

CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Planning  
TO: Planning Committee  
WARDS: Market

**Request for Variation of Section 106 Agreement pertaining to the student accommodation site (McLaren) at the Former Brunswick Site, Newmarket Road, Cambridge.**

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**1 INTRODUCTION**

- 1.1 On 22 July 2009 Planning Committee considered two proposals (09/0179/FUL & 09/0181/FUL) to re-develop the Former Brunswick site and resolved to grant planning permission for proposals to provide 205 residential units, 251 student rooms (in lieu of affordable housing) a café, and new vehicular and pedestrian access and associated works, subject to a S106 Agreement.
- 1.2 As part of planning permission 09/0179/FUL a student accommodation block was approved in the south east corner, behind the National Tyres building and 77-81 Newmarket Road and adjacent to part of the pedestrian footpath onto Walnut Tree Avenue. The site has its own independent access from the residential proportion of the site, which is from Newmarket Road.
- 1.3 The Section 106 agreement is dated 30 November 2009. The agreement effectively restricts occupation of the student accommodation block to students attending Anglia Ruskin University or (if none is available to take up the offer) to students attending a college within the University of Cambridge. The applicant seeks a variation of the Section 106 agreement to allow the occupation of the accommodation block by a broader range of students/delegates during the summer vacation. The draft variation has proposed that the accommodation be occupied during the summer vacation period by the following persons, with priority given in the following order:
- i) Full time students attending Anglia Ruskin or the University of Cambridge;

- ii) Part time students attending Anglia Ruskin University of the University of Cambridge;
- iii) Delegates attending conferences run by Anglia Ruskin University or the University of Cambridge; or
- iv) Delegates and students attending other educational institutions within the City of Cambridge as defined on the Proposals Map.

1.4 The Section 106 Agreement was approved under the Planning Obligation Strategy 2004.

## 2. **RECOMMENDATIONS**

2.1 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 this report, during the summer vacation.

## 3. **BACKGROUND**

3.1 The former Brunswick site was approved under two separate planning permissions, which ran in parallel to one another. 09/0179/FUL was for the wider site including the construction of 168 residential units and 251 student rooms. 09/0181/FUL was for a smaller site that fronted onto Newmarket Road, adjacent to Evening Court and permitted 37 residential units and a community facility. A map is attached to define the extent of each application site.

3.2 The construction of the student accommodation is progressing with the applicant working towards occupation at the beginning of the new academic year, October 2012. The S106 agreement specifies that the accommodation is for students of Anglia Ruskin University and that only in the event that a residency agreement is not entered into should the student accommodation unit be offered to any student at any college within the University of Cambridge.

3.3 Given that the academic year runs from September to June, there is a period of two months, July and August that the accommodation will not be occupied. For this reason, the applicant requests that other students or delegates be able to occupy the accommodation during this summer vacation period.

3.4 In order to remain consistent with other sites in the City, the applicants have requested that during the summer vacation the

following persons may also occupy the Student Accommodation Units with priority given in the following order:

- i) Full time students attending Anglia Ruskin or the University of Cambridge;
- ii) Part time students attending Anglia Ruskin University or the University of Cambridge;
- iii) Delegates attending conferences run by Anglia Ruskin University or the University of Cambridge; or
- iv) Delegates and students attending other educational institutions within the City of Cambridge as defined on the Proposals Map.

## **ASSESSMENT**

- 4.1 The site was allocated on the Proposals Map for a mixed-use housing development and community facilities with the potential for a student hostel for Anglia Ruskin University. For this reason, policy 7/9 of the Cambridge Local Plan 2006 is relevant. This policy is important as it assists the University with addressing its accommodation shortages and in turn alleviating the pressures upon the wider housing market.
- 4.2 The variation sought will not harm this objective as the amendment is only sought for the summer vacation. During the summer, many of the students return to their family homes and hostels such as this are left empty for two months or more. This is not to say that all students will leave Cambridge, and provision has been made in the variation to ensure that full time and part time students of Anglia Ruskin and the University of Cambridge are given priority and have the ability to remain in the accommodation should they so wish. The remaining rooms that are then left vacant for the summer vacation can be offered to delegates attending conferences or courses run by the aforementioned Universities or lastly, delegates and students attending other education institutions as defined on the Proposals Map.
- 4.3 It is my view that it would be inconsistent to not allow this variation and I draw comfort from the fact that this variation is for a limited number of months and will not do demonstrable harm to the City Centre, but may assist in providing short term accommodation for visiting delegates and students.

## **CONSULTATIONS**

- 5.1 Legal Services have been consulted and they do not envisage a problem to vary the Agreement, however the developer will need to meet the legal costs in drawing up the Variation.

## **OPTIONS**

- 6.1 In the absence of an agreement to vary the Section 106 Agreement, the existing agreement will prevail which would leave a student hostel virtually empty during the summer months, when it could assist with providing short term accommodation for visiting delegates and students.

## **CONCLUSIONS**

- 7.1 I would recommend that the Section 106 Agreement be varied in the manner proposed at paragraph 2.1.

## **8. IMPLICATIONS**

- (a) **Financial Implications** – None
- (b) **Staffing Implications** – None
- (c) **Equal Opportunities Implications** – None
- (d) **Environmental Implications** – None

Climate Change Impact: Nil

- (e) **Community Safety** – None

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

Section 106 Agreement for the CRC Brunswick Site, Cambridge 09/0179/FUL and 09/0181/FUL.

To inspect these documents contact Sophie Pain on extension 7158

The author and contact officer for queries on the report is Sophie Pain on extension 7158.

Report file:

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