existing use.

The proposed development will be required to make contributions to transport improvements in the city, which will have a positive impact on the network.

- 8.58 The County Council's advice is that the proposal is likely to add a small number of vehicle movements to the predicted future flows in the local area. I share the highway authority's view that

this does not constitute an unacceptable transport impact. Subject to the conditions and planning obligations recommended by the highway authority, it is my view 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**

- 8.59 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
- 8.60 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.
- 8.61 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**

- 8.62 There are existing trees on the site, and the Principal Arboricultural Officer raised concerns that no information relating to the existing trees had been submitted with the application. The applicants have since submitted a tree survey, which indicates that none of the trees on site is of great quality. In my view, the trees on the site do not have significant amenity value, and their loss would more than be compensated for by the proposed planting on the Newmarket Road frontage.

### **Third Party Representations**

- 8.63 I have addressed the issues relating to design in paragraphs 8.14 to 8.17 above, tree planting in paragraphs 8.20-8.22, need in paragraphs 8.3 to 8.6, the entrance in paragraphs 8.14, 8.15 and 8.27, neighbour amenity in paragraphs 8.38 and 8.39, the issues relating to coordinated development in paragraphs 8.7-8.10, and the issues relating to traffic in paragraphs 8.48-8.58.

### **Planning Obligations**

- 8.64 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.

8.65 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

8.66 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

Funding of additional traffic management works

Hotel transport management plan

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

8.67 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

8.68 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.

- 8.69 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

- 8.70 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

- 8.71 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 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 30<sup>th</sup> September 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)

### **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: policies SS1, T1, T2, T9, T14, ENV7, ENG1 ;

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

Cambridge Local Plan (2006): policies 3/1, 3/4, 3/6, 3/7, 3/8, 3/12, 3/13, 4/4, 4/13, 4/14, 6/3, 8/1, 8/2, 8/3, 8/6, 8/8, 8/9, 8/10, 8/16 and 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](http://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 on the City Council website at: [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or by visiting the Customer Service Centre at Mandela House.

Advice of the highway authority (11<sup>th</sup> June 2012)

### **Redevelopment of Intercell House as a 121 bedroom hotel with restaurant and bar, car park and works to the public realm/highway - Local Highway Authority comments on Planning Application C/11/0338/FUL**

#### **1. Overview**

Cambridgeshire County Council, as local highway authority, has no objection to the principle of this proposal. The reason for this view is that the increased number of vehicle movements in the peak hour as a result of the development (Saturday afternoon, 15:00 to 16:00) will be negligible and therefore will have no material impact on traffic flows in the vicinity.

Although a detailed traffic modelling exercise has been conducted as part of this work, this is not relied upon to reach this position and has been used only as a check on the validity of the conclusion. This shows that travel times and congestion will not materially be affected by this proposal (nor, indeed, the other two developments). The increases in traffic are small and lie within the daily, weekly, and seasonal variations currently experienced.

This note should be read in conjunction with the technical study undertaken for the County Council by Atkins, from which some of the detailed figures are obtained.

#### **2. Parameters for assessment of traffic impact**

The generally recognised practice in assessing traffic impact of a development is first to identify the incremental increase in traffic movements as a result of development and then to model that impact should it be considered to be material. There is no set level of materiality, but generally above a 5% increase would be considered to be material and lower percentages could apply in heavily congested areas. Impact needs to be considered over different time periods as traffic patterns vary between different development types. It is also a generally accepted principle of traffic assessments that the existing permitted uses of land need to be taken into account and only increases in traffic over what those land uses could generate should be considered for the purpose of the impact assessment.

In summary, the process for assessing the impact of development is as follows:

- 1 – identify the amount of traffic on the road network surrounding the development immediately prior to the planning application being made. This could be through traffic counts of factoring up traffic counts made previously;
- 2 – factor this traffic up to a design year, normally 5 years hence;
- 3 - identify the traffic that will be generated by other committed but not built developments in the area. Add this traffic onto the road network;
- 4 – add the traffic likely to be generated by the proposed development. Compare this to the already consented uses on the site if there are established uses;
- 5 – identify if the percentage and numerical impact of that traffic can be deemed significant;
- 6 – if so, model the impacts and identify any mitigating transport measures that are needed;
- 7 – recommend on the acceptability of the development.

The work undertaken by the County Council accords with these parameters.

### **3. Existing Use of the Site**

Intercell House has an existing office use that would, if reinstated, generate more traffic movements during the working week than a hotel use. Although in its current condition, reoccupation of the offices would appear unlikely, refurbishment and reoccupation could take place without further reference to the Planning Authority or need for a further Planning Permission.

Weekday traffic generation from the proposed hotel use of the site will be negligible in comparison with the permitted office use. Although there may be slightly different patterns of traffic distribution between a hotel use and an office use, this is not considered to change this conclusion. On this basis, the Council concludes that there is no reason to object to this planning application on the basis of weekday traffic generation.

During the weekend, a hotel on the site will, however, generate more traffic movements than the current office which it could be assumed would be closed at this time. The peak of traffic on the road network would be between the period 15.00 – 16.00 on a Saturday afternoon as identified by traffic counts in the vicinity of the site and the impact



of generated traffic from the hotel use in that time period has therefore been examined.

#### **4. Base traffic and generated traffic from developments**

The total number of trips on the surrounding road network between 15.00 and 16.00 on an average Saturday afternoon in the base year of 2011 (compiled from 2009 figures and checked with counts in 2011) is 7,337. This number is forecast to increase to 7,739 by 2018 based upon growth rates from the DfT Temprow growth forecasts.

The additional trips that would be generated by other committed developments in the area (the Travelodge and Eastern Gate residential development) over the same time period equate to 31 and 9 vehicle movements respectively meaning that the total increase in traffic from these developments is 40 vehicles in this time period.

The forecast increase in traffic as a result of the current planning application is 16 vehicles within this time period meaning that the total increase from the three committed and proposed developments in the area is 56. This equates to a 0.72% increase in traffic at the junction as a whole.

These figures are summarised in table 1.

At 0.72%, the County Council considers that the increase in trip numbers from this development is not material and is below the likely normal daily variation in traffic levels in this area. The extra 56 trips in the study hour represents fewer than one extra vehicle per minute, and the vehicles could be on any of the approaches in the studied network.

Looking at individual arms of the junction, the greatest impact will be felt on Coldhams Lane. Assuming each site is directly accessed from, and must use, Coldham's Lane (which is very much a worst case assumption and is not the case since the Travelodge and the residential site both access around the back off Harvest Way/New Street and hence a fair proportion of traffic will emerge onto East Road near the court building) then the percentage increase would be around 4%. Again, the County Council's view is that this does not represent a material increase.

On this basis, the local highway authority could not sustain a highways objection to the Intercell House hotel proposal. This is based on the very limited impact the development would have.

**Table 1 - Base and forecast traffic from developments in the area**

<b>Scenario</b>	<b>Trips on Modelled Network (Sat pm 1500-1600)</b>		
	Number of Trips	Cumulative increase over DM0	% increase over DM0
Total Trips in Base Year 2011	7,337		
Total trips in Design Year 2018 (DM0)	7,739		
Travelodge Development	31		
Residential Development	9		
Premier Inn Development	16		
All Developments	56		
Trips predicted in 2018: DM0 plus Travelodge	7,770	31	0.40%
Trips predicted in 2018: DM0 plus Travelodge plus Eastern Gateway Residential	7,779	40	0.52%
Trips predicted in 2018: DM0 plus Travelodge plus hotel on Intercell House site	7,786	47	0.61%
<b>Trips predicted in 2018: DM0 plus all three developments</b>	<b>7,795</b>	<b>56</b>	<b>0.72%</b>

## 5. The Paramics Study

To supplement this work, the Council has also commissioned Atkins to undertake modelling using a micro simulation package called Paramics. Paramics is widely used for studies of this type. Paramics is a network based traffic assignment model able to model the

performance of all junction types in considerable detail with an accurate geometric spatial representation of the road environment. It is the most intensive form of traffic modelling available for congested networks.

Although with the levels of traffic increase forecast, this is not strictly necessary, it has been undertaken as a technical check on the conclusions drawn based upon the numerical increase in traffic.

The base traffic numbers above were input, and the model analyses the effect of the traffic on the highway network by an iterative process designed to reach reliable output information about journey times and traffic delays. Some of the runs of the model will produce longer trip times, some shorter, but the model works out a reliable average figure by reiterating the process until reasonable convergence is reached.

The output of the study shows that growth in background traffic on the Newmarket Road corridor through to 2018 will have an effect on travel times, speeds and congestion that far outweighs the effect of any - or all - of the three developments.

The study confirms that the impact of the two committed developments at 2018 is negligible. The modelling also shows that, with all three sites developed, congestion is reduced slightly. This counter-intuitive result occurs because of the way in which the traffic from the development sites works to assist the operation of the Coldham's Lane/Newmarket Road junction in Saturday afternoon traffic conditions. This work was summarised in the technical report issued to the City Council.

Because this output is counter-intuitive, and in order to ensure that the study outputs are credible, a further assessment of the total vehicle hours recorded on the network within the assessment hour was undertaken subsequent to the issue of the Paramics report to the City Council. In examining the output of the model in this way, no clear evidence was found that any of the four development options considered (i.e., each of the three individually, and all three together) have any material effect when compared to the 2018 base network (DM0).

## **6. Recommendation**

The local highway authority makes no objection to the proposal on the basis of impact on the local highway network and recommends that

any planning permission should be subject to a Section 106 agreement securing:

- a contribution of £141,865 contribution towards the Eastern Corridor Area Transport Plan
- dedication of frontage land and works on the land as indicated in the application
- funding for the additional traffic management works
- formulation, ongoing monitoring, and implementation of a hotel transport management plan.

Standard planning conditions relating to access, turning and parking, and lighting should be appended to any permission granted.

**Cambridge City Council  
Design & Conservation Panel**

**Notes of the relevant item of the meeting Wednesday 8<sup>th</sup> 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.

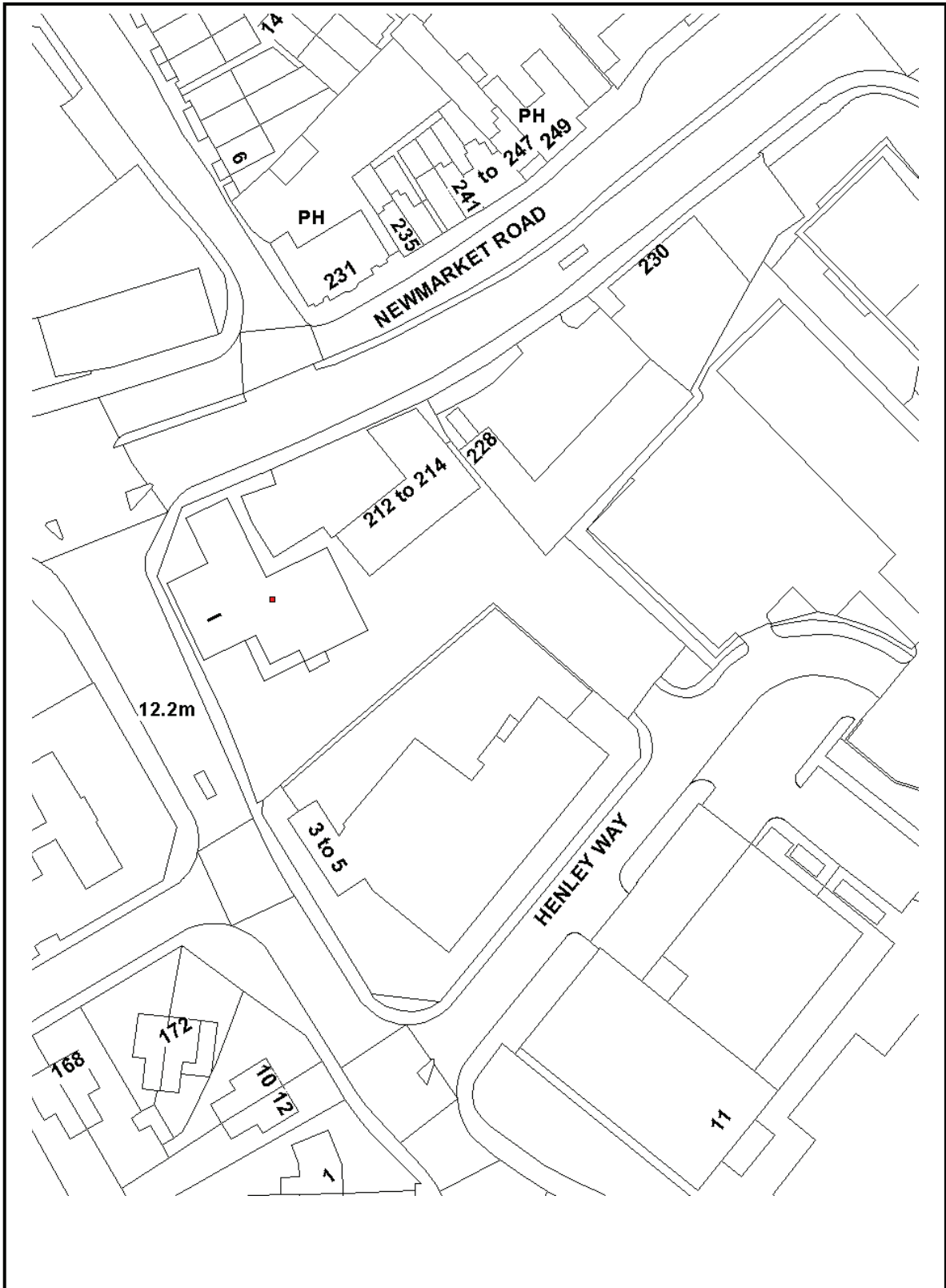
Solar panels. It is proposed that these be mounted flat, rather than angled, and the Panel thought this would greatly reduce their performance.

### **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.

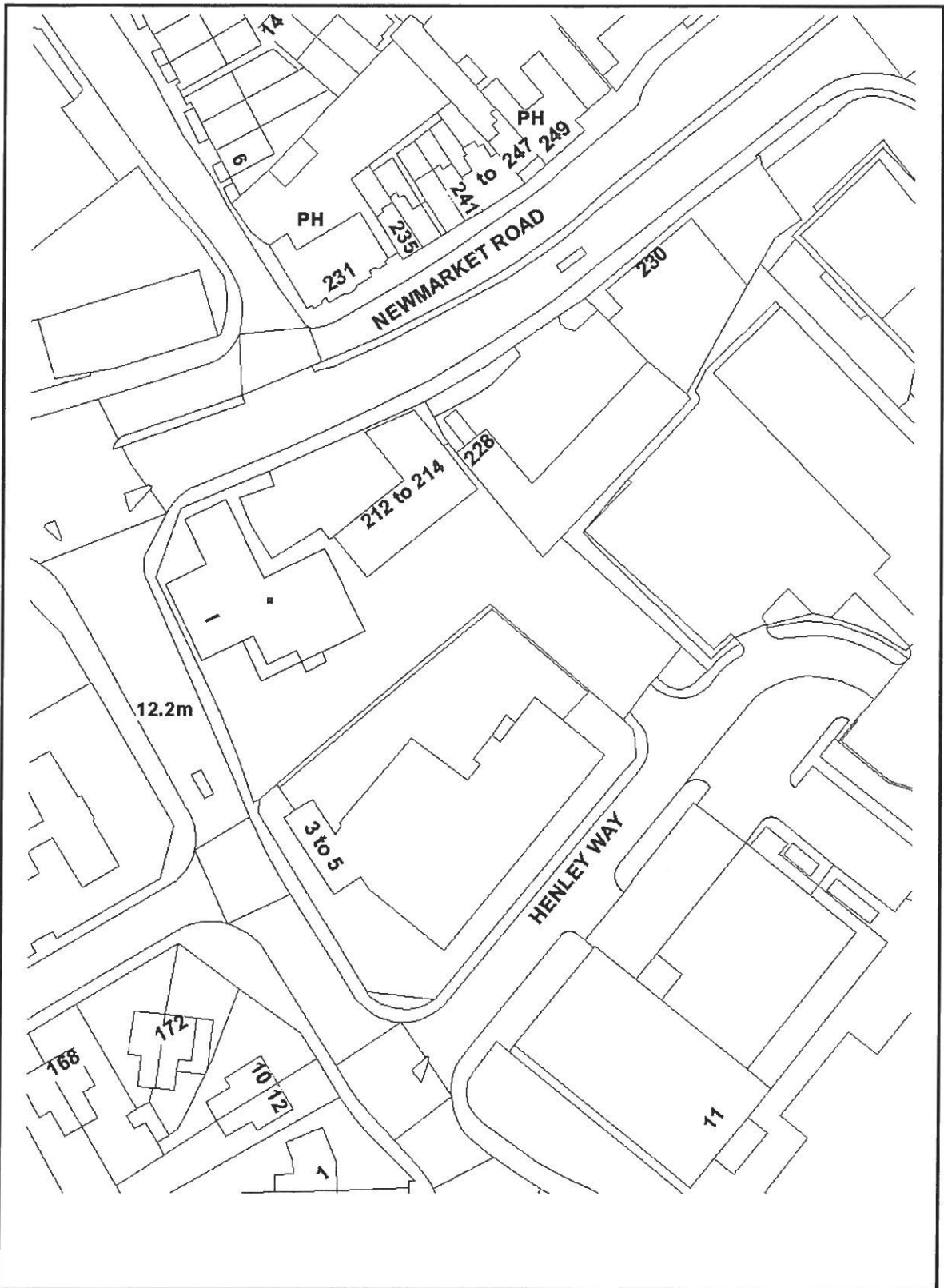
The City Council's Visioning Document allows for a development of this corner with a building even taller than the Travelodge proposed for the opposite side of Coldham's Lane. The Panel feels however that a smaller-scale hotel designed with particular attention to the detailing, would result in a more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

**VERDICT – AMBER (unanimous)**

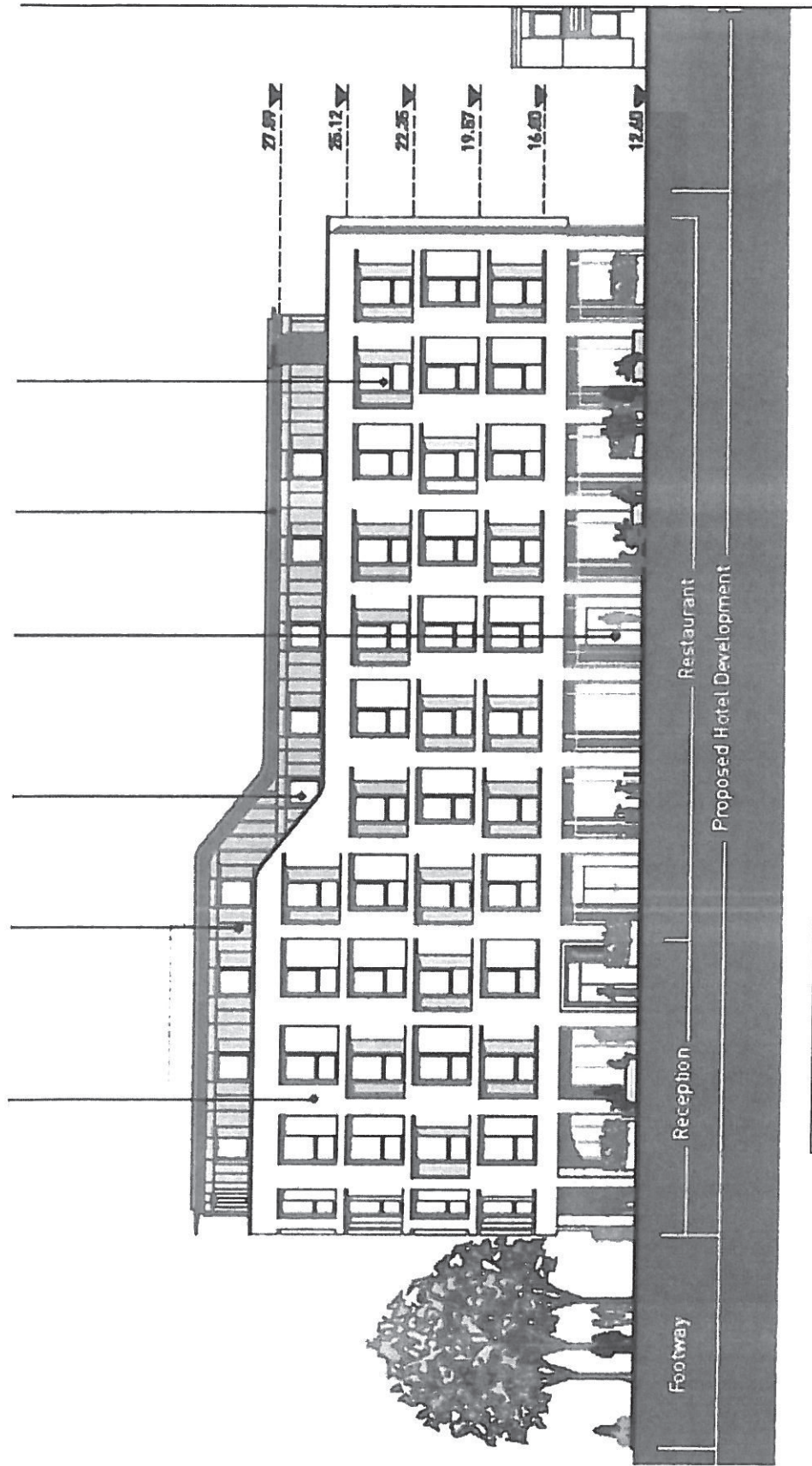


**11/0338/FUL**  
**Intercell House 1 Coldhams Lane Cambridge**



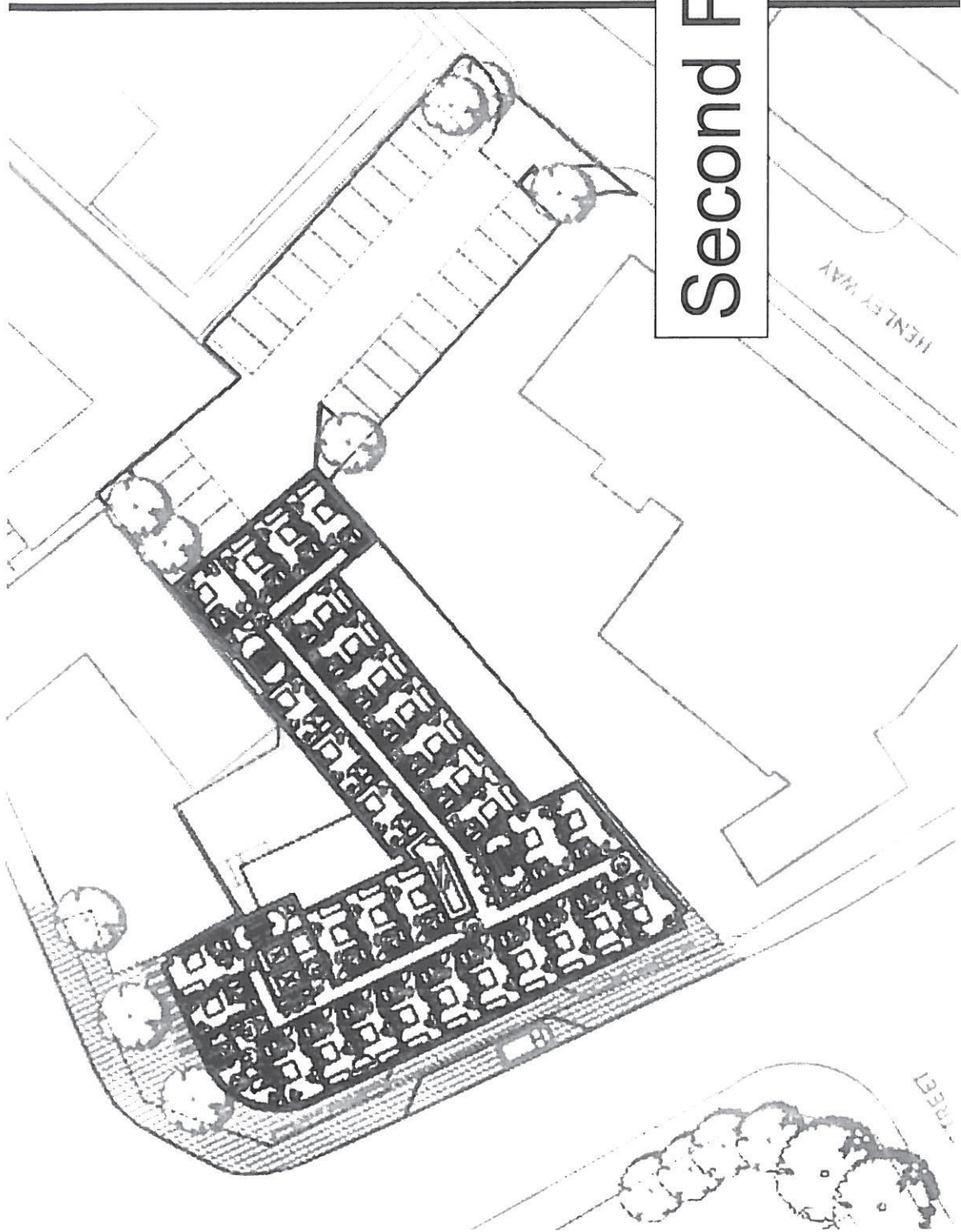


**11/0338/FUL**  
**Intercell House 1 Coldhams Lane Cambridge**

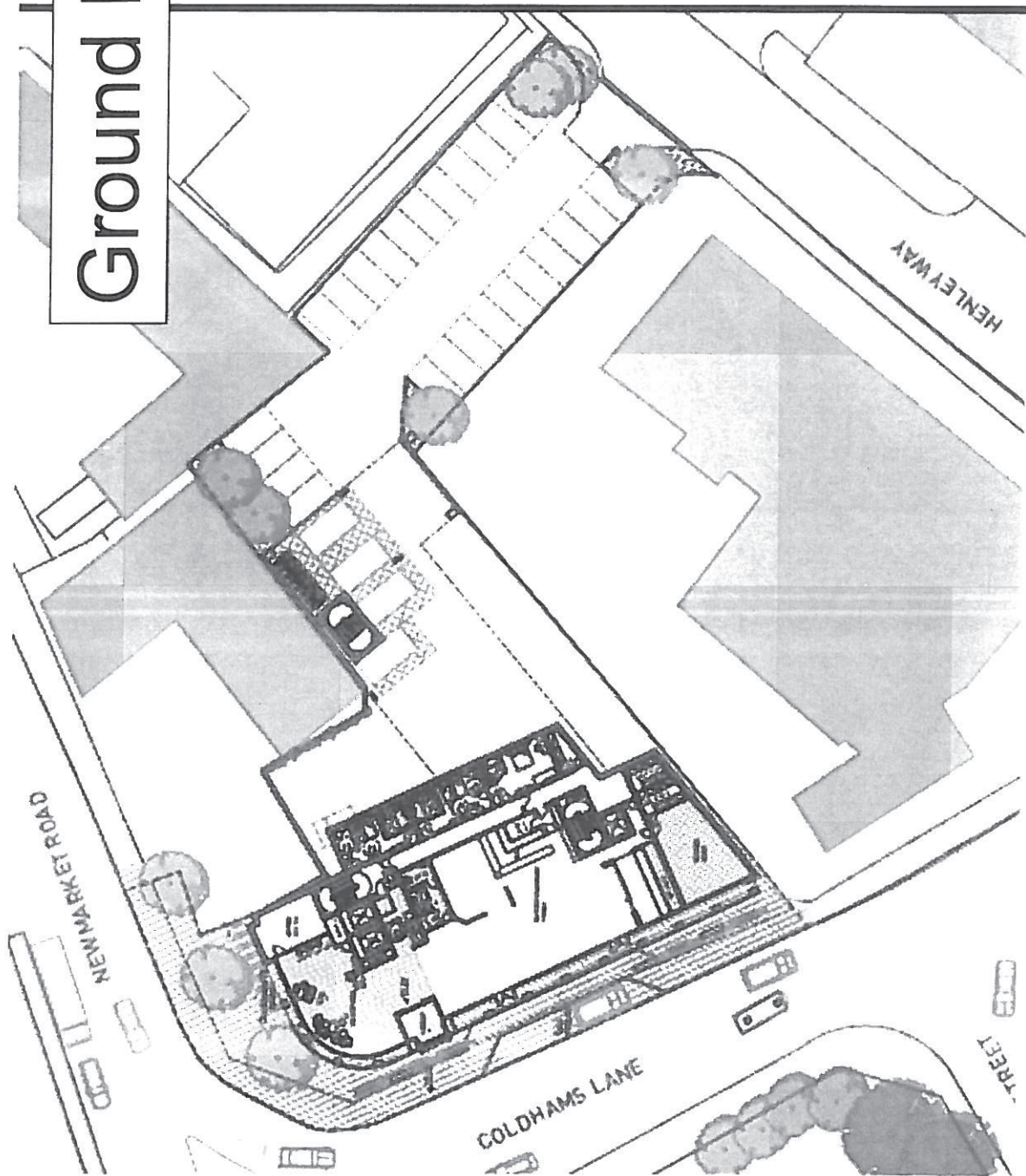


# Coldhams Lane Elevation

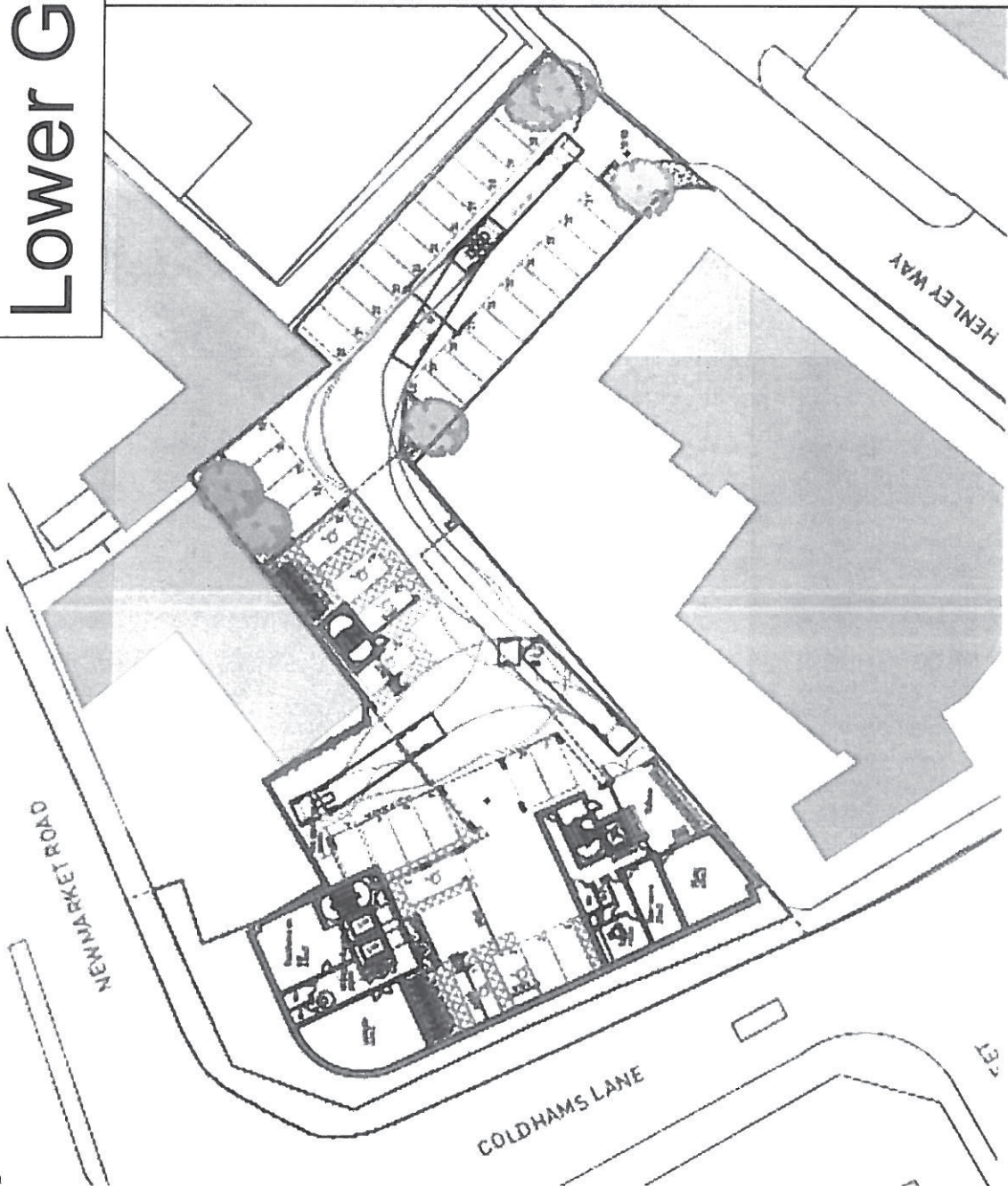
# Second Floor



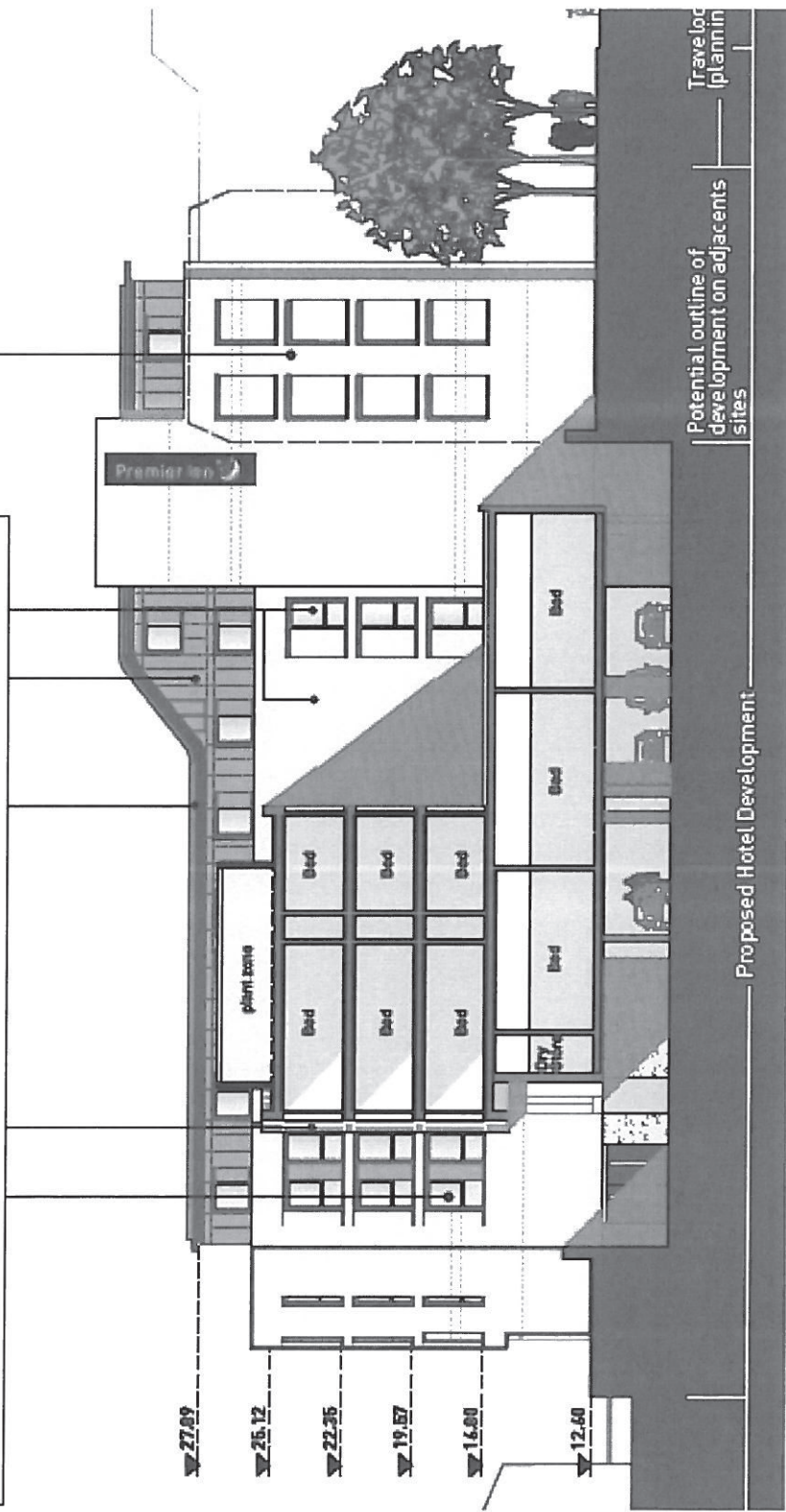
# Ground Floor



# Lower Ground Floor



# North-South Section



<b>Application Number</b>	12/0489/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	17th April 2012	<b>Officer</b>	Mr Toby Williams
<b>Target Date</b>	17th July 2012		
<b>Ward</b>	Petersfield		
<b>Site</b>	Former Cambridge College For Further Education 23 Young Street Cambridge Cambridgeshire CB1 2NA		
<b>Proposal</b>	Construction of three new buildings within Use Class D1 for non-residential educational and training use, following demolition of all buildings on the site except the Ragged School.		
<b>Applicant</b>	Bishop Hall Properties Bishop Hall Lane Chelmsford Essex CB2 8PA		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The previous reason for refusal relating to the impact on Brunswick Nursery has been overcome through the revised design of the building</p> <p style="padding-left: 40px;">The revised design does not raise any new issues in terms of design or amenity</p>
RECOMMENDATION	APPROVAL

## 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 (2011).

## **2.0 THE PROPOSAL**

2.1 The application seeks planning permission for the:

-demolition of all existing buildings except for the Ragged School.

-construction of three new buildings for educational and training use (D1).

2.2 The application is a revised scheme following an earlier refusal of its predecessor ref. 11/1169/FUL. It is substantially the same except in its relationship to Brunswick Nursery School. It is accompanied by the original supporting documents and a series of supplemental statements and addendum documents which explain the revised proposal. These are as follows

1. Planning Statement (+Supplemental Statement)
2. Design and Access Statement (+Addendum)
3. Significance Assessment



4. Heritage Impact Assessment (+Supplemental Statement)
5. Transport Statement (+ Addendum)
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

- 2.3 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. It seeks 4,995sqm of new D1 floorspace in total.
- 2.4 Phase 1 is located alongside New Street and seeks to provide the Nursing Faculty. This includes classrooms, administration space and mock-wards. The refurbishment of the Ragged School for educational use, which is subject to a separate planning permission for external alterations, is expected to take place alongside the construction of phase 1.
- 2.5 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.
- 2.6 Phase 3 adjoins phase 1, extending the built form eastwards along New Road, terminating at Sturton Street. This includes administration space. This phase backs onto the Brunswick Nursery School and has been the subject of revisions following the refusal of planning permission.
- 2.7 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.

### 3.0 SITE HISTORY

3.1 The decision notice for the previously refused application 11/1169/FUL is attached to this report as Appendix 1.

### 4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes
Member Briefing (14 March 2012)	Yes

### 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
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, 5/11, 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

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012</p> <p>Circular 11/95</p> <p>Community Infrastructure Levy Regulations 2010</p>
<p>Supplementary Planning Documents</p>	<p>Sustainable Design and Construction</p> <p>Waste Management Design Guide</p> <p>Planning Obligation Strategy</p> <p>Public Art</p> <p>Eastern Gate</p>
<p>Material Considerations</p>	<p><u>Central Government:</u></p> <p>Letter from Secretary of State for Communities and Local Government (27 May 2010)</p> <p>Written Ministerial Statement: Planning for Growth (23 March 2011)</p>
	<p><u>Citywide:</u></p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm</p>

	<p><u>Area Guidelines:</u></p> <p>Eastern Corridor Area Transport Plan</p> <p>Buildings of Local Interest</p> <p>Conservation Area Appraisal:</p> <p>Cambridge Historic Core</p> <p>Mill Road Area</p>
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## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

- 6.1 No objection: As the floorspace of the development has reduced there are no significant additional issues other than those raised previously. The proposed alterations to the New Street/St Matthew's Street junction and the reconfiguration of New Street parking bays and provision of landscaping should be subject to a safety audit and publicity. The cost of the detailed design of these schemes and their implementation should be borne by the developer. The design of the service bay access and disabled bay are appropriate. Various conditions are proposed.

### Cambridgeshire County Council (Sustainable Communities)

- 6.2 None received: Previously the County were in agreement with the detail of the submitted Transport Statement and concluded that ECATP payments were 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 and noise from plant.

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 or investigation 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: Seeks justification for the size and layout of the bin storage area. These have been subsequently provided by the applicants. No further comments have been received.

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

- 6.4 No objection: The revised application is supported. The amended eastern stair core addresses the reason for refusal for the previous application. The team remain disappointed that the link bridge between phases 1 and 2 has not been removed. The team are supportive of the amendments to the cycle parking and additional pedestrian and cycle access point from Sturton Street. A number of conditions are recommended.

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

- 6.5 None received: Previously the officer advised that the Energy Strategy Report was 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 Policy**

- 6.6 None received: Previously advised the principle of the use for higher education purposes is compliant with Local Plan, regional and national planning policy guidance.

### **Access Officer**

- 6.7 A number of concerns have been listed. These include the width of the pavement to the Ragged School entrance, the placement of the main entrance, internal arrangements such as

desk heights, door openings, hearings loops and wheelchair access. The applicants have responded to these concerns, which have been forwarded to the Access Officer for further comment. The issues have been partly addressed through the resubmission and, internally, are to be addressed as part of the detailed design. Further comments from the Access Officer are awaited and will be reported on the amendment sheet or orally at the Committee meeting.

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

- 6.8 The amendments to the scheme are generally supported. The landscaping team are disappointed that cycle parking has been re-introduced into the courtyard area. Various suggestions for revised tree species are proposed. The indicative proposal to include street trees along New Street is supported. Various conditions are proposed regarding hard and soft landscaping and landscape maintenance.

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

- 6.9 None received: Any comments will be reported on the amendment sheet or orally at the Committee Meeting

### **Head of Streets and Open Spaces (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. A condition is recommended to ensure that a surface water strategy is submitted and approved in writing by the LPA to achieve a minimum 20% reduction in surface water discharge leaving the site, in accordance with the Council's Strategic Flood Risk Assessment.

### **Environment Agency**

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

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

- 6.12 None received: Previous advice was that due to previous ground works relating to the existing buildings on the site and damage during WW2, there is little archaeological potential. There were no archaeological recommendations.

### **Design and Conservation Panel (Meeting of 14 December)**

- 6.13 The Panel were not re-consulted on the current application, as there are no significant design issues arising. The conclusions of the previous Panel meeting(s) were as follows:

The Panel gave the Overall strategy for the application - GREEN (9), AMBER (1) with 1 abstention and the construction and delivery of strategy – GREEN (7), AMBER (3) with 1 abstention. The remaining concerns relate to the following.

*Phasing:* Phase 1 might remain flanked by the open space towards Young Street for some time. Appearance of the first phase of the project should be explored in more detail, particularly along the boundaries of the site. Officers have responded to this concern through the imposition of condition 11 which covers temporary boundary treatments

*Temporary cycle parking provision:* The Panel were troubled at the prospect of a view of a sea of bicycles on the corner of Sturton Street and New Street at this point until the completion of Phase 3. Officers have responded to this concern through the imposition of condition 15, which covers temporary cycle parking provision.

*Landscaping (corner of Young Street and St Mathews Street):* The Panel suggested the incorporation of the existing neglected planting on this corner in order to provide trees and a more joyful form of landscape. The applicants have expressed an interest in improving this corner. This could form part of the New Street/St Matthew's Street public realm improvements sought through the S106.

*Raised lecture theatre (Phase 2):* The Panel expressed some concern at the scale and volume of the block and in particular the dominant character of the louvers at roof level. It was not clear from the presentation whether the design team had

considered the appearance of the building at night. Officers consider the scale and massing appropriate. Detailed elements of design are covered by conditions 2-10 (lighting of the scheme condition 5).

The relevant section of the minutes of the Panel meeting are attached to this report as Appendix 2

### **Disability Consultative Panel (Meeting of 9 November 2011)**

- 6.14 Previous advice raised concerns regarding access to the lecture theatre via the proposed footbridge, the width of Young Street footpath and suggestions for the provision of internal fittings and fixtures to improve the accessibility of the buildings. The Panel would welcome seeing the application again at the detailed design stage. Subsequent revisions to the scheme introduced a lift in phase 2, and made various parking and highways improvements including the widening of the pavement on Young Street to address the concerns raised.
- 6.15 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

### *In support*

- 10B Abbey Street
- 22 Hanover Square, London (on behalf of the Crown Court, East Road)
- Brunswick Nursery School, Young Street

### *In objection*

- 121 York Street
- 11 Petworth Street



## 7.2 The representations can be summarised as follows:

### Design

#### *In support*

- The design is brave
- The design and scale are appropriate
- The New Road chimneys (stack ventilation), which echo Trinity Lane, are supported
- The copper clad lecture theatre fits alongside the court building

#### *In objection*

- The design would harm the character and appearance of the Conservation Area.
- The proposal is an over-development
- 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 permission should be conditioned to ensure copper is used.
- The design is 'industrial' in appearance
- The tower should be clad in a softer material such as timber rather than copper.
- The entrance needs breaking up with more fenestration
- The roofscape is bulky, complicated and will overpower Young Street residents
- The overall design lacks proportion and finesse.

### Privacy

- The meeting room on the third floor of the north elevation should be obscure glazed to prevent overlooking into the court rooms. This should be conditioned

### Impact on Brunswick Nursery School

- After due consideration of the new plans submitted by Anglia Ruskin University, the Brunswick Nursery School have agreed that there is no objection to the plans.

## Other

- The lack of car parking will return the vibrancy to New Street and surrounding roads.
- The proposed road improvements are welcomed
- The return of the site to educational use is supported
- The surrounding roads would become more congested
- 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 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 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.

7.6 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 planning 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

8.2 Most of the issues as set out in the report remain unaltered in terms of their planning merits. The main consideration for Members will be whether the revised plans have adequately addressed the previous reason for refusal relating to the impact of the scheme on the Brunswick Nursery. Paragraphs 8.55 – 8.66 deal with the substance of the revisions and how these impact on the Nursery. When considering the merits of this application, Members should be conscious that it could be considered unreasonable to introduce new reasons for refusal relating to elements of the scheme which remain unaltered from the previous proposal.

### **Principle of Development**

8.4 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.

8.5 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.

8.6 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.

8.7 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 (which provides marginally less floorspace than previously proposed under 11/1169/FUL). 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.

- 8.8 The NPPF provides a broad policy basis for supporting the proposed usage. Paragraph 20 encourages the positive planning of clusters of knowledge-based industries, such as that proposed.
- 8.9 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.
- 8.10 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.
- 8.11 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 the 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.
- 8.12 In conclusion 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**

8.13 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

8.14 The layout allows for four access points (one more than previously proposed) into the central courtyard, which provides an appropriate level of permeability across the development. Most students would access the buildings via the internal courtyard entrance into phase 1.

8.15 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.

8.16 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.

- 8.17 I note the concerns raised by Urban Design and Conservation 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 aesthetically desirable, they are not necessary in order to grant planning permission.
- 8.18 In terms of cycle access, provision has been made for 276 cycle parking spaces. These are mostly located within the ground floor of phase 3 but partially extend into a small courtyard area to the west. Phase 3 has been redesigned so that the eastern stair core footprint has been reduced in length and moved off the boundary with the Nursery School. This has created an additional access for cyclists to store their bikes and for pedestrians to enter the internal courts from Sturton Street. This overcomes previous concerns regarding impracticalities of all cycle access through the central courtyard space. I recommend condition 15 to ensure the entrance to phase 3 by bicycle incorporates a ramp.

### Scale and Massing

- 8.19 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.

- 8.20 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 and the Court Building.
- 8.21 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.
- 8.22 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.
- 8.23 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 (which is 19m high) 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.
- 8.24 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 a third party considers 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 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 note that phase 3 has now been pulled away from the boundary with the Nursery by 1.4m thus further reducing the impact of this part of the scheme on Sturton Street. I consider the relationship of scale to be acceptable.

- 8.25 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

- 8.26 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.
- 8.27 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 20<sup>th</sup> 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.
- 8.28 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 third party responses are divided as to 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.

8.29 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.

8.30 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 robust.

#### Landscape and Public Realm

8.31 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.

8.32 Previous amendments to the earlier application 11/1169/FUL removed cycle parking from the central courtyard space and placed most of it within the ground floor of phase 3, which was previously set-aside as office space. An attractive seating area

within the central lawn was provided in place of the cycle racks. This greatly improved the setting of the new buildings and the Ragged School.

- 8.33 The current plans retain most of the cycle parking within the ground floor area of Phase 3 and the central courtyard space. However, as a result of revisions to this phase - which have narrowed the footprint, pulling the building away from the Nursery School and provided a new access point from Sturton Street - some cycle parking storage has crept into a small ancillary courtyard area. The Council's Landscaping team have raised a minor concern with regard to this change. In my opinion, the revised ground floor plan represents a positive response to a previous refused scheme and improves access to the cycle storage more generally. In the round, this represents an improvement and whilst I recognise that a small area of courtyard space has been turned over to cycle parking, the benefits of the changes far outweigh the marginal loss of external amenity space.
- 8.34 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. 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 agree with the concerns raised.
- 8.35 The applicants have taken on board the third party concerns and the requirements of the Eastern Gate SPD and included within the 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.
- 8.36 The County Council Highways Officer has advised that the proposed alterations to the New Street/St Matthew's Street junction and the reconfiguration of New Street parking bays and provision of landscaping should be subject to a safety audit and

publicity. The cost of the detailed design of these schemes and their implementation should be borne by the developer

8.37 I agree with this advice and intend to seek a more detailed scheme, in accordance with the guidance in the Eastern Gate SPD, as a S106 obligation. This could either be a standalone public realm improvement for the New Street/St Matthews Street area or form part of a jointly funded scheme through monies collected through S106 agreements in the area.

8.38 Subject to this provision, I am satisfied that the proposed development accords with polices 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

8.39 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

8.40 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

8.41 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**

8.42 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.

8.43 The applicants have clarified in their latest submission that the appointed artist will be requested to consider the brick elevation on the eastern core facing the Nursery as a potential location for public art. I agree that this could represent an exciting opportunity for the artist to work with the school. The application is fully supported by officers and complies with the Public Art SPD.

8.44 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**

8.45 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.

- 8.46 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.
- 8.47 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.
- 8.48 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.
- 8.49 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**

- 8.50 Both the Disability Panel (under application 11/1169/FUL) and the Council's Access Officer have raised a number of detailed issues regarding disabled access.
- 8.51 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, in particular the lecture theatre.
- 8.52 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. The applicants have confirmed that the internal detailed design will provide a desk at reception of 750mm high with a separate, higher writing shelf, as well as recessed new space for wheelchair access. Measures such as open out toilet doors, hand rails and hearing loops will be dealt with as part of a detailed internal fit out. The 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.
- 8.53 I will report any further comments from the Access Officer on the amendment sheet or orally at the meeting but in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Impact on Amenity of Neighbouring Occupiers**

### *Young Street*

- 8.54 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.
- 8.55 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 2<sup>nd</sup> 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 after 21.30 hrs.

### *Brunswick Nursery*

8.56 The previous application was refused for the following reason:

‘The proposed development, by virtue of the visually overbearing and enclosing impact that would result to the Brunswick Nursery School, would have an adverse impact on the level of amenity that the staff and pupils of that facility could reasonably expect to enjoy. In so doing the development fails to respond successfully to its context and would not have a positive effect on its setting. The development is therefore contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan 2006.’

8.57 The refusal of planning permission related to an objection from the nursery relating to the height and bulk of the phase 3 building, its overall massing and dominance.

8.58 In relation to the revised scheme, the applicants have sought to address the reason for refusal by reducing the length of the eastern stair core on its southern flank from 14.5m to 10.5m. The eastern stair core has also been moved off the boundary with the nursery by 1.4m to the north, which has marginally narrowed the overall width of phase 3 at ground and first floor levels by 1m. A small area of landscaping is also now proposed adjacent to part of the Nursery boundary. As such, the mass of brickwork adjacent to the Nursery has been reduced, the proximity of the phase 3 improved and its impact mitigated by limited planting. A number of supporting plans illustrate the differences between the old and new schemes.

8.59 The applicants considered alternative options for revision of phase 3, such as reducing the height of the proposal, but this was rejected as unviable and of limited value in terms of improved amenity.

- 8.60 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 2<sup>nd</sup> floor façade from the boundary with the nursery (this does not represent a change from the previous scheme). 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.
- 8.61 The revisions to the scheme improve the relationship between the Nursery and the building. After due consideration of the new plans submitted by Anglia Ruskin University, the Brunswick Nursery School have agreed that there is no objection to the revised plans.
- 8.62 Notwithstanding the revisions and the lack of an objection from the Nursery, I still consider the impact on the garden of the nursery to be a balanced judgement, especially given the consistent height (13.5m) and length (51m) of the phase 3 building, neither of which have changed with the revised scheme.
- 8.63 Weighing up these issues and in light of the lack of an objection from Brunswick Nursery, as before 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 the details of 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.
- 8.64 As part of its previous response to application 11/1169/FUL the nursery also raised a number of issues with the proposed scheme. They sought 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.

- 8.65 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 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.
- 8.66 The nursery 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.
- 8.67 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**

- 8.68 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.
- 8.69 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12, 4/13 and 4/14.

## **Highway Safety**

- 8.70 An indicative scheme has been 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 other developments within the Eastern Gate SPD area. This would be through a S106 agreement.
- 8.71 The County Council Highways Officer has advised that the proposed alterations to the New Street/St Matthew's Street junction and the reconfiguration of New Street parking bays and provision of landscaping should be subject to a safety audit and publicity. The cost of the detailed design of these schemes and the responsibility for their implementation should be borne and undertaken by the developer.
- 8.72 I agree with this advice and intend to seek a more detailed scheme, in accordance with the guidance in the Eastern Gate SPD, as a S106 obligation. This could, if other sites come forward, form part of a jointly funded and more comprehensive scheme by monies collected through S106 agreements within the influence of the SPD, but in the first place would be sought as standalone improvements delivered in their totality under the S106 from this site.
- 8.73 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

- 8.74 Full provision of cycle parking has been made through amendments to the scheme in accordance with adopted standards. This amounts to 276 cycle parking spaces. The bulk of the provision is within the ground floor of phase 3 at the eastern end of the site.
- 8.75 Condition 15 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 high quality.

- 8.76 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.
- 8.77 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.
- 8.78 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.
- 8.79 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.

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

### **Third Party Representations**

- 8.81 The Crown Court has asked that the meeting room on the third floor of the north elevation should be obscure glazed to prevent overlooking into the court building. They have requested for this element to be conditioned. The applicants have agreed to this request and I have recommended condition 22 accordingly.
- 8.82 All other third party representations have been covered in the relevant sections of the report relating to context and design, renewable energy, highway safety and car and cycle parking.

### **Planning Obligations**

- 8.83 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

8.84 The development is required to make provision for public art and officers have recommended in this case provision for public art should be made on site. This needs to be secured by the S106 planning obligation.

8.85 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

8.86 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

8.87 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 8.66-8.68)

-New Street/St Matthew's Street junction improvement (see paragraphs 8.66-8.68)

-Extension of the existing ARU Travel Plan to cover the site (see paragraph 8.75)

## Planning Obligations Conclusion

8.88 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**

9.91 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 will provide adequate facilities for students and employees. Public realm enhancements will be secured through a S106 planning obligation. The revised scheme improves the relationship between phase 3 and the Brunswick Nursery and overcomes the previous reason for refusal.

## **10.0 RECOMMENDATION**

**1. APPROVE subject to the satisfactory completion of the s106 agreement by 26 September 2012 and subject to the following conditions and reasons for approval:**

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

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

2. 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, including details of a ramped gulley from Sturton Street for use in connection with the development, hereby permitted have been submitted to and approved by the Local Planning Authority in writing. The agreed facilities shall be provided in accordance with the approved details before use of the development commences.

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

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)

22. Prior to the use of the third floor meeting room on the north elevation of the phase 1 building, a scheme to obscure glaze the windows to prevent overlooking into the court building from the meeting room shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

Reason: In the interests of the privacy of the Court (Cambridge Local Plan policies 3/4 and 3/7)

**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](http://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.

**2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 26 September 2012, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):**

-The proposed development does not make appropriate provision for, transport mitigation measures, public realm improvements, public art and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/12, 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.

**3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development**

## **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 on the City Council website at:

[www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess)

or by visiting the Customer Service Centre at Mandela House.



## Appendix 1 (12/0489/FUL)



**CAMBRIDGE CITY COUNCIL**

**The Guildhall, Cambridge, CB2 3QJ**

TOWN AND COUNTRY PLANNING ACT 1990

### **REFUSAL OF PLANNING PERMISSION**

Ref:11/1169/FUL

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Mr. Colin Campbell  
Savells (L&P) Ltd  
Unex House  
132-134 Hills Road  
Cambridge  
CB2 8PA

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The Council hereby refuse permission for

**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.**

at

**Former Cambridge College For Further Education 23 Young Street  
Cambridge Cambridgeshire CB1 2NA**

in accordance with your application received 6th October 2011 and the plans, drawings and documents which form part of the application, for the following reasons:

1. The proposed development, by virtue of the visually overbearing and enclosing impact that would result to the Brunswick Nursery School, would have an adverse impact on the level of amenity that the staff and pupils of that facility could reasonably expect to enjoy. In so doing the development fails to respond successfully to its context and would not have a positive effect on its setting. The development is therefore contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan 2006.

Simon Payne, Director of Environment  
Cambridge City Council, PO Box 700, Cambridge, CB1 0JH  
Telephone 01223 457200



INVESTOR IN PEOPLE

2. 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.

This decision notice relates to the following drawings: **AL01 00, AL01 01B, AL01 02 K, AL 01 03 K, AL 01 04 K, AL 01 05 J, AL 01 06 C, AL 01 07 C, AL 01 08 C, AL 01 09 C, AL 01 10 C, AL 01 11 C, AL 01 12, AL 03 01 A, AL 03 02 A, AL 03 03 A, AL 03 04 A, AL 03 05 A, AL 03 07 A, AL 03 08 A, AL 03 09 A, AL 04 01 B, AL 04 02 B and 04 03 B.**

A copy of the refused plans are kept in the planning application file.

For further information please go to [www.cambridge.gov.uk/planning](http://www.cambridge.gov.uk/planning).

Dated: 17 February 2012



Guildhall, Cambridge, CB2 3QJ

Head of Planning 

SEE NOTES ATTACHED

## APPENDIX 2 (12/0489/FUL)

### Cambridge City Council Design & Conservation Panel

#### Notes of the meeting Wednesday 14<sup>TH</sup> December 2011

##### Present:

Nick Bullock	Chair (item 1 & 3)
Terry Gilbert	RTPI (Chair for item 2)
Russell Davies	RTPI
Martin Lindus	RIBA
Slavica Mirovic	RIBA (item 1&2)
Carolin Gohler	Cambridge PPF
Chris Davis	IHBC
Tony Nix	RICS
David Grech	English Heritage
Jo Morrison	Landscape Institute
Jon Harris	Co-opted member
Ian Steen	Co-opted member

##### Officers:

John Evans	City Council (item 1)
Charlotte Witheford	City Council (item 1)
Catherine Linford	City Council (item 2)
Toby Williams	City Council (item 3)

##### Observers:

Cllr Damien Tunnacliffe	City Council (item 1)
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### 3. Presentation - Cambridge College for Further Education, 23 Young Street (11/1169/FUL)

Construction of three new buildings within Use Class D1 (5044 sq.m) for non-residential educational and training use, following demolition of all buildings, but with only external alterations to the Ragged School. Presentation by James Mason of Richard Murphy Architects with Colin Campbell of Savills and representatives of ARU.

This was last seen by the Panel in May (verdict GREEN – 5, AMBER- 4)

Terry Gilbert declared an interest and did not participate in the Panel's deliberations or vote.

The Panel's comments are as follows:

- Phasing. The Panel remains supportive of the general strategy but expressed some concern over the likely difficulties in delivering the development as a whole and the possibility that Phase 1 might remain flanked by the open space towards Young Street for some time.
- Phase 1 and the corner of Sturton Street and New Street. The Panel were troubled at the prospect of view of a sea of bicycles at this point until the completion of Phase 3. They hope that a high quality, short-term solution can be found to provide a more positive treatment of this boundary. The Panel note that Phase 3 will bring little increase in the pressure for cycle parking but will enclose the corner space. This will, however, limit the access to the cycle parking.
- The New Street Elevation and the Chimneys. The Panel welcome the design of the New Street elevation which they feel will provide definition to a streetscape which is

fragmented and judged the increased articulation of the chimneys a success, particularly at ground level. One member felt that they would bring a sense of 'industrial joyfulness' to New Street

- Street activity along New Street. The Panel wish to encourage animation along this rather blank façade, but are aware of the County Council's concerns about the street trees. Some parking if controlled, could contribute to the animation.
- Materials. The Panel broadly welcome the choice of materials, which they feel are appropriate.
- Landscaping (corner of Young Street and St Mathews Street). The Panel would welcome the incorporation of the existing neglected planting in order to provide trees and a more joyful form of landscape.
- Raised lecture theatre (Phase 2). The Panel expressed some concern at the scale and volume of the block and in particular the dominant character of the louvers at roof level. It was not clear from the presentation whether the design team had considered the appearance of the building at night.
- Ragged School (separate application). The Panel endorses the refurbishment of this Building of Local Interest, but thinks that the success of the project will depend on maintaining the quality of the original detailing throughout.
- Railings. These are part of the character of the school and should therefore be retained. The Panel suggests that they be retained as existing at the western end of the southern elevation but moved on the eastern side to ease access to the disabled parking bays.

### Conclusion

Although the amendments made since last time are a welcome improvement, the Panel's remains concerned about the phasing of the project. Because of doubts about the timing of Phases 2 and 3, the Panel suggests that the appearance of the first phase of the project be explored in more detail, particularly along the boundaries of the site.

The arrangements for the cycle parking before the completion of Phase 3 remain a concern and the Panel thinks that there needs to be some form of enclosure that continues the street form around the Sturton Street/New Street corner. Finally, the Panel think that the design of the lecture theatre roof would probably benefit from simplification and a reduction in the overall scale and volume of the building.

### VERDICT:

**Overall strategy - GREEN (9), AMBER (1) with 1 abstention**

**Construction and delivery of strategy – GREEN (7), AMBER (3) with 1 abstention.**

**Refurbishment of Ragged School – GREEN (9), AMBER (1) with 1 abstention.**

### 4. Minutes of the last meeting Wednesday 23<sup>rd</sup> November 2011

Agreed.

### 5. Any Other Business

- Application outcomes Sept-Dec 2011 were circulated prior to the meeting. Seymour Court (11/0970/FUL) and St Stephen's Church (11/1200/FUL) were both approved at Committee this morning in accordance with Officer recommendation.

### 6. Date of next meeting – Wednesday 18<sup>th</sup> January 2012.

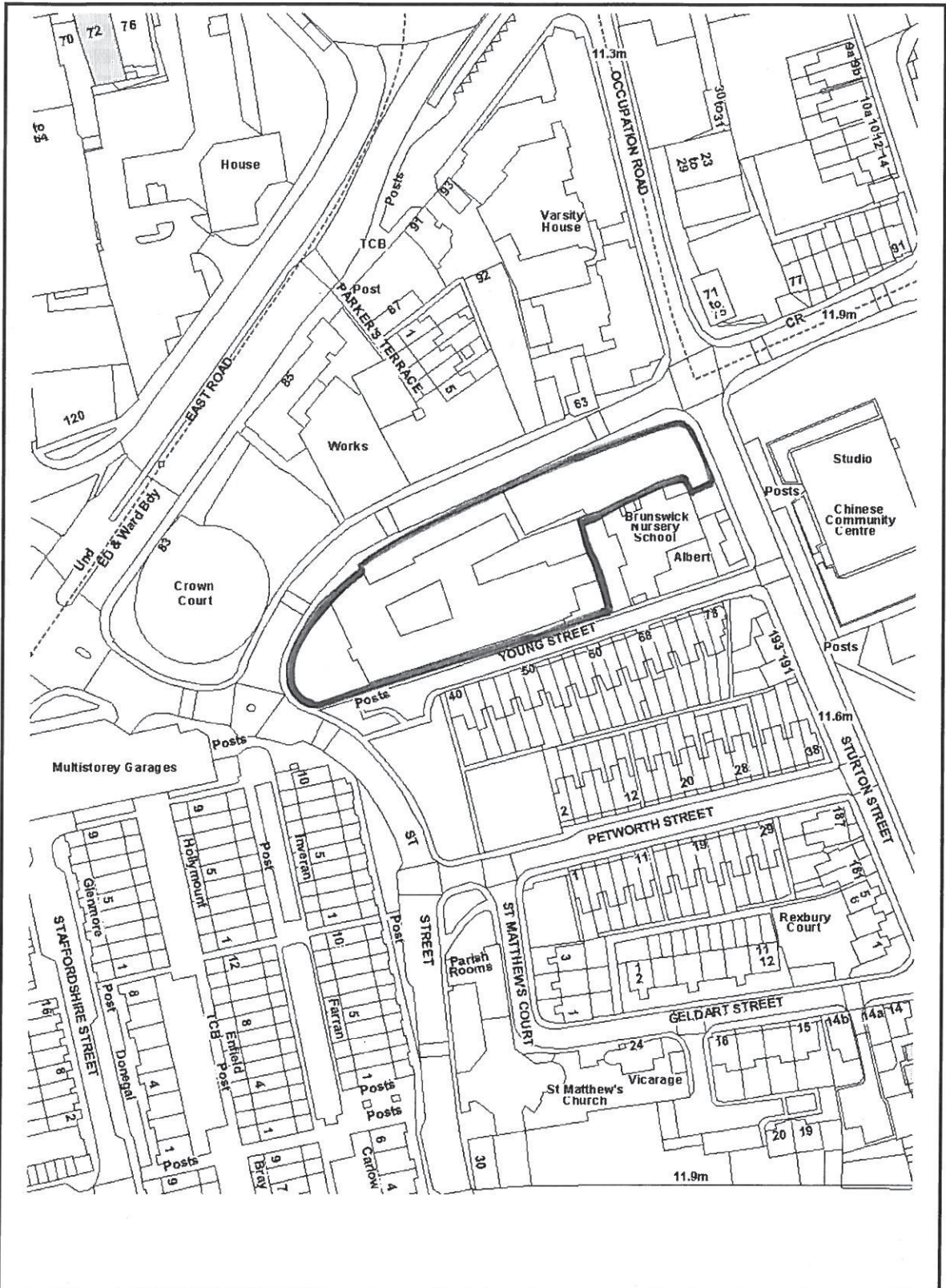
#### Reminder

CABE 'traffic light' definitions:

**GREEN:** a good scheme, or one that is acceptable subject to minor improvements

**AMBER:** in need of *significant* improvements to make it acceptable, but not a matter of starting from scratch

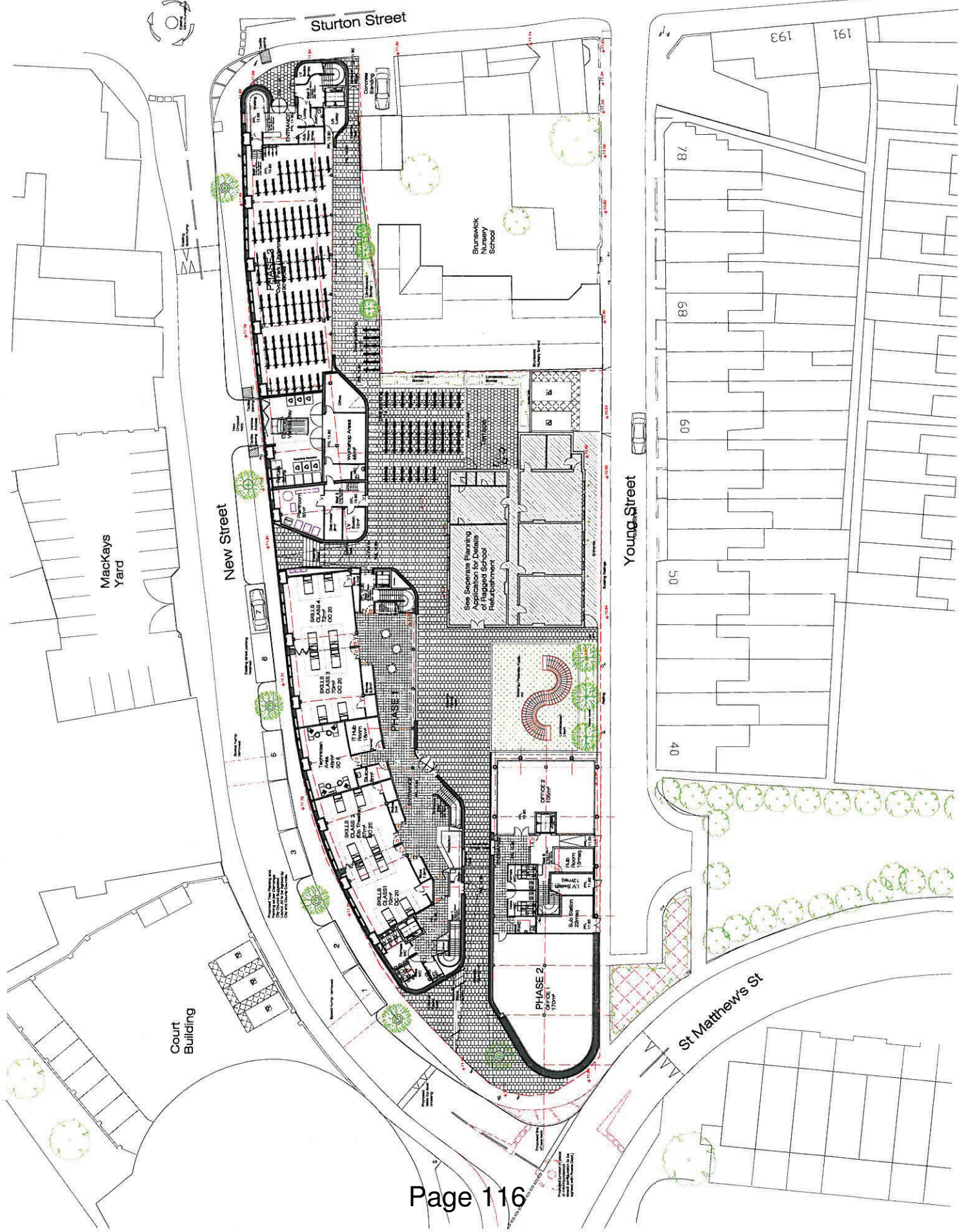
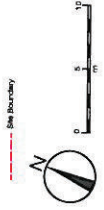
**RED:** the scheme is fundamentally flawed and a fresh start is needed



**12/0489/FUL**  
**Former Cambridge College For Further Education 23 Young**  
**Street Cambridge Cambridgeshire**

**NOTES**

Richard Murphy Architects Ltd.  
 11 Oldham Street, Manchester, M4 1JG  
 Tel: 0161 275 1111  
 www.richardmurphyarchitects.com

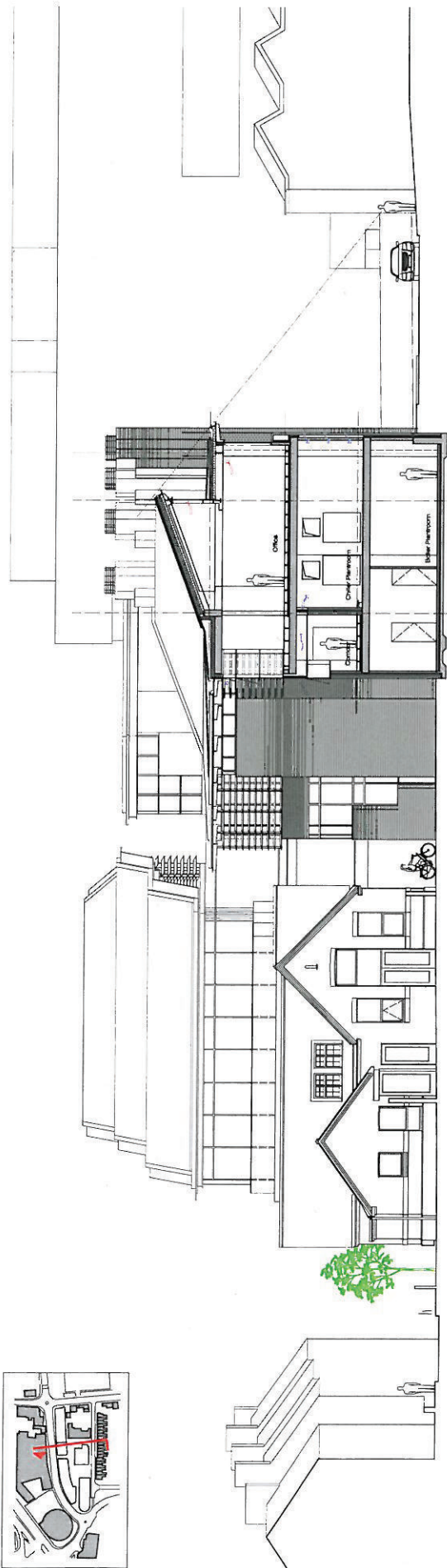


**Richard Murphy Architects**  
 Architects / Artists / Planners  
 Young Street Development

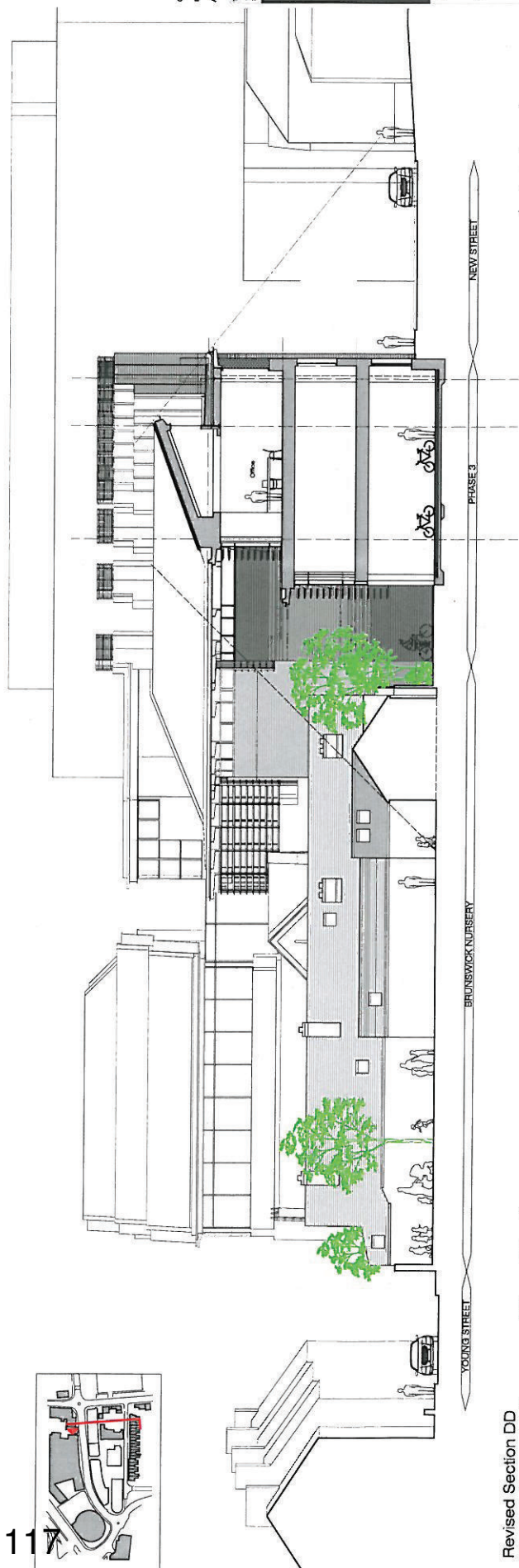
Project: Young Street Development  
 Date: 11/02/2011  
 Scale: 1:200 @ A1  
 Drawing No: AL01.02

H. Issues for Planning	11/04/11	11/04/11
I. Final Approval for Construction	11/04/11	11/04/11
J. Approved Plans 1 - Construction	11/04/11	11/04/11
K. Revised Landscaping and Cycle Provision	11/04/11	11/04/11
L. Revised for Planning	11/04/11	11/04/11
M. Final Approval for Construction	11/04/11	11/04/11
N. Final Approval for Construction	11/04/11	11/04/11
O. Final Approval for Construction	11/04/11	11/04/11
P. Final Approval for Construction	11/04/11	11/04/11
Q. Final Approval for Construction	11/04/11	11/04/11
R. Final Approval for Construction	11/04/11	11/04/11
S. Final Approval for Construction	11/04/11	11/04/11
T. Final Approval for Construction	11/04/11	11/04/11
U. Final Approval for Construction	11/04/11	11/04/11
V. Final Approval for Construction	11/04/11	11/04/11
W. Final Approval for Construction	11/04/11	11/04/11
X. Final Approval for Construction	11/04/11	11/04/11
Y. Final Approval for Construction	11/04/11	11/04/11
Z. Final Approval for Construction	11/04/11	11/04/11

**NOTES**  
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 2. The drawing is copyright. All rights reserved.  
 3. Do not scale from this drawing, work from original dimensions.



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



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

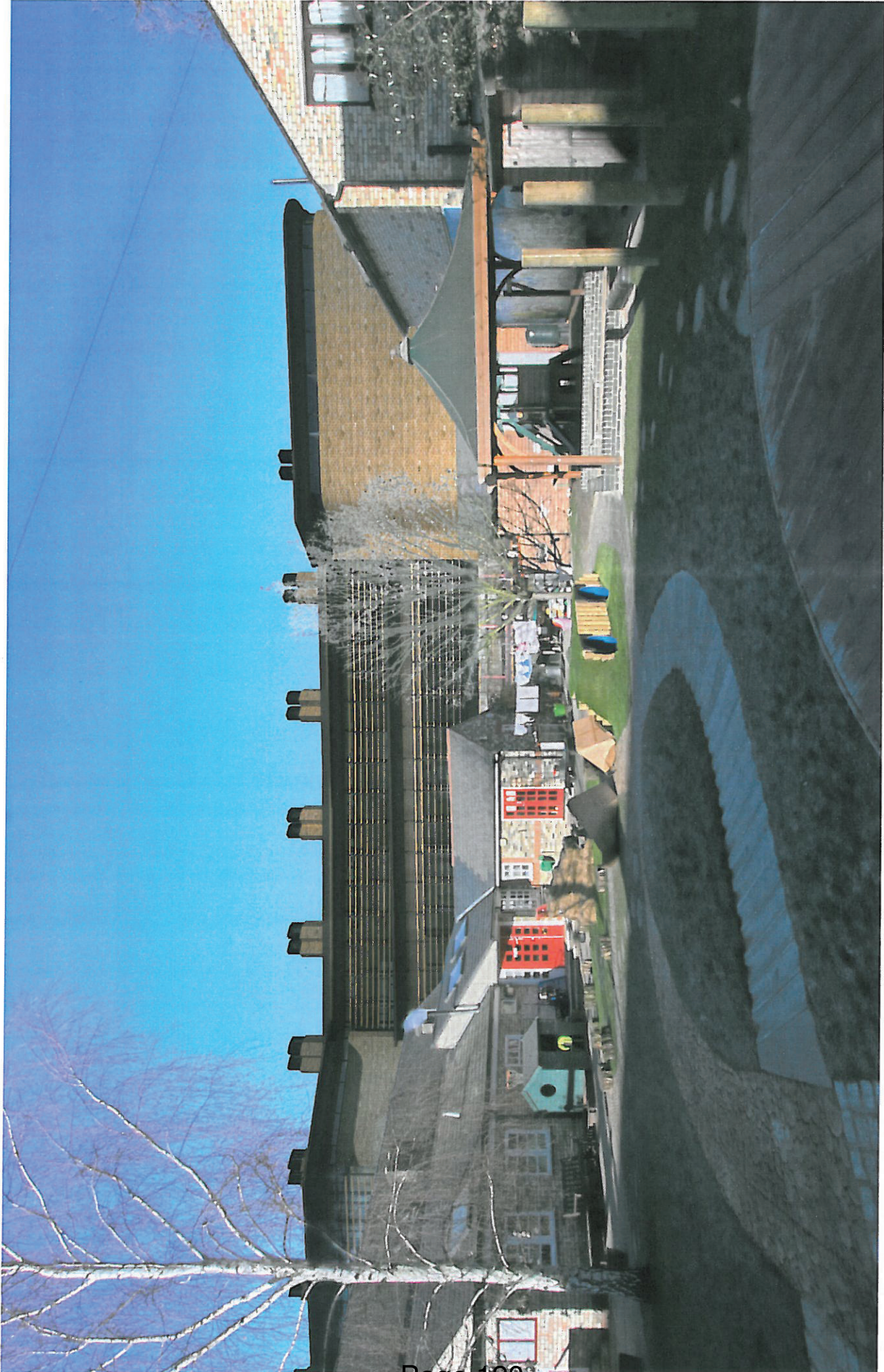
C. Revised Section DD  
 For Planning  
 B. Revised Section DD  
 For Planning  
 A. STAGED  
 Date: 11/04/2012  
 By: 01/10/2011  
 Rev: 26/07/2011  
 The Richard Murphy Architects Group, 15 Old Gloucester Street, London EC1A 3DF  
 Tel: 020 7463 4373  
 Fax: 020 7463 4391  
 www.richardmurphyarchitects.com

**Richard Murphy Architects**  
 PROJECT: Anglia Ruskin University  
 Young Street Development  
 DRAWING: Site Sections  
 CC & DD  
 SHEET: PLANNING  
 DRAWN BY: JMB/MLC/466  
 CHECKED BY: JMB/MLC/466  
 DATE: 17/02/2011  
 SCALE: 1:100 @A1  
 PROJECT NO: AL 0402  
 REVISION: C

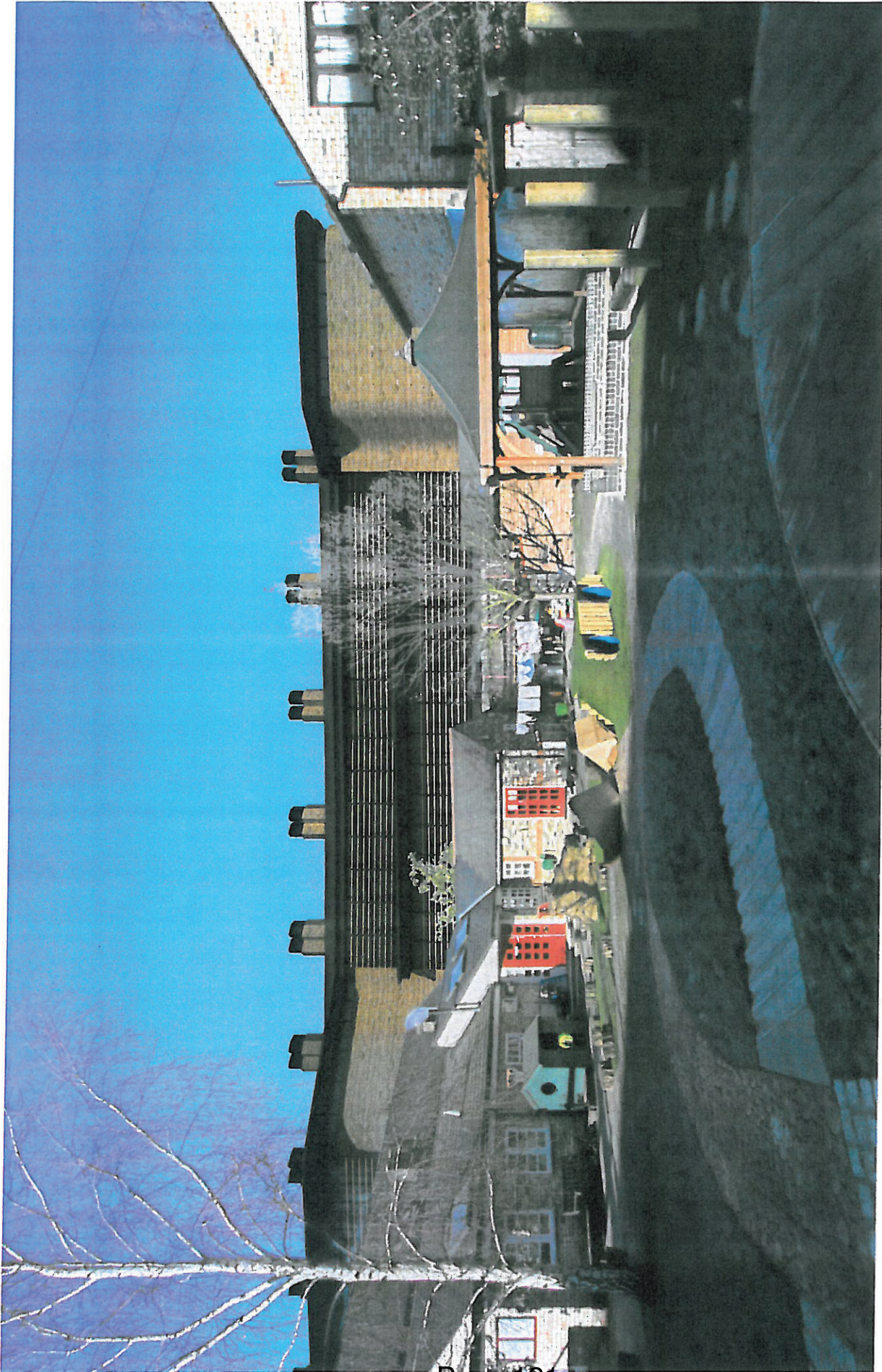








View of Phase 3 from existing Brunswick Nursery School  
Previous Planning Application



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<b>Application Number</b>	12/0321/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	9th March 2012	<b>Officer</b>	Mrs Angela Briggs
<b>Target Date</b>	8th June 2012		
<b>Ward</b>	Arbury		
<b>Site</b>	190 - 192 Histon Road Cambridge Cambridgeshire CB4 3JP		
<b>Proposal</b>	Proposed erection of 14 apartments (following the demolition of existing buildings) comprising 2 studio apartments, 11 x 1 bed flats and 1 x 2 bed flats along with cycle parking and hard and soft landscaping.		
<b>Applicant</b>	C/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 20px;">The principle of re-development of the site is acceptable;</p> <p style="padding-left: 20px;">The proposed building is in keeping with the character of the area;</p> <p style="padding-left: 20px;">The proposed building does not have a detrimental impact on the residential amenities of adjacent neighbours.</p>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is located on the eastern side of Histon Road. It extends 0.082 hectares and is generally flat. The site measures approximately 26 metres in length along its frontage to Histon Road and extends to 35 metres in width. The site is currently

occupied by a pair of derelict semi-detached properties, now hoarded off, and formerly occupied by the Fair Rose Residential Care Home (an 11no bed Nursing Home). The buildings have been empty since 2007. The buildings were originally built as a pair of semi-detached properties which later became one planning unit when planning permission was granted for the Care Home in 1984 (Ref: C/84/0077). The buildings' footprint is at 45 degree angle and they front onto the junction of Histon Road and Akeman Street. This position mirrors the dwellings opposite at 194 and 196 Histon Road. Vehicular access to the site is currently provided from Akeman Street and parking for four vehicles is available on site. The site does not fall within a Conservation Area. It is situated outside of the Controlled Parking Zone (CPZ). There is some dense landscaping around the site, particularly along the boundary with no.2 Akeman Street and along the boundary with 188 Histon Road. These are generally leylandii trees and unruly shrubs as a result of the site being left derelict for some time; the vegetation has been allowed to grow without any management. There are no protected trees on the site.

- 1.2 In terms of the site's immediate context, residential development is presently immediately to the east along Akeman Street and also to the north on the opposite side of the Street. On the eastern side of Histon Road commercial and retail premises generally front onto the road, with some residential accommodation and flats present above shops. A pair of semi-detached properties are situated to the south of the site at 186-188 Histon Road. Further to the south along Histon Road three storey development is located at 164-168 Histon Road along with the recently constructed Simons House sheltered housing accommodation. The large, prominent 'Kwik Fit' fitting workshop is also to the South. On the western side of Histon Road, opposite the site, are retail units including the Aldi store and smaller convenience stores. There is also a petrol filling station to the front of Aldi, fronting onto Histon Road. There is a bus stop immediately to the front of the site. Beyond the site along Histon Road, to the north, the character is predominantly residential.

## **2.0 THE PROPOSAL**

- 2.1 Full planning permission is sought for the demolition of the existing building and redevelopment, providing 14 flats

comprising 2 studio apartments, 11 1-bed flats and one 2-bed flat. Cycle parking, bin storage, hard and soft landscaping are also proposed. No car parking is proposed, except for one visitors/disabled parking space.

2.2 The application is accompanied by the following supporting information:

1. Planning Statement
2. Design and Access Statement
3. Transport Statement
4. Phase 1 Environmental Desk Study Report
5. Biodiversity and Ecology Survey including Bat Survey
6. Tree and Arboricultural Assessment
7. Landscaping scheme
8. Utilities Statement
9. Site Waste Management Plan
10. Sustainability Report

2.3 Amended plans have been received which result in a slight change in the elevations. The amendment involves the installation of an acoustic screen, which surrounds the terrace areas at second floor level. It rises 1.8m from terrace ground level. The amended plans also seek to delete the patio areas from the ground floor level.

### 3.0 SITE HISTORY

Reference	Description	Outcome
08/1698/FUL	Demolition of existing building containing 3no. 2 bedroom flats and the erection of 7no. 3 bedroom terraced housing	Application withdrawn.
C/84/0077	Change of use from single dwelling house to home for the elderly	Approved
C/89/1157	Change of use from single house to old people's home (No.192) to be used in conjunction with adjacent property (no.190) and erection of extension (2 storey)	Application withdrawn.

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	SS1 ENV6 T8 T9 WM6
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/11 3/12 4/4 4/13 5/1 5/14 8/2 8/6 8/10 8/16 8/17 8/18

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
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	Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Waste Management Design Guide Planning Obligation Strategy Public Art
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Arboricultural Strategy Biodiversity Checklist Cambridgeshire Design Guide For Streets and Public Realm Cycle Parking Guide for New Residential Developments
	<u>Area Guidelines:</u> Northern Corridor Area Transport Plan

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

- 6.1 Comments are awaited. These will be reported on the amendment sheet or verbally at the meeting.

### Head of Environmental Services

Acoustic report should be submitted. Potential for those units facing onto Histon Road to be adversely affected by traffic noise. Such an assessment could be requested by the

imposition of a planning condition if planning permission is granted.

Conditions covering construction noise, vibration (including piling) and dust are also recommended.

No visual evidence of land contamination. The Environmental Desk Study is acceptable. Full land contamination condition is recommended to assess soil samples.

Bin store location and size shown appears satisfactory.

Comments on the amendment:

No objection subject to conditions.

**Urban Design and Conservation Team**

No objection in principle to the proposed development subject to conditions relating to boundary treatment and the side gate being brought forward (both of which could form part of the soft and hard landscaping conditions).

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

No objection. The use of solar thermal panels is supported. Renewable Energy condition recommended. Code for Sustainable Homes Level 3 is also supported in relation to water conservation.

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

No objection in principle to the redevelopment of the site. The Birdmouth fence is not considered appropriate boundary treatment of the site. It is suggested that the large flat roof areas of the proposed building should be green/brown roofs to improve the energy efficiency of it and would improve the effectiveness of the photo voltaic panels. Recommend conditions requiring details of soft and hard landscaping and a maintenance plan with a 5 year replacement clause.

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

No information submitted to demonstrate adequate means of sewerage or land drainage to meet the demands of the development.

## **Environment Agency**

No objections.

## **Cambridgeshire County Council (Education)**

No objection subject to s106 payment contributions towards:

Lifelong Learning

No contributions required for pre-school, primary or secondary education.

## **Disability Consultative Panel (Meetings of 27<sup>th</sup> March 2012 and 24<sup>th</sup> April 2012)**

The panel note the number of apartments that falls just below the 15 units required to provide an accessible unit. No objections.

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:

Flat 2, 173 Histon Road  
8, 60, 74, 84, 103 Windsor Road

7.2 The representations can be summarised as follows:

Only 1 car parking space for 14 flats is not enough

Lack of parking will mean cars being parked along nearby side roads (Akeman Street and Windsor Road) which are already congested and would make the area unsafe.

- 7.3 Windsor Road Residents Association have made representations as follows:

It is unrealistic to assume that all residents will travel only on foot, by bicycle and by public transport;

It is likely that some at least of those living in the apartments will own and use a car;

The nearby streets cannot accommodate any further cars from this development even though there are some stretches of streets that are unrestricted, there is already heavy competition of these;

One car parking space for use by disabled residents and visitors is insufficient.

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

- 8.2 Applications for housing are supported by the Local Plan Policy 5/1. The application to provide 14 units would contribute towards the City's market housing stock and would therefore

comply with aims and objectives of this policy. The site is also considered to be a brown field site which has been previously developed. The re-development of this site for housing, therefore, is considered to be acceptable.

- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policies 3/1 and 5/1 of the Cambridge Local Plan 2006.

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

- 8.4 The site is occupied by a pair of semi-detached properties which were later knocked through to create one property. It is now vacant and has been boarded up since the use of the care home ceased in 2007. The previous occupants operated a residential care home for the elderly (C2 use). The immediate uses around the site are also residential predominantly at two-storey level. Beyond the immediate area are other uses such as a mechanic garage and shops. Beyond that towards the edge of the City, the character becomes predominantly residential. The application proposes to demolish the existing buildings and re-develop the site to provide 14 self-contained units, over three floors fronting Histon Road and around the corner into Akeman Street, which then drops down to a two storey element. Whilst the immediate residential properties do not rise up to three levels, I do not consider that the three-storey element of the building in this location would be out of keeping. The mechanic garage situated further down Histon Road is a tall and prominent building of 3-4 storeys, and I do not consider that the scale of the proposed building would compete with this in an adverse way.
- 8.5 In terms of the design, the proposed building seeks to respect the existing building line and position. The footprint of the new building is set at a 45 degree angle to the junction of Histon Road with one corner forward of the building line of Akeman Street. This layout is mirrored by the semi-detached properties opposite at Nos. 194 and 196 Histon Road, which is set 1.5m further forward of this line. The architecture within the immediate vicinity of the site, at Akeman Street, is 1930 semi-detached 2-storey houses. Langham House on Histon Road is a 1930s flat development which represents a strong horizontal design, as do the 1930s shops at 160-173 Histon Road, at the junction with Windsor Road, opposite the site. 194 and 196

Histon Road are a pair of white rendered semi-detached properties which also appear to be 1930s. In my view, I consider that the architecture of the proposal is appropriate in the locality as it takes its cue from existing buildings of a similar style, albeit from a different time period.

- 8.6 Turning to the issue of scale the proposed building to the third storey level is 8.4m in height and 7.1m high for the two-storey element. This element incorporates a pitch roof design rather than the flat roof approach of the main element of the building. It is intended to install solar panels on the rear slope of the roof. As the form of the building is angular, the length of the building along the Histon Road part is approximately 20m, and approximately 19m along the Akeman Street part. The footprint of the proposed building would be 57% larger than the existing building (Existing = 210m<sup>2</sup>. Proposed = 330m<sup>2</sup>). I do not consider that the scale of the proposed building would constitute over-development of the site, nor do I consider that the building is over-dominant in the street scene, although it may appear more prominent. The height of the two-storey element would appear to sit comfortably adjacent to nos.2 and 4 Akeman Street, which are also two-storey. In my view there would be minimal harm to the visual amenity of Akeman Street by the stepping down in height of this element of the proposal. The second floor level (the top) is a relatively small element of the overall building which accommodates two units. It is stepped back behind a parapet wall, behind which is a terrace area serving the two units. A glazed acoustic screen rises 1.8m from the terrace ground level and 0.65m above the parapet wall. This method is considered effective in deflecting noise from traffic without compromising heavily on the overall design and appearance of the building.
- 8.7 Externally, the proposed development includes a communal outdoor area. This area has a southerly aspect and can expect to benefit from sunny evenings in the summer and low afternoon sun in the winter months. The amended plans delete the patio areas on the ground floor level which served Flats 1, 3, 6 and 5. Whilst in theory these would have provided a 'private' amenity space for these units, I considered that these areas would not necessarily provide the level of privacy that one would expect, because it is located in close proximity to the public domain, i.e bus stop and general traffic on Histon Road. In my view, it is unlikely that these areas would be used in the

way that it is intended and as such I have suggested that these patio areas are removed. This however, does not mean that residents cannot use this space for their own. Residents will still have access to these areas via patio doors, although the way in which the outside space have been designed, it is anticipated that residents will see the communal area to the rear as the main area in which to enjoy some privacy. Another reason for the deletion of the patio areas is because the Environmental Health Officer was concerned about the noise levels around these areas as they would be facing onto a main road and the required mitigation measures would have meant some significant alterations to the design of the boundary treatment.

- 8.8 There is an indication of soft and hard landscaping, and boundary treatment on the proposed plans, although these details can be secured by condition to ensure that we can achieve an appropriate scheme and management plan for the site.
- 8.9 The Urban Design Team are generally supportive of the design approach and the scale, and also support the amended design to incorporate the acoustic screen.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

### **Public Art**

- 8.11 Policy 3/7 of the Local Plan requires new developments to include a scheme for Public Art. Developments of this scale are required to make a contribution towards the provision of public art, either physically on site, or via a commuted sum for provision off site. Discussions at the pre-application stage with the Public Art Officer indicated that a commuted sum would be more appropriate for this scheme. I would agree with this view, because of the characteristics of the site and the limited public views provided of the site. I therefore consider that a public art scheme on the site would be inappropriate and would not provide a public benefit. It is therefore suggested that in this case, a contribution is made via the s106 agreement (equating to 1% of the Capital Construction Costs).

8.12 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**

8.13 The application is a 'major development'. A Sustainability Report has been submitted which provides an overview of the sustainability strategy for this development. Policy 8/16 of the Local Plan requires developments of this scale to provide at least 10% of the developments predicted energy requirements on-site, from renewable energy sources. This requirement is explained further within the Council's Sustainable Construction SPD. The report indicates that the development can achieve the 10% renewable energy target through the installation of Photovoltaics or Solar Thermal Panels which would be used to heat water. This will be used to supply 50-60% of the annual hot water requirements for the units. The panels would be mounted on the pitched roof area on the rear of the Akeman Street Wing (angled at 20 degrees facing south) where they would be out of sight from the public realm. The Sustainability Officer accepts the approach being taken and has recommended that full SAP calculations be submitted to better establish the 10% requirement. This can be secured by a condition.

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

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

8.15 In terms of the residential amenity impact on neighbouring occupiers, I consider there are three main principle sources of potential disturbance: Overlooking, Overbearing and Overshadowing. Those properties closest to the site have not objected.

8.16 In my view, it is accepted that there is already a degree of overlooking between properties, particularly along Akeman



Street where the character is more residential. The bulk of the building is three-storeys which has its main aspect towards Histon Road. The three-storey element that faces onto Akeman Street would have views over the road and towards the front gardens of nos.184 and 186 Histon Road. These properties are already overlooked to some degree from the existing building on the site and from nos.1 and 3 Akeman Street. Front gardens are not considered to be private areas, and as such where the proposal allows views over this area, it would be unreasonable to refuse the application on this basis alone. The two-storey element facing onto Akeman Street is at a scale more akin to the properties along Akeman Street. There are no windows proposed on the side elevation of the two storey element, however there is a window, serving a bathroom, at second floor level on the flank wall of the proposed development that faces no.2 Akeman Street. It is likely that this window would be obscure glazed and is also set further back (about 15m away). I do not consider, therefore, that the proposed building would result in a significant level of overlooking that would be over and above the current circumstances.

8.17 In terms of overbearing, whilst the proposed building is higher and its overall footprint is 57% larger than the existing building, I do not consider that it would result in an overbearing building that competes unnecessarily with the existing residential buildings in the locality. In my view, the building sits comfortably in the street scene without it projecting heavily or over emphasising its corner position. There are reasonable distances between residential properties that help to minimise any overbearing impacts on neighbouring properties and the orientation of the communal open space to the south of the site helps to keep this area as open as possible.

8.18 The application is accompanied by shadow diagrams (Sun Path Assessment) to illustrate the impact of the building on the amount of sunlight and daylight on neighbouring properties. The Assessment supports the view that given the siting, height, form and layout of the proposal, there would be minimal harm caused on the adjacent properties by reason of any overshadowing impact. The main proportion of the roof is flat and this will again help to minimise overshadowing and further benefit the outlook and levels of daylight/sunlight. I am confident that the Sun Path Assessment adequately

demonstrates that sunlight and daylight levels would not be significantly affected.

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

#### Amenity for future occupiers of the site

- 8.20 In terms of the impact of the proposed development on the amenity for future occupiers of the site, the scheme has been designed so that it provides a modern quality of life in spaces that offer a good and safe level of amenity for the occupiers. The units are of a good size. The outdoor space has been carefully considered so that residents can enjoy a good degree of privacy. The ancillary services such as bin storage and cycle parking appear adequate to meet the needs of the residents which also contribute towards a accessible lifestyle. The amended plans, in my view, also improve the relationship with the external factors that may impact on the site such as noise from traffic, however it is considered reasonable to request a noise report as a condition to ensure that the occupiers are adequately mitigated against any high levels of noise emanating from Histon Road.
- 8.21 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

#### **Refuse Arrangements**

- 8.22 A bin storage area is proposed along the eastern site boundary and will be accessed from within the site. The store will be covered and secured and will accommodate sufficient bins to serve all 14 units. The store will contain large communal (1100 litre) wheeled containers allocated for green waste, dry recyclables and residual waste. To further encourage recycling, kitchens will be provided with integral separate containers. On bin collection day the bins will be picked up by the refuse collection officers from Akeman Street. The refuse collectors will have to travel less than 25 metres to collect these bins (the

bin storage area is located within 10metres of the highway), and therefore the refuse vehicle will remain on the public highway and not have to enter the site. The Council's Waste Strategy Officer considers that the provision of bins and their location, as shown on the proposed plans, is adequate, although it is not clear that there are sufficient recycling bins. It is recommended that this can be secured by a condition and assessed once the units are occupied.

- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.24 A Transport Assessment accompanies the application. The proposed development would not provide any dedicated residents parking, with only a single car parking space included in the scheme for use by disabled residents or visitors. The Transport Assessment provides a detailed assessment of the opportunities that exist to travel by means alternative to the private car. In addition, I have received a letter from the former 'Fair Rose' Residential Care Home that operated on the site between 1989 – 2007, which explains the number of daily vehicle movements made by all modes to and from the property. I attach this as Appendix B. This letter concluded that the care home generated a total of approximately 94 daily movements. The total daily movements that would derive from the proposal would equate to approximately 112 trips in all (calculated as 8.5 trips per unit). The Local Highways Authority have considered the Transport Assessment and advised that as the proposal, on that basis, would generate less than 50 additional movements, no payment would be triggered (North Corridor Transport Plan).
- 8.25 The Local Highways Authority have raised no objection to the proposal in terms of highway safety and therefore In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

### Car Parking

- 8.26 The site is situated outside the Controlled Parking Zone (CPZ). The Local Plan car parking standards for areas outside of the CPZ recommend that for a single bedroom unit, one space per unit should be provided which would equate to 15 spaces (+ 1 visitor/disabled space) in total for the proposed development. The Local Plan does not contain a policy that specifically stipulates that major developments should provide a definitive number of car parking per unit. I am not aware of any other guidance that suggest that a development of this type and in this location should have associated parking. There are no requirements to provide disabled car parking for a development of this size, even though the car parking space shown on the proposed plan is indicated as for disabled use and/or a visitor. It is therefore a matter of judgment as to whether the Local Planning Authority consider that car parking is necessary and achievable. The proposed development makes no provision for residents parking (except for one visitor/disabled space) and can, to some extent, be considered as a 'car-free development'. The Transport Assessment includes a car parking survey to assess the impact of additional car parking demand on the neighbouring streets, and its impact upon the amenity of local residents. On the basis that the greatest demand for a resident's parking space occurs during the weekend and overnight, the survey was carried out on four separate occasions: Tuesday and Thursday (between 4am and 6am) and a Saturday and Sunday (between 8am – 12pm, 3pm – 6pm and 8pm – 10pm). The car parking survey indicates that locally there is some space available on-street that could, potentially, absorb the impact of the development. These are in Akeman Street, Darwin Drive, Windsor Road and Rackham Close.
- 8.27 The lack of on-site car parking is of concern to neighbours and how this will impact on neighbouring streets that already experience high levels of car parking, or competition for parking. Residents are worried that the occupiers of the proposed flats will park their cars on adjacent streets or in other inconvenient places that could compromise highway safety and that the proposed development will put additional pressure on the existing car parking problems in and around the surrounding streets. The Local Highways Authority have acknowledged that

the survey reveals that there are adequate spaces in and around the area to accommodate any additional car parking resulting from the proposed development. In my view, I do not disagree with the LHA's view and consider that in this case, the absence of on-site car parking would not have a significant impact on the existing car parking situation on the surrounding streets. I therefore consider that the proposed development is acceptable from a car parking point of view and it would be unreasonable to refuse the application based on car parking alone. This is because I consider that the site is in a sustainable location, it is possible to walk to the City Centre from the site, it is on a frequent bus route and it is close to local amenities.

### Cycle Parking

- 8.28 In terms of cycle parking, the number of cycle parking provision conforms with the cycle parking standards in the Local Plan and the Cycle Parking Guide for New Residential Developments (2010). Cycle parking is located along the eastern site boundary, adjacent to the bin store. The requirement is one cycle per bedroom up to three bedroom dwellings. This equates to a total of 15 spaces for the proposed development. Cycle parking which complies with these standards is provided by means of a secure covered enclosure, the design of which can be secured by a condition. Sheffield Cycle stands have been provided within this store and these can accommodate 16 cycles. In addition, 4 visitor cycle spaces are provided externally adjacent to the main entrance. I am of the opinion that these provisions are adequate.
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.30 I have covered the issues raised by neighbours in paragraph 8.26 and 8.27 of this report.

### **Planning Obligations**

- 8.31 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests.

If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

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

(b) directly related to the development; and

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

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

### Open Space

8.32 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.33 The application proposes the erection of two studio apartments, one two-bedroom flat and 11 one-bedroom flats. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238	2	476
1 bed	1.5	238	357	11	3927
2-bed	2	238	476	1	476
3-bed	3	238	714		
4-bed	4	238	952		
<b>Total</b>					<b>4403</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269	2	538
1 bed	1.5	269	403.50	11	4438.50
2-bed	2	269	538	1	538
3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>4976.50</b>

<b>Informal open space</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242	2	484
1 bed	1.5	242	363	11	3993
2-bed	2	242	484	1	484
3-bed	3	242	726		
4-bed	4	242	968		
<b>Total</b>					<b>4477</b>

<b>Provision for children and teenagers</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632	1	632
3-bed	3	316	948		
4-bed	4	316	1264		
<b>Total</b>					<b>632</b>

8.34 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

#### Community Development

8.35 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	11	13816
2-bed	1256	1	1256
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>15072</b>

8.36 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

#### Waste

8.37 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats,



this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	14	2100
<b>Total</b>			<b>2100</b>

8.38 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

#### Waste Management

8.39 A contribution is sought from all dwellings towards up grading existing/providing new Household Recycling Centres to mitigate the impact of new development on these facilities. This development lies within the catchment site for Milton. Contributions are sought on the basis of £190 per house for four new sites giving increased capacity as permanent replacements for the existing temporary site at Milton. A total contribution of £2660 is necessary.

8.40 Subject to the completion of a S106 planning obligation to secure the requirements of the RECAP Waste Management Design Guide SPD 2012, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policy 10/1 and the RECAP Waste Management Design Guide SPD 2012.

#### Education

8.41 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that

document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

- 8.42 In this case, the County Council have confirmed that only contributions towards lifelong learning will be required. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

<b>Life-long learning</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	13	2080
2+-beds	2		160	1	160
<b>Total</b>					<b>2240</b>

- 8.43 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy 2010, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

#### Public Art

- 8.44 The development is required to make provision for public art and officers have recommended as set out in paragraph 8.11 above that in this case a commuted sum would be more appropriate than on-site provision.
- 8.45 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

- 8.46 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 and £300 per non-financial head of term. Contributions are therefore required on that basis.

## Planning Obligations Conclusion

- 8.47 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 In conclusion, the proposed development is considered respects the character of the area in a sustainable location

## **10.0 RECOMMENDATION**

**1. APPROVE subject to the satisfactory completion of the s106 agreement by 30<sup>th</sup> September 2012 and subject to the following conditions and reasons for approval:**

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

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

2. 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)

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

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

4. On occupation of the first residential unit, hereby permitted, the on-site storage facilities for waste for recycling shall be submitted and approved in writing by the Local Planning Authority. 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))

5. 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)

6. 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)

7. 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)

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 treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

9. Prior to the occupation of the development a noise report prepared in accordance with the provisions of PPG 24 "Planning and Noise", that considers the impact of noise on the Histon Road façade upon the proposed development shall be submitted in writing for consideration by the local planning authority.

Following the submission of the PPG 24 noise report and prior to the occupation of development, a noise insulation scheme for protecting the affected residential units from noise as a result of the proximity of the bedrooms, living rooms and outside amenity areas to high ambient noise levels on the Histon Road façade (dominated by traffic and vehicle noise), shall be submitted to and approved in writing by the local planning authority.

The scheme shall detail the acoustic noise insulation performance specification of the external building envelope of the affected residential units (having regard to the building fabric, glazing and ventilation) and achieve the internal and external noise levels recommended in British Standard 8233:1999 "Sound Insulation and noise reduction for buildings-Code of Practice".

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall not be altered without prior approval.

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

10. 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)

11. 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)

12. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228-1:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details.

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

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

13. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition and construction period has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details unless the Local Planning Authority agrees to the variation of any details in advance and in writing.

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

14. Prior to the commencement of development, a scheme for the insulation of the building 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)



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

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

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

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

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

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

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

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

Reason: To protect the amenity of the future occupants of the site (Cambridge Local Plan 2006 policy 4/13)

16. Prior to the commencement of the use hereby permitted, the on-site storage facilities for 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 thereafter be maintained unless alternative arrangements are agreed in writing by the local planning authority.

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

17. Prior to the commencement of development, with the exception of the demolition of the existing buildings on the site, details of the proposed renewable energy technology which demonstrates that at least 10% of the development's total predicted energy requirements will be from on-site renewable energy sources, shall be submitted to and approved in writing by the local planning authority. The details shall include their respective energy contributions, location, design and a maintenance programme. It shall also include an assessment of any air quality noise or odour impact and mitigation measures required to maintain amenity and prevent nuisance in accordance with the Council Sustainable Construction And Design Supplementary Planning Document to be submitted in writing and agreed with the Local Planning Authority prior to installation. The approved renewable energy technologies shall be fully installed and operational prior to the occupation of any of the flats hereby approved and shall thereafter be maintained and 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 and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2006 policies 4/13 and 8/16).

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

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

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

**INFORMATIVE:** To satisfy the noise insulation condition for the building envelope as required above, the Council expects the scheme to achieve the 'good' internal noise levels of British Standard 8233:1999 "Sound Insulation and noise reduction for buildings-Code of Practice". Where sound insulation requirements preclude the opening of windows for rapid ventilation and summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria.

**INFORMATIVE:** Levels of pollutants in ambient air intake to be lower than the thresholds set out in the National Air Quality Objectives.

The Council has produced a guidance document to provide information to developers on how to deal with air quality and air pollution issues. The document, 'Developers Guide to Air Quality in Cambridge' can be downloaded from the City Council website on

<http://www.cambridge.gov.uk/ccm/content/environment-and-recycling/pollution-noise-and-nuisance/air-pollution/air-quality-guide-for-developers.en>.

Hard copies can also be provided upon request.

## **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: ENV6

Cambridgeshire and Peterborough Structure Plan 2003: 6/1, 9/8 and 9/9

Cambridge Local Plan (2006): 3/1 3/4 3/7 3/8 3/11 3/12/4/4/13 5/1 5/14 8/2 8/6 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](http://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.

**2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 30<sup>th</sup> September 2012, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):**

The proposed development does not make appropriate provision for public open space, community development facilities, life-long learning facilities, public art, waste facilities,

waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, and 10/1 of the 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, the Open Space Standards Guidance for Interpretation and Implementation 2010 and Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012.

**3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development**

## **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 on the City Council website at:

[www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess)

or by visiting the Customer Service Centre at Mandela House.

APPENDIX B

12 Fendon Road  
Cambridge  
CB1 7RT

26/04/12

Dear Mrs Briggs

**THE FORMER 'FAIR ROSE' RESIDENTIAL CARE HOME 190-192 HISTON ROAD,  
CAMBRIDGE**

We refer to the previous use of Nos. 190-192 Histon Road which we operated as a Residential Care Home from 1989 – 2007.

We have been informed by the applicant's agents that the previous use and operation of the site has been questioned by the County Highways Authority. In response to this, we provide the following information regarding the previous use and can confirm that:

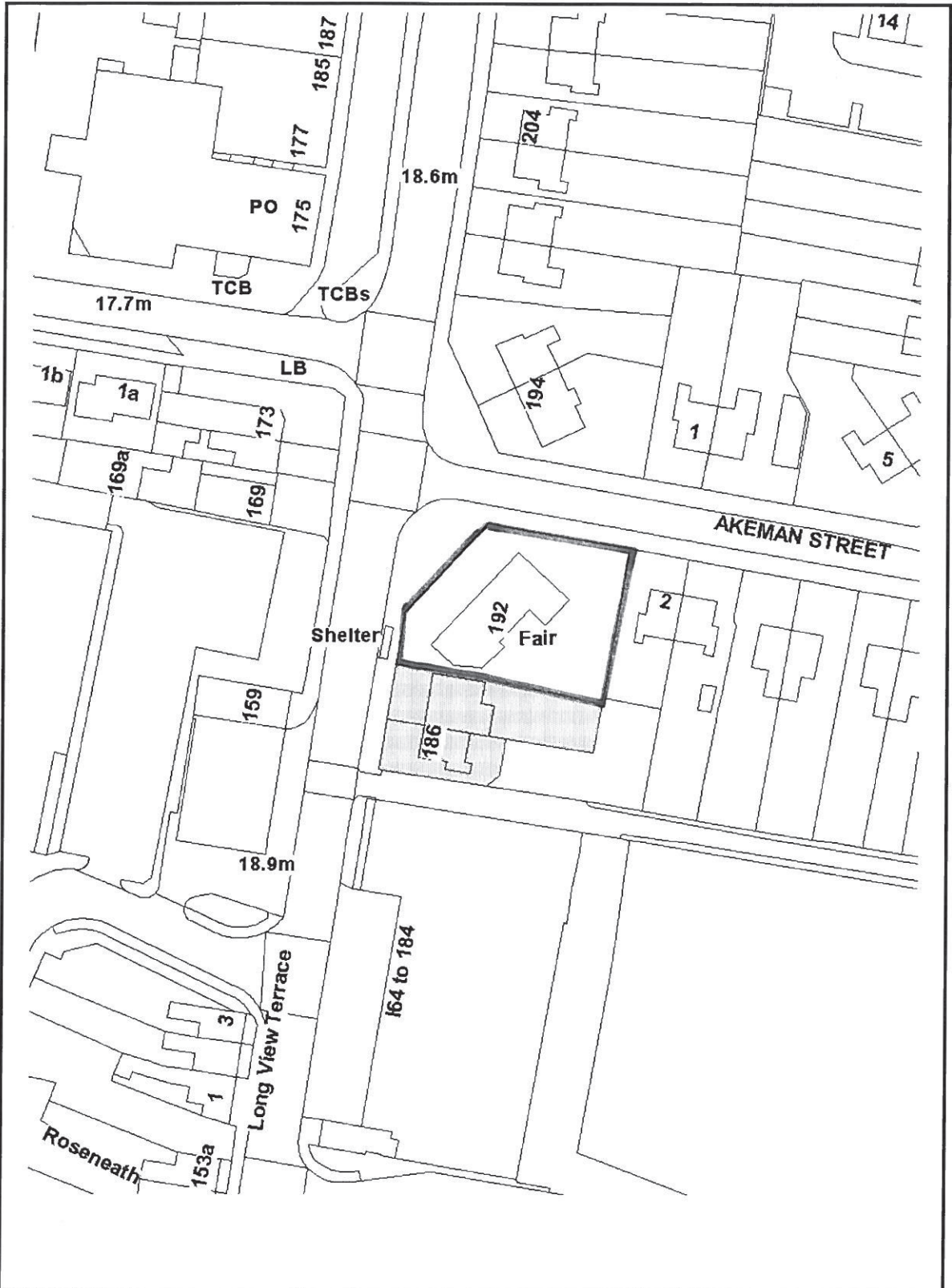
- The site was operated as a Residential Care Home and the home provided help and support to those unable to remain in their home even with the aid of a comprehensive support package. Care homes provide service from trained care staff, and give access to visiting Doctors and District Nurses;
- The Care Home had a total of 14 resident rooms;
- There were 9 staff throughout the day plus the Manager and the shift pattern was; 8am-3pm, 3-pm-9pm, 9pm-8am;
- There was also one daily cleaner, a cook, and two people on call each night;
- There were a number of daily deliveries to the site (food, laundry, post etc.)
- Some of the residents had multiple visitors every day, whilst the others had visitors twice weekly; and
- The residents also had visits from their Doctor/ District Nurse.

In the context of the above usage, we would estimate that the daily number of movements by all modes to and from the property would have been:-

- 12 staff per day (includes manager, cleaner & cook) – 24 movements
- Deliveries (food, laundry services, hygiene companies etc.) – 12 movements
- Some of the staff would come and go during the day – 8 movements
- Average of 1 visitor a day for each resident – 28 movements
- Doctor/ District Nurse visits – 6 movements
- Some of the residents taken out on a short trip– another 10 movements
- Some of the residents may leave the home – perhaps on a short walk or to visit the shop – another 6 movements
- Total Movements – 94

We trust that this clarifies any issues regarding the previous use of the Care Home that you may have had. However, should you require any additional information please do not hesitate to contact us.

Yours sincerely,

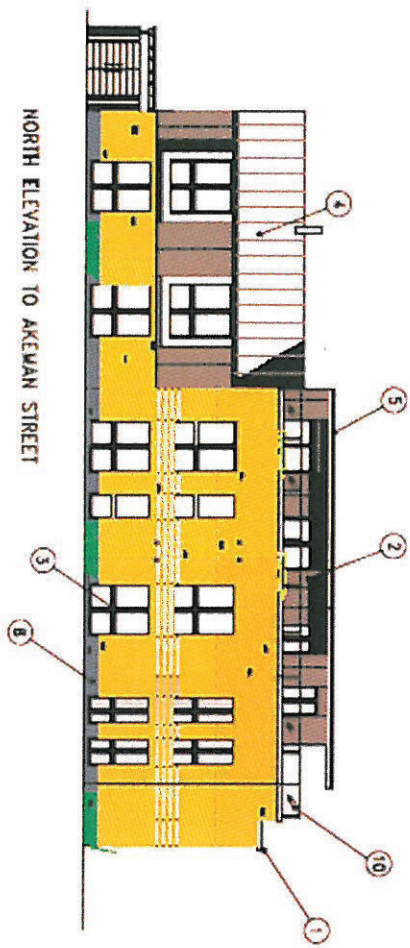


12/0321/FUL

190 - 192 Histon Road Cambridge Cambridgeshire CB4 3JP

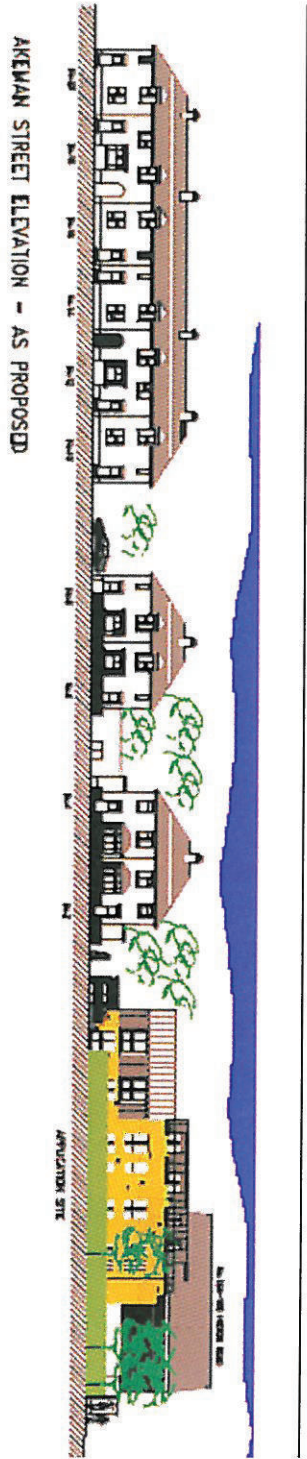




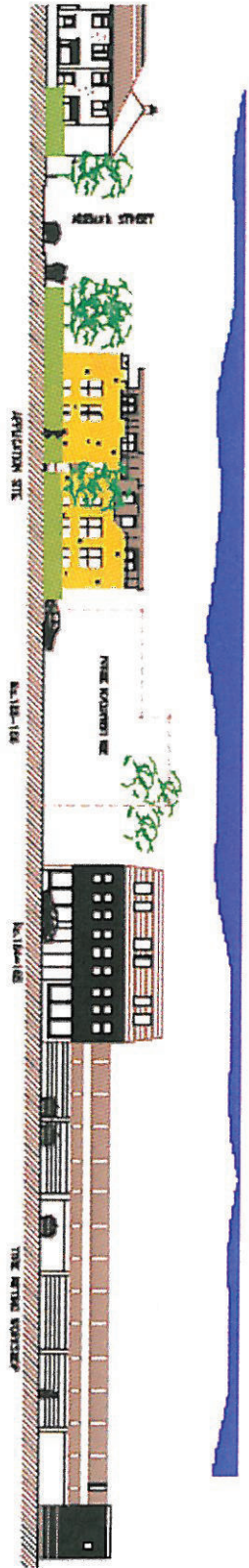


WEST ELEVATION TO HISTON ROAD





HISTON ROAD ELEVATION 1:200



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CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Planning Services

TO: Planning Committee

27/06/2012

WARDS: Abbey, Petersfield

**Confirmation of previous resolution to grant planning permission for 75 residential apartments, including 30 affordable units, 174m<sup>2</sup> of commercial space at ground floor level to be used for A1, A2, B1(a) or D1 (in the alternative), and associated infrastructure, at 9-15 Harvest Way (application number 11/0219/FUL)**

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## 1 INTRODUCTION

- 1.1 This report concerns the above planning application. At its meeting of 16<sup>th</sup> November 2011, Planning Committee resolved to grant planning permission, subject to conditions and to a Section 106 agreement.
- 1.2 Completion of a Section 106 agreement, and issue of the decision notice have been deferred because of concerns which have arisen about the soundness of the transport advice from Cambridgeshire County Council which formed part of the background for Committee's decision. Updated advice from the County Council has now been received, and this has been assessed by independent consultants engaged by Cambridge City Council. In the light of this new advice, and the consultants' assessment of it, officers have brought the matter back to Planning Committee to seek confirmation of the earlier decision.

## 2. RECOMMENDATIONS

- 2.1 I recommend Planning Committee confirm the decision, made at the meeting of 16<sup>th</sup> November 2011, to grant planning permission for the proposal made under 11/0219/FUL, subject to conditions, and subject to the completion of a Section 106 agreement by 17<sup>th</sup> August 2012.

## 3. BACKGROUND

- 3.1 An application for 75 residential apartments, including 30 affordable units, 174m<sup>2</sup> of commercial space at ground floor level to be used for A1, A2, B1(a) or D1 (in the alternative), and associated infrastructure, was received on 28<sup>th</sup> February 2011. Officers submitted a report to Planning Committee of 16<sup>th</sup> November 2012, recommending approval of the application. Having considered the application at that meeting, Planning Committee decided to accept the case officer's recommendation, and resolved to grant permission, subject to conditions and the completion of a Section 106 agreement.

- 3.2 One of the principal issues raised in representations, both from individuals and from the local residents' associations, was the impact of the proposed development on traffic conditions on Newmarket Road and Coldhams Lane. In order to explore this issue fully, it was agreed that the applicants on this site and applicants at the nearby site of Intercell House would jointly support the cost of PARAMICS modelling to examine the likely impact of additional vehicle movements from each of the two proposals independently and from both proposals cumulatively. This modelling examined impacts at weekday peaks, but also on Saturdays.
- 3.3 Having received reports from the consultants, the County Council concluded that the proposed residential development at 9-15 Harvest Way would not have a significant detrimental impact on the transport network, and advised the City Council case officer accordingly.
- 3.4 At the November 2011 meeting of Planning Committee, this issue formed a significant part of the discussion. Ultimately, Planning Committee decided that neither transport impact nor any other issue provided a justification for refusing the application, and resolved to grant permission.
- 3.5 Subsequently, during discussions surrounding the assessment of another planning application (11/0338/FUL), at the nearby site of Intercell House (1 Coldham's Lane), doubt was cast over the soundness of the advice which had been given by the County Council with respect to future traffic flows. The doubt arose when it emerged that the traffic signals in the area were within a UTC SCOOT system in which the phasing of signals responds according to traffic conditions. This meant that the possible installation of a MOVA system in the future, which had been built into the modelling process as a factor which would reduce delays, would in fact have little or no impact. Because of this situation, the Intercell House application was removed from the Planning Committee agenda until updated advice could be obtained from the County Council
- 3.6 County Council advice about the application at 9-15 Harvest Way had been informed by the same modelling process, and consequently, officers considered it advisable to delay implementing the Committee resolution to grant permission on the Harvest Way site until updated advice was received.
- 3.7 Updated advice from Cambridgeshire County Council was received on 11<sup>th</sup> June 2012. This advice was given in respect of the application at Intercell House, 1 Coldhams Lane, but it makes reference to the present application site as well. The County Council's advice is that the cumulative transport impact of proposed developments on the three neighbouring sites at 9-15 Harvest Way (residential), 180-190 Newmarket Road (hotel), and 1 Coldhams Lane (hotel) would not be significant. The County Council's assessment is that during the Saturday afternoon peak hour (1500-1600) the proposed residential use would add 9 additional journeys to the existing traffic flow. This would represent a 0.12% increase over the base level (current flows + committed development). The percentage figure is unaltered if 14% growth to 2018 is assumed. The percentage increase figures for the three sites combined are 0.72% over base level and 0.76% over base+14% growth.
- 3.8 The Council's independent transport consultants, WSP, have agreed that this assessment is sound.



## **4.0 OPTIONS**

- 4.1 Confirm the previous decision to grant permission.
- 4.2 Refuse planning permission for the application, citing planning reasons for the decision.
- 4.3 Require the application to be returned to a later meeting of Planning Committee for further discussion.

## **5.0 CONCLUSIONS**

- 5.1 The officer view is that there are no reasons to come to a decision different from that previously agreed by Planning Committee, and that the decision to grant planning permission, subject to conditions and a Section 106 agreement, should be confirmed.

## **6.0 IMPLICATIONS**

### **(a) Financial Implications:**

- 6.1 A decision to refuse permission could lead to an appeal, with associated costs in officer time and the engagement of consultants and possibly Counsel.
- 6.2 A decision to defer could lead to an appeal against non-determination, which would entail the same costs as above.

### **(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:

Planning application 11/0219/FUL and supporting documents  
Cambridge Local Plan 2006  
Case officer's report to Planning Committee 16<sup>th</sup> November 2011  
De-briefing sheet and minutes of Planning Committee 16<sup>th</sup> November 2011  
\*Advice from the County Council transport officers 11<sup>th</sup> June 2012

The asterisked document is attached to the Committee agenda as Appendix A to the report on the application at Intercell House.

To inspect the other documents, contact Tony Collins on extension 7157, or use the City Council website: planning application documents are available via the Public Access system

The author and contact officer for queries on the report is Tony Collins on extension 7157

Report file:

Date originated: 15 June 2012  
Date of last revision: 15 June 2012

## CAMBRIDGE CITY COUNCIL

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REPORT OF: Director of Environment and Planning

TO: Planning Committee

27/06/2012

WARDS: Trumpington

### **CB1 STATION AREA REDEVELOPMENT – DISCHARGE OF PLANNING CONDITION – BLUE PHASE (BLOCKS L1 to L4) (BRICK SAMPLE PANEL)**

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#### **1 INTRODUCTION**

- 1.1 In September 2011 reserved matters approval was given for development of CB1 Blue Phase (Blocks L1 to L4) that is part of the CB1 Station Area Redevelopment. The Approval was subject to a number of planning conditions including a condition that related to the approval of a brick sample panels. The discharge of this condition is a matter that Members wish to be brought to Committee for determination.

#### **2. RECOMMENDATIONS**

- 2.1 That Condition 9 is discharged on the basis of the use of Freshfield Lane Dark Facings brick with natural buff mortar in the sample panel erected on site in May 2012.

#### **3. BACKGROUND**

- 3.1 Reserved matters approval was granted for the CB1 Blue Phase (Blocks L1 to L4) by Planning Committee on 21 September 2011. The minutes of the meeting state as follows:

‘With regard to the discharge of condition 9, the Planning Committee wish to deal with the discharge of this condition by way of a site visit and committee item prior to discharge. Officers do not have delegated powers to discharge this condition’.

- 3.2 Condition 9 reads as follows:

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

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

- 3.3 A submission for the discharge of Condition 9 was made on 14 May 2012. Officers have seen the brick sample panel on site and in our view it is acceptable. Members were invited to view the sample panel on 22 June 2012 or to contact Hill Residential direct to arrange an independent visit.
- 3.4 I am confident that the facing brick that has been brought forward for consideration is appropriate and will compliment the appearance of existing development in the area.

#### 4 **CONSULTATIONS**

Urban Design and Conservation Team

- 4.1 The JUDT raises no objection.

#### 5 **OPTIONS**

Option 1

- 5.1 To discharge Condition 9 will facilitate the first residential phase of the development including the delivery of affordable housing.

Option 2

- 5.2 To refuse to discharge Condition 9 would mean that the developers would have to reconsider their choice of brick/mortar and could delay progress on site.

#### 6 **CONCLUSIONS**

- 6.1 I would recommend that Condition 9 be approved.

#### \*. **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:

Application for Discharge of Planning Conditions dated 14 May 2012.

To inspect these documents contact Sarah Dyer on extension 7153

The author and contact officer for queries on the report is Sarah Dyer on extension 7153.

Report file:

Date originated: 15 June 2012

Date of last revision: 15 June 2012

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