

Application Number	11/1348/FUL	Agenda Item	
Date Received	8th November 2011	Officer	Mr Tony Collins
Target Date	7th February 2012		
Ward	Romsey		
Site Proposal	309 - 313 Mill Road Cambridge Cambridgeshire CB1 3DF Demolition of disused storage building, relocation of electricity sub-station and erection of building for place of worship (mosque) and community facilities (all D1 Use Class), cafe (A3 Use Class), 2 social rented dwellings and associated development.		
Applicant	C/o Bidwells Bidwell House Trumpington Road Cambridge CB2 9LD		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The application proposes a new community facility for which there is a demonstrated need, in a sustainable location</p> <p>The proposal accords with the allocation of the site in the Local Plan</p> <p>The proposed building is of high-quality design, which integrates traditional Islamic elements in an innovative design which also responds well to the local context in scale and materials</p> <p>The level of on-site car parking proposed is appropriate for the level of activity proposed, and is not likely to cause unacceptable pressure on street parking in the local area</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site, which lies on the north side of Mill Road, just east of its junction with Vinery Road, is the western half of the area listed as 7.12 in the Proposals Schedule of the Cambridge Local Plan (2006). This site is allocated for 'mixed use housing development and community facilities'. A rider to the allocation suggests that development could include a student hostel for Anglia Ruskin University on part of the site in lieu of affordable housing. A design brief for the whole of the 7.12 site was adopted in 2007. The site falls outside the Mill Road sector of the City of Cambridge

Conservation Area No.1 (Central), but the boundary of the conservation area runs along the street frontage at the southern edge of the site, and also along part of the western boundary of the site.

- 1.2 There are no buildings on the site. It was formerly occupied by the storage and collection warehouse for Robert Sayles department store, using a former bowling alley and other buildings, but these buildings, which had been disused since the new John Lewis warehouse at Trumpington was brought into use, were demolished following a fire in 2009. There is a tree preservation order on the site protecting three Kashmiri birches, which stand alongside two unprotected trees, a silver birch, and a goat willow, in the community garden on the street frontage
- 1.3 The site is bordered by Brookfields Hospital and other NHS buildings to the north. Houses on Vinery Road border the site to the west. There is a small group of commercial/retail buildings adjacent to the south-west corner. Opposite the site, on the south side of Mill Road, are terraced houses from the end of the nineteenth century. To the east of the site is a vacant plot of land, of similar dimensions to the application site, formerly used for motor vehicle sales. This plot forms the other half of the 7.12 allocation in the Cambridge Local Plan (2006). The application site falls within outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The application proposes a new mosque. The building would be set back from the Mill Road frontage by 20m, behind an open 'community garden' (7.5m in depth) and a gated mosque garden (12.5m in depth). The mosque complex would fill the majority of the rest of the site, apart from a landscaped area around the boundary, which would vary in width from 1m to 6m. The footprint of the building would measure 79m from front to back, and 41m across the site.
- 2.2 The major part of the ground floor would be occupied by the 32m x 32m prayer hall, which would be towards the rear of the site. At the front of the building, behind a deep open portico, would be the main atrium, a teaching area, a café and kitchen. In the centre of the building, between these rooms and the prayer hall, would be an office and separate ablution areas and WCs. Those for men would be on the east side of the central vestibule, those for women on the west. On the west side of the prayer hall would be an area for mothers and children, and in the north-east corner, the mortuary. The prayer hall would open on to a second deep portico at the rear of the building.
- 2.3 In the complex would be two three-bedroom residential units, each occupying two floors. One would be attached to the north-west corner of the prayer hall, and the second on the east side of the building, to the rear of the kitchens.
- 2.4 From an access point on Mill Road, on the east side of the site, a ramp would lead down to a basement. The basement would accommodate 80

car parking spaces, seven of them suitable for use by disabled persons, and a bay for hearses, located directly below the mortuary, and linked to it by lift. Pedestrian access to the basement would be via three staircases, two at the front of the building, and one at the rear.

2.5 The forward section of the building would rise to a flat roof at 6.5m above ground level behind a sawtooth parapet reaching 7m at the points. The spaces in this part of the complex would be served by large circular skylights reaching 7.2m above ground. The prayer hall section would be similar in form, but on a larger scale, with the roof at 8.5m, the parapet points at 9m and the upper edge of the rooflights at 10m. Depending on the renewable energy solution eventually selected, the roof might also accommodate up to 36 photovoltaic and 8 solar hot water panels, and would be surmounted by a dome, 7.5m in diameter. The dome (centred at a point 70m back from the Mill Road frontage, and 53m from the rear elevation of the closest neighbouring house in Vinery Road) would rise to 16.5m above ground, and would be topped by a traditional crescent 1.5m in height.

2.6 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Planning Statement
3. Statement of Community Involvement
4. Public Art Delivery Plan
5. Landscape Design Proposal Sketchbook
6. Transport Assessment
7. Travel Plan
8. Flood Risk Assessment
9. Environmental Planning Report
10. Air Quality Assessment
11. Ground Investigation Report
12. Preliminary Site Investigation Report
13. Phase 1 Contamination Assessment
14. Drainage Strategy
15. Tree Survey

3.0 SITE HISTORY

Reference	Description	Outcome
07/0644/FUL	Erection of 100-bed care home	Refused

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	Public Exhibition (7 th September 2011):	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 SS3 C1 T1 T2 T4 T9 T14 ENV6 ENV7 ENG1 WAT 4 WM6 CSR1
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/11 3/12 3/13 4/4 4/11 4/13 4/15 5/12 8/1 8/2 8/4 8/6 8/9 8/10 8/16 8/18

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

Central Government Guidance	National Planning Policy Framework March 2012 (referred to as 'the Framework') Circular 11/95
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)

	<p><u>Citywide:</u></p> <p>Arboricultural Strategy</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan</p> <p>Cambridge Sub-Region Culture and Arts Strategy</p> <p>Cambridgeshire Quality Charter for Growth</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><u>Area Guidelines:</u></p> <p>Eastern Corridor Area Transport Plan</p> <p>Mill Road Area Conservation Area Appraisal 2011:</p> <p>Mill Road Development Brief (Robert Sayle Warehouse and Co-Op site) 2007</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Clarification of car park space dimensions, car park aisle widths, ramp width and entry radii, and footway fall on Mill Road sought. Conditions sought on unbound material on the access, gates, the vehicle crossing of the footway, overhanging, surface water runoff, manoeuvring areas, and a traffic management plan. Informatives requested regarding highway works and public utility apparatus .

Cambridgeshire County Council (Sustainable Communities)

- 6.2 Car parking provision is in line with City Council standards. Site is in sustainable location. Final Travel Plan requires agreement with Council Shuttle bus from existing mosque site required. Application exempt from SCATP contributions. No objections subject to Travel Plan and shuttle bus.

Head of Environmental Services

Environmental Protection

- 6.3 Conditions recommended with respect to construction noise and construction hours. Conditions also sought with respect to plant and other potential noise from the end use.

Scientific Team

- 6.4 Review of historic maps noted multiple former potentially contaminative uses including Cement and Lime Works, a Foundry, a redundant Petrol Station and the possibility of infilled ground. Site walkover also noted potential sources of contamination, including an electricity sub-station and metal covers indicating presence of underground tanks. Two reports formerly undertaken for the application site and the adjoining former petrol station were reviewed, which concluded that further investigation
- 6.5 Based on the above information a site-specific conceptual model (CSM) was constructed and presented by the applicant. The CSM is acceptable.
- 6.6 Further intrusive site investigations are proposed including:
- sample boreholes and installation of gas and groundwater standpipes.
 - soil samples, to tested for a full suite of contaminants including metals, petroleum hydrocarbons and aromatic hydrocarbons.
 - photoionisation detector (PID) to screen soil samples for the presence of volatiles.
- 6.7 After this a more detailed investigation will be undertaken including:
- trial pits and boreholes, to assess the presence and extent of Made Ground
 - minimum of two rounds of groundwater monitoring
 - possible testing of soil samples for dioxins and furans.
- 6.8 Proposed scope of further works for the site is acceptable in principle.
- 6.9 Environmental Health would be able to provide further advice on recycling material from the site. Ground source heating and cooling is proposed. Recommend advice is sought from the Environment Agency in order to ensure the system is suitable for use on site.
- 6.10 All issues raised above can be covered by the full contaminated land condition which should be attached to any consent.

Waste Strategy

- 6.11 Concerns regarding the location of the bins, as they appear to be some distance from the road with the requirement to pull them through the garden area. Waste condition therefore sought.

Planning Policy Manager

- 6.12 Proposal in accordance with the allocation of the site in the Local Plan, and with policy 5.12 of the Plan. No objection.

Urban Design and Conservation Team (Urban Design advice)

Background

- 6.13 Site forms part of Proposal Site 7.12 for 'mixed use housing development and community facilities'. Robert Sayle Warehouse and Co-Op Site Development Brief 2007 assumes residential development, but much of the open space and scale and massing guidance are still applicable. Principle of the proposed uses on this site is acceptable given the range of community uses proposed.

Scale and Massing

- 6.14 Development is of a similar height to the existing residential developments surrounding the site and is therefore in accordance with the suggested heights contained within the Development Brief. Dome will create an interesting addition to city skyline. Setback from the rear boundaries of 2-16 Vinery Road and stepping of the building from 2 to 3 storeys along the western and southern façades reduces amenity impacts on neighbours. Scale and massing creates successful scale transition from the 2 story residential properties surrounding the site to 3-storey element of the prayer hall. Acceptable in scale and massing terms.

Access

- 6.15 Proposed pedestrian and cycle link in NW corner may be undeliverable and raises security issues. This should be removed. Footpaths are too narrow. All footpaths need to be a minimum of 1.2m to allow sufficient space to push a bicycle.
- 6.16 Southern elevation includes a series of brick pillars and metal railings located between the community and Islamic gardens. Suggest an additional brick pillar is located to the east of the car park access ramp to continue the 'rhythm' along the frontage.

Refuse storage

- 6.17 Position of the waste and recycling storage needs to be clarified.

Cycle Parking

- 6.18 Given the access concerns raised above, recommend that more cycle storage is located within the basement.

Materials

- 6.19 Recommend condition requiring sample panel.

Conclusion

- 6.20 Proposal will create an interesting and high quality addition to Mill Road and addresses the principles of the Robert Sayles Warehouse Development Brief 2007. Proposal supported, but the following concerns need to be addressed:

- Removal of pedestrian and cycle access from NHS car park
- All footpaths on west side to be minimum of 1.2m wide
- One car parking space for each flat within the basement
- Grassed areas to the northwest and east to be private amenity space for flats
- Additional brick pillar to the east of the car park access ramp.

Urban Design and Conservation Team (Conservation advice)

- 6.21 Development of this site welcomed, as it will eliminate the negative impact of site on character and appearance of the Conservation Area. Scale and massing of the proposal appropriate for the context, and of positive value to the character and appearance of the Conservation Area. No objections to the dome, which will have only a limited impact on the Conservation Area. Design of building as a whole, while differing from style of the existing street scene, ties into the character of the area through materials. Conservation area designation does not prohibit development of a modern design, but aims to ensure that where modern developments are proposed they are designed to suit their immediate context, and preserve or enhance the character and appearance of the Conservation Area.
- 6.22 The mosque proposed here has clearly been designed for its location and context, and also respects the scale of the previous building on the site. Proposal supported.

Senior Sustainability Officer (Design and Construction)

- 6.23 Proposals have been designed with longevity of use in mind. Sustainability and future proofing are paramount in achieving this. There are many innovative elements to the proposals that are fully supported, and the importance placed on social as well as environmental sustainability is welcomed.

6.24 Particularly welcomed:

- The approach taken to utilising passive solar heating in the winter months while at the same time ensuring that overheating in the summer is minimised;
- The emphasis on evaporative cooling both inside and outside of the building;
- The use of grey water recycling to reduce water consumption by around 30%;
- The utilisation of natural ventilation strategies where possible;
- The use of the sedum roof to condition the air local to the Prayer Hall mechanical intake;
- The proposals to enhance biodiversity as part of the proposals.
- The sourcing of local and A rated materials, the minimisation of construction waste and the use of recycled aggregate.
- The social sustainability elements of the scheme, such as the involvement of the local community in the care and maintenance of the Community Garden and the inclusive nature of the proposal.

6.25 Encouraging that climate change adaptation measures are part of the proposals. Approaches to future proofing the building and avoiding overheating in both the internal and external environments are fully supported. Landscaping proposals include drought tolerant planting, which is also supported.

6.26 Fully support the hierarchical approach being taken to reduce energy related emissions, important to highlight that it is estimated that the scheme will exceed current Building Regulations (Part L 2010) by 26% (16% by good passive design and energy efficient systems and 10% through the use of renewable technology). Such an approach is fully supported.

6.27 Preferred approach to renewable energy is ground source heat pump, which it is estimated will reduce emissions by around 16%. An alternative approach is put forward in case the implementation of ground source heat pumps is not feasible. This involves the use of air source heat pumps, a solar thermal array and photovoltaic array. This should still meet the Council's policy requiring 10% renewable energy. Both approaches are supported. If it is decided not to implement the solar arrays at this stage, applicant encouraged to give consideration to installing sufficient electrical infrastructure from the outset in order that solar panels can easily be integrated into the scheme in the future.

6.28 Conclusion: proposed development has clearly made sustainability a priority Commitment to exceed policy requirements in relation to renewable energy and changing climate welcomed. Development fully supported.

Access Officer

- 6.29 Generally good. Lack of clarity about lift. Asymmetric doors are desirable where each panel of double doors is less than 900mm wide.

Head of Streets and Open Spaces (Landscape Team)

- 6.30 Landscape design concept supported.
- 6.31 Suggest a more substantial tree species along the Mill Road boundary of the site. Strongly advise the use of solid durable benches in Community and Islamic gardens in order to withstand any potential vandalism. Require full construction and maintenance details of the fountain. Planting palette in Islamic Garden generally supported, but maintenance needs noted.
- 6.32 Western edge footpath too narrow.
- 6.33 Proposed perimeter planting of fastigate Cypress/Yew trees may mature to form a very dense green edge to the perimeter of the site. This will screen the building too heavily. Suggest that the planting design around the perimeter of the site is reviewed. Yews are poisonous, so should be kept away from children's play area. Landscape management and maintenance plan required.
- 6.34 Proposal considered an exciting and positive addition to Mill Road. Scheme recommended subject to above comments. Conditions advised

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.35 Strategic Flood Risk Assessment seeks 20% reduction in peak discharge from redevelopment of a brownfield site Current proposal maintains status quo.
- 6.36 Drainage strategy only provides indicative solution. Green roof is welcomed but should be extended to whole roof. It would also be a missed opportunity if the water features in the Islamic garden are not connected to water being discharged from the roof either directly or through a rainwater harvesting system.

Environment Agency

- 6.37 The site is identified as being within a Groundwater Vulnerability Zone and therefore care must be taken to ensure that the demolition and construction works do not result in contamination of the water environment. In line with the recommendations of the site investigation study, further intrusive works will be required to be approved prior to the commencement of development. Conditions on ground contamination, infiltration, piling, pollution control and foul and surface water drainage are required.

Anglian Water

- 6.38 Surface water strategy / flood risk assessment is acceptable. Foul drainage strategy must be agreed with Anglian Water. Conditions required on both foul and surface water drainage. Informatives requested.

Cambridgeshire Constabulary (Architectural Liaison Officer)

- 6.39 Little to suggest that the building will be vulnerable to burglary or damage.
- 6.40 Location and available car parking could not cope with the numbers attending at Eid festival. Prayer sessions will need to be managed to enable the Mosque to empty before the next prayer session commences.
- 6.41 Avoiding climbing aids to the perimeter would reduce or eliminate risk of access to roof and threat of metal thefts. Eastern fence will need to be of sufficient height to prevent not only access to the site but also to the vehicle ramp. Recommend a fence not less than 1.8m high and preferably 2.1m. Mill Road frontage fencing should be difficult to climb. Fence to the front of the proposal needs to be extended along the top of the wall leading to the basement car park to join the wall along the eastern boundary. This will provide site security. NW cycle and pedestrian entrance is undeliverable, and should be discounted.
- 6.42 Location of cycle racks within the garden will help to minimise the risk of cycle theft.
- 6.43 Access to the residential units out of hours should be controlled by gating across at both sides of the front elevation. How the gate is used and managed can be decided once the building is in use. Exterior of residential unit to the rear should be lit - PIR lights or low energy dusk to dawn lighting. Recommend security standard for external doors and laminated glazing. CCTV with appropriate signage and lighting should be considered. Underground car park will need to be managed. Gating and lighting should conform to Secured by Design 2010. Gate to underground car park is shown at the bottom of the ramp. Preferable that a shutter be positioned to close off all underground space out of hours to avoid use as a refuge by rough sleepers.
- 6.44 Fountain wall structure should be of a height of not less than 600mm and of a substantial nature – this will avoid the need for a PAS 68 standard bollard to protect the entrance against deliberate ramming by a vehicle.
- 6.45 Conclusion: no specific problems with the application in terms of crime risk.

Design and Conservation Panel (Meeting of 6th July 2011)

- 6.46 The conclusions of the Panel meeting(s) were as follows:

This is an exciting contemporary architectural proposal. The design team are to be complimented for their thoughtful and scholarly approach in the development of the scheme. Design features such as the gradual transition through a garden, a vestibule, and an atrium, into the main prayer hall; the overall building geometry, certain structural elements e.g. the laminated wood 'tree' columns, and the embedded artwork are noteworthy. It is hoped that sufficient resources will be available to deliver a build of the quality proposed. The Panel would also urge that dialogue be maintained with the owners of the neighbouring vacant plot in the interests of securing its redevelopment.

VERDICT – GREEN

(Unanimous, but subject to the caveats as described above.)

- 6.47 The relevant section of the minutes of the panel meeting are attached to this report as Appendix A

Disability Consultative Panel (Meeting of 7th December 2011)

- 6.48 Panel's comments at pre-application stage have been positively responded to. Parking will no doubt continue to be a key issue in the success of this proposal, but Panel would like to encourage its progress.

Public Art Co-ordinator

First Comment – January 2012

- 6.49 Welcome the public art proposal. Require additional information relating to the commissioning and location of the artworks. Public Art Delivery Plan needs to be clear in the commissioning process. Public art budget is not there to pay for standard design elements and the value must be demonstrated. All public art proposals must demonstrate that they are publicly accessible and have a public benefit.
- 6.50 Suggest a revised Public Art Delivery Plan is submitted for approval prior to the commencement of development. This should form the basis of the S106 Agreement. Revised document should go to Public Art Panel for comment.
- 6.51 The budgets will need confirming as the project moves.
- 6.52 (Further oral advice from the Public Art Co-ordinator indicates that she welcomes the additional information provided on elements to be included in the public art contribution, and especially the exemplary details about base costs and art costs set out, but continues to have some reservations on clarity of the precise components which are to be undertaken by the commissioned artist(s) and the issue of whether all the elements included can properly be assessed as public. She is of the view that these matters need to be addressed in a revised public art delivery plan which can be secured through a Section 106 agreement.)

6.53 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 objecting to the proposal:

107	Argyle Street	13	Malta Rd	34	Suez Road
99	Beaumont Rd	17	Malta Rd	41	Suez Road
11	Belgrave Rd	29	Malta Rd	66	Suez Road
22	Belgrave Rd	297	Mill Rd	2	Vinery Rd
7	Brookfields	316	Mill Rd	10	Vinery Rd
7	Cavendish Place	342	Mill Rd	14	Vinery Rd
29	Cavendish Road	299	Mill Rd	16	Vinery Rd
22	Charles Street	307	Mill Rd	66	Vinery Rd
33	Chiefs St ELY	34	Redfern Close	108	Vinery Rd
43	Devonshire Rd	14	Romsey Road	35	Vinery Rd
75	Hemingford Rd	33	Romsey Road	6	Vinery Rd
51	Hobart Rd	36	Ross Street	12	Vinery Rd
16	Hooper Street	27	Seymour Street	21	William Smith Close
25	Madras Rd	65	St Philip's Rd		
24	Madras Rd	51a	St Philip's Rd		
6	Malta Rd	22	St Philip's Rd		

7.2 The representations can be summarised as follows:

Principle of development

- site should be used for housing
- step towards Muslim-controlled nation
- out of step with multicultural nature of the area
- will foster right-wing extremism
- should be several small mosques
- will not cope with future demand

Context and design

- too high
- too massive
- not in character
- dome needlessly provocative
- materials important
- not in accordance with Development Brief
- will constrain development on the adjacent site
- position of gardens will discourage community use

Residential amenity

- overshadowing
- loss of privacy
- food outlet not needed
- noise
- disruption from NW exit
- noise impact of call to prayer
- intimidation
- construction disruption

Environmental health issues

- air pollution

Traffic and car parking

- number of vehicles
- transport survey inadequate
- car parking
- shuttle bus should link with station
- should be outside ring road

Other issues

- NW entrance feasibility unclear
- maintenance of common boundary
- harm to welfare of animals

7.3 Representations from the occupiers of 55 Vinery Road and 95A St Phillips Road, whilst stating that they neither support nor oppose the application, also raise the issue of car parking space.

7.4 Representations have been submitted on behalf of Cambridgeshire and Peterborough NHS Foundation Trust (CPFT), who own the office building to the north of the site, and the surrounding land onto which a pedestrian and cycle gate is shown opening in the application drawings.

7.5 The first representation states that the proposed northern gate to the site could not be used without the consent of CPFT to access across its land, and that such consent would not be granted. The representation therefore questions the adequacy of proposed pedestrian and cycle access to the site and the appropriateness of siting a large proportion of cycle parking space at the rear of the building.

7.6 A subsequent representation, following contacts between the agents of the CPFT and the applicants' agents emphasises the following points.

- there is no right of way from the application site to Vinery Road
- CPFT has no intention of permitting right of way across their land

- this access point should be removed from the application
- lack of an emergency point of access calls to question the adequacy of the access arrangements
- footways to the side of the building are too narrow
- number and size of cycle parking spaces are insufficient
- unless these issues are resolved, the application should be refused.

7.7 The owners/occupiers of the following addresses have made representations in support of the proposal. Addresses are in Cambridge unless otherwise indicated. Except where shown in bold, the representations take the form of a standard letter.

36	Aden Rd	101B	Cavendish Rd	A18	Foster Court,
21	Ainsworth Street	15	Chaucer Road		Charles Babbage
100	Ainsworth Street	22	Chequers Close		Rd
19	Alpha Grove, LONDON	124	Chieftain Way	8	Foxgloves Way
5	Anchester Way	29	Christchurch Street	46	Foxhollow BAR HILL
7	Apthorpe Way	4	Circus Drive	4A	Frank Bridges Close
189	Arbury Rd (2)	170	Cokerill Rd	34	Froment Way
94	Argyle St (2)	7	Coldhams Grove	4	Garden Court
30	Armitage Way	6	Coleridge Rd		HISTON (2)
8	Arthur Street	29	Collier Rd	9	Glenacre Close
16	Ashbury Close	5	Coniston Rd	6	Golding Rd
13	Brackley Close	21b	Cornwallis Rd LONDON	30	Golding Rd
80	Brackyn Rd	7	Crathern Way	65	Granchester Meadows
5	Britten Place	2A	Cyprus Rd	8	Green Park
11	Broadmeadows, Manhattan Drive	32	Cyprus Rd (2)	119	Gunhild Way (3)
53	Broadway	84	Darwin Drive	12	Gurney Way
73	Brompton Rd	108	Darwin Drive (2)	71	Hampden Gardens
61	Brompton Rd (2)	64	Darwin Drive (3)	73	Hampden Gardens
10	Brook Close	4	David Street	5	Hampten Garden Terrace
5	Brookfields	80	Dennis Rd	29	Hanson Court
61	Brookfields	1b	Devonshire Rd	72	Harbury Rd BIRMINGHAM
99	Brooks Rd	26	Devonshire Rd	52	Harding Way
1a	Broom Road IPSWICH	63	Discovery Way	57	Hartington Grove
9	Broomwalk, SHEFFIELD	14	Ditton Field	8	Hawthorn Way
11	Burleigh Place	55	Ditton Fields	19	Hemingford Rd
12	Burleigh Place	116	Ditton Fields (2)	73	Hemingford Rd
4	Byron Square	315	Ditton Fields	78	Hemingford Rd
9	Calvin Close	56	Ditton Lane	7	Hertford Street
36	Cam Causeway	1	Dundee Close	18	Hertford Street
59	Cam Causeway	8	East Street, SAFFRON WALDEN	11a	High Street
71	Cam Causeway	28	Eccles Close (2)	171	High Street
80	Cam Causeway	53	Edgecombe	43	High Street CHERRY HINTON (8)
48	Cambridge Rd SAWSTON (2)	17	Elizabeth Way	36-38	Hills Rd
11	Campbell Lane	4	Ellesmere Rd	70	Hobart Rd
58	Camping Way	34	Emery Street (2)	81	Hobart Rd
155	Campkin Rd	30	Erin Rd	163	Hobart Rd (2)
155	Campkin Rd	144	Ermine Street	16	Hogsdenley ST NEOTS
251	Campkin Rd	26a	Fallowfield	18	Horsecroft Rd
20	Carisbrooke Rd	24	Fanshawe Road	40	Howard Close
69	Catherine Street	6	Farran		
7	Cavendish Court	75	Fen Rd		
109	Cavendish Rd	103	Fishers Lane		

25	Howard Rd	79	Perne Road	22	Tamarin Gardens (2)
114	Huntingdon Rd	54	Petersfield	23	Teasel Way
114	Huntingdon Road		Mansions, Mill Rd	54	Tennison Rd
1	Iceni Way (4)	114	Peverel Rd	33	The Paddocks, Coldhams Lane
3	Iceni Way	27	Pretoria Rd	31	Thomas Rd
10	Iceni Way	63	Queen Ediths Way	23	Thornton Way
70	Kendal Way (2)	52	Radegund Rd	9	Tiverton Way
80	Kings Hedges Rd (3)	12	Ransom Close	30	Trafalgar Rd (2)
198	Kings Hedges Rd	94	Ravensworth Gardens	27	Turpins Ride
49	Kingston Street	34	Redbourne Ave, Finchley LONDON	27	ROYSTON
40	Kitchen Rd			27	Turpyn Court
54	Lancaster Gate	5	Redwood Lodge	14	Victoria Avenue
	UPPER	16	Riverside	62	Vinery Rd
	CAMBOURNE (2)	10	Riverside Place	18	Vinery Way
10	Lander Close	24	Romsey Rd (2)	23	Wenvoe Close
11	Lanthorn Stile	89	Roseford Rd (3)	6	Wetherhall Rd
16	Lavender Rd (2)	31	Ross St	22	Whitelocks
23	Laxton Way (3)	59	Ross St	2	Windsor Terrace
30	Laxton Way	11	Ross Street	4	Wood House way
54	Lensfield Rd	7	Rothleigh Rd	50	Wren Wood
18	Lichfield Rd	36	Rutland Close		WELWYN
2	Lilac Court (2)	31	Sackville Close	11	York Terrace
126	Limes Rd	38	Sackville Close		
32	London Rd, Harston	179	Sharpley Rd		
23	Maitland Avenue		LOUGH-		
24	Mallets Road		BOROUGH		
11	Maltings Close	3	Shepherds Close		
4	Manor Close	12	Shirley Grove		
2a	Mawson Road	8	Sidney Gardens		
64	Mawson Road	2	Sidney Gardens (2)		
317	Mayflower	9	Somerset Close (2)		
56	Middlewatch	123	Speedwell Close		
	SWAVESEY	56	St Andrews Rd		
14	Mill Rd (2)	90	St Bartholomews Court		
74	Mill Rd	145	St Bedes Crescent		
94	Mill Rd	14A	St Johns Cres		
102	Mill Rd		LONDON		
204	Mill Rd	2	St Johns Rd		
218	Mill Rd	37	St Matthews Gardens		
232	Mill Rd				
294	Mill Rd (2)	14	St Pauls Rd		
27	Mill Street	15	St Pauls Road		
158	Milton Rd	18	St Ursula Grove		
11	Montgomery Rd		HA5 1LN		
7	Morrbray Rd	36	Stanley Court (2)		
37	Natal Road	9	Stevenson House, Edinburgh Rd		
2	Neptune Close	4	Stourbridge Grove		
654	Newmarket Rd	3	Strawberry Fields, Haverhill		
49	Norfolk Terrace	82	Stretten Avenue (3)		
34	Nottingham Hse, Clarendon Rd	13	Suez Rd (2)		
25	Nuns Way	29	Suez Rd (2)		
31	Nuns Way	6	Sydenham Terrace, Halifax Rd		
132	Nuns Way				
44	Old Station Rd				
28	Orchard Av				
81	Orchard Park				
14	Pepys Court				
145	Perne Rd				

7.8 Representations in support of the application have also been received from: occupiers of Entrance House, Owlstone Road; Swinhoe House, ARU; Woodfen House, Oak Lane, Littleport; The New Barn, High Ditch Rd, Fen Ditton, residents of Clare, Christ's, Darwin, Homerton, Hughes Hall, Newnham, Queens and Trinity Hall colleges, and from an employee at Marshalls Aerospace. Five representations in support did not give any clear address.

7.9 The representations can be summarised as follows:

- provides much-needed community facility
- foster community cohesion
- high-quality sustainable design
- sufficient car parking
- robust travel plan
- creates green space
- improve vitality of the area

7.10 Cambridge Past Present and Future have made representations in support of the application

7.11 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. Impact on Heritage Assets
4. Public Art
5. Renewable energy and sustainability
6. Disabled access
7. Residential amenity
8. Refuse arrangements
9. Highway safety
10. Car and cycle parking
11. Third party representations
12. Planning Obligation Strategy

Principle of Development

8.2 The site is allocated in the Local Plan for housing and community facilities. I concur with the opinion of the Planning Policy Manager that the proposal is in accordance with this allocation.

- 8.3 It is a widely shared view that the location of the present mosque in Mawson Road is unsatisfactory and causes considerable difficulties both for users and for nearby residents and traders. The Mawson Road site would continue to be used if this proposal were to be approved and implemented, but the intensity of use at that site would be radically reduced. The application site is in my view a very appropriate one for a new, purpose-built mosque, close to the existing location, relatively near to the city centre and universities, and well served by public transport and cycle routes. It would introduce additional vitality to the area, make effective use of a brownfield site which is currently an eyesore, and establish an attractive and usable green space alongside Mill Road, which has long been an aspiration of the local community and the Council, and which would enhance the character of the area. In these ways the proposal would make the most of an opportunity to improve the character of an area and the way it functions, and is therefore in accordance with government advice on good design in Paragraph 64 of the Framework, and on the provision of the social and cultural facilities which the community needs in Paragraph 70 of the Framework.
- 8.4 I do not accept the view expressed in representations that the location of a large place of worship in a residential area is inappropriate and that any new mosque should be located at an edge-of-town or out-of town site. Religious buildings have traditionally been located within the communities they serve; there are strong arguments for supporting such locations, because they will minimise the need for people to travel by private car. To locate a new mosque away from the area and on the edge of the city would be contrary to the government advice above, and to the principles of sustainability set out in policies 3/1, 5/12 and 8/1 of the local plan, and to government advice on sustainable transport in Paragraphs 34, 35 and 37 of the Framework.
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with the development plan policies and government guidance referred to in this section.

Context of site, design and external spaces

- 8.6 The Design and Access Statement demonstrates the manner in which the constraints of the site and the location have been reconciled with the needs of the future users and the traditions of Islamic architecture in a coherent, practical and visually striking design. The Design and Conservation Panel, gave the design a unanimous 'green' verdict, identifying a number of architectural elements as worthy of particular praise.
- 8.7 I concur with Panel's judgement on the design and with the positive comments on the proposal given by the urban design and conservation and landscape teams. I agree that the dome, considered inappropriate in some representations, is of relatively modest proportions, and, set back from Mill Road, will add interest to the skyline without being unduly dominant. I also agree with Panel and the Urban Design team that the

overall proportions of the building are appropriate, and respect the character of the area. I do not consider that the building is too high, or too massive.

8.8 Paragraph 58 of the Framework, which deals with the issue of good design, states that planning decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;
- are visually attractive as a result of good architecture and appropriate landscaping.

8.9 In my view, the proposal fulfils all six of these criteria. The layout, positioning on the site and striking but well-adapted design, taken with the close attention to sustainability, make a particularly thorough response to the first, second and sixth items above. Representations have suggested that the proposal may not cope with future demand. I do not consider it reasonable to expect the proposal to do that; it would clearly cope with the present demand far more effectively than the existing mosque in Mawson Road is able to do.

8.10 Concerns or objections about the pedestrian and cycle exit at the north-west corner of the site have been raised by urban design and landscape officers, the police, and the NHS Trust which owns the land immediately to the north of the site, as well as some other objectors. The applicants have now accepted that this gate could not be implemented, because the NHS Trust would not allow access across its land. A plan has therefore been submitted which deletes this gate. I do not consider that this access point is essential to the proper functioning of the site, and I do not consider that its absence is a reason for refusal. I do accept, as I indicate below, that the constrictions in the width of the footpath along the western edge of the site need to be eliminated, even if this is at the expense of some aspects of the landscaping, in order to allow cycle access to the rear parking spaces.

- 8.11 Were the applicants at some future point to come to an agreement with the NHS trust for access at this point, and then submit a new application to introduce a gate here, the merits of that proposal would be fully assessed. My view is that while it would result in brief periods of heavy pedestrian and cycle traffic in this section of Vinery Road, it would not have any unacceptable impact. It does not, however, form part of this application.
- 8.12 A number of other specific design criticisms have been made. My assessment of those I do not address under other headings is indicated below.

Additional brick pillar required to frontage	I agree that this is desirable, but I do not consider it a reason for refusal. I recommend an informative to encourage this addition
Additional fencing required to eastern boundary	This can be addressed by condition
Footpaths on west side too narrow	I agree that this is a shortcoming of the proposal. In my view it could be resolved by very minor adjustments to the landscaping. It can be addressed by a suitable condition
Tree species inappropriate	This can be addressed by the standard landscaping conditions
Gates required to sides of front elevation	This can be addressed by a condition
Water feature should use recycled water	I agree with this view, but it is not a reason for refusal. It can be addressed by an informative
Will constrain development on the adjacent site	Urban Design Team have not raised this issue. I do not consider that there is any conflict with policy 3/6 of the Cambridge Local Plan (2006)
Inappropriate siting relative to bus stop	Applicants agree with this view, and are willing to negotiate resiting of bus stop, but this is a matter in the control of the highway authority. It is not a reason for refusal

- 8.13 In my opinion, subject to conditions the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Impact on Heritage Assets

- 8.14 The proposal is for a building which would contrast markedly with the terraced houses which form the majority of the surrounding buildings. In my view, this contrast would be a beneficial one, not a negative one. The

proposed mosque would allude to the surroundings through its choice of materials. Section 12 of the Framework advises that local planning authorities should look for opportunities for new development in conservation areas. I share the view of the Urban Design and Conservation Manager that the striking and well-proportioned design of the building, and the quality of the two garden spaces created on the Mill Road frontage would significantly enhance the character of this part of the conservation area.

- 8.15 In my view, the proposal would add to the special quality of the Mill Road section of City of Cambridge Conservation Area No.1 (Central), and complies with policy ENV6 of the East of England Plan 2008, policy 4/11 of the Cambridge Local Plan (2006), and government guidance in paragraph 137 of the Framework.

Renewable energy and sustainability

- 8.16 The proposal has given prominence to sustainability in the design process, and the Senior Sustainability Officer has praised its response on carbon emissions, water consumption, water management and biodiversity. If the ground source heat pump technology proposed is achievable to the degree planned, then the carbon emission reduction requirements of local plan policy (10%) would be significantly exceeded (16%). Even if it proves necessary to employ the second-choice renewable energy strategy, using air-source heat pumps and solar panels, the requirements of policy would be met. Conditions are necessary to cover these eventualities and to secure implementation.
- 8.17 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

- 8.18 Both the Access Officer and Disability Panel are positive about the application. Level thresholds, adequate disabled car parking, and lift access from basement level to the mosque are provided.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

- 8.20 There are no adjacent residential properties to the north or east. 330-354 Mill Road face the site on the opposite (south) side of the street. 6-16 Vinery Road lie to the west.

Overshadowing

- 8.21 The applicants have submitted a shadow study. The only residential properties where there can be any overshadowing impact are those in Vinery Road. The shadow study shows the proposed mosque creating shadow in the rear gardens and on the ground floor of the rear of the houses at 0900 in midwinter, and in the rearmost part of the gardens at 0900 at the equinoxes. The accompanying table states that the shadow would clear the rear of the houses by 10.15 am on 1st January, by 10.00am on 1st February, by 09.15am on 1st March, and by 08.00am on 1st April. These rear gardens would also have been overshadowed by the warehouse buildings which formerly stood on this site. I cannot accurately assess the likely difference between the impact of the former buildings and that of the proposal, but from aerial photographs of the site before the destruction of the warehouse buildings, it seems likely that in the case of Nos. 6-12, it would have been similar, while Nos. 14 and 16 might suffer overshadowing for slightly longer than they did when the warehouse was in place. The additional overshadowing created, however, would last for a relatively short period on any day, would only occur in the early morning, and would occur only in the winter, early spring and late autumn. I do not consider it a significant enough change from the former situation to refuse the application.

Privacy

- 8.22 The only location on the proposed development where there could be any issue of overlooking is the extreme north-west corner, where there are two bedroom windows and a bathroom window in one of the two dwellings proposed. These windows would face towards the rear of No. 16 Vinery Road. However, the nearest window would be 29m from the rear elevation of No. 16, the windows would be at an angle, and would be within 700mm deep recesses. There is considerable mutual overlooking of rear gardens in this row of houses already. I recognize that the limited screening impact of the proposed evergreen trees would take time to be established, but, even if the trees were to be ignored completely, I do not consider that the very restricted opportunity for overlooking from this point would provide a reason to refuse the application.

Visual impact

- 8.23 The NW house section of the proposed building would reach 7m above ground level at 20m from the rear of the nearest house in Vinery Road (no.6). The prayer hall would reach 9m above ground at 23m from the nearest house (No. 12), and the dome would reach 16m above ground at 53m from the rear of No.12. The building would have a very significant presence from a viewpoint at the rear of these houses, but I do not consider that it would be unreasonably dominant or lead to an unacceptable sense of enclosure. The previous buildings on the site, which were, I believe, of a similar order of height (apart from the dome) presented totally blank and unarticulated elevations towards Vinery Road, were closer to the site boundary, and were not softened in any way by

landscaping. In terms of outlook, it is my view that the proposal represents a very significant improvement from the viewpoint of neighbouring occupiers when compared to the former warehouse buildings.

Noise

- 8.24 Representations express concerns about noise from activities at the proposed mosque. I agree with the recommendation of the environmental health department that a condition is necessary to ensure that the building includes a sufficient level of noise insulation to prevent unacceptable impacts on neighbours from activities inside.
- 8.25 I accept that at prayer times, the volume of people arriving and leaving the mosque would create noise, particularly from conversation. I am of the view, however, that the period of this noise would be relatively short-lived, and that the size of the proposed portico, Islamic garden and community garden are such that this level of activity can be absorbed without an unacceptable noise impact for occupiers on the south side of Mill Road.
- 8.26 In my opinion the proposal adequately respects the residential amenity of its neighbours and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.27 Space is provided for six large waste bins in the area between the kitchen and the car park ramp. This is an appropriate location visually, but it is a significant distance from the street. I concur with the Waste Strategy Manager's view that a condition is necessary, to ensure that an appropriate regime is put in place for taking bins to the collection point, and, even more importantly, retrieving them in a timely manner.
- 8.28 In my opinion, subject to such a condition, the proposal is compliant in respect of waste storage with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.29 I acknowledge that Mill Road carries a heavy volume of motor vehicle and cycle traffic. However, the access point proposed here is identical to that used for the former warehouse, which created a considerable volume of vehicle movements in and out across six days of the week. I do not consider that the proposal poses a significant threat to highway safety, and the highway authority has not raised concerns in this respect.
- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

- 8.31 The Council's car parking standards for places of worship outside the Controlled Parking Zone are expressed in relationship to seats. A mosque does not have seats, but if the stated ratio of car parking spaces to seats were applied to the 700-800 people expected normally to attend prayers, the maximum level of car parking spaces permitted under the standards would be 87-100. The application proposes a total of 80 car parking spaces, all within the basement. The applicants' own surveys suggest that only 10% of those currently attending prayers at the Mawson Road mosque travel to the site as car drivers. The application asserts that this proportion is likely to be maintained and that the 80 spaces would therefore cater for an attendance of 800 people, which is at the upper end of the range expected normally for prayers.
- 8.32 This 10% figure is questioned in representations received, where the impact of the proposal on on-street car parking spaces is overwhelmingly the major, and in some cases the only, objection to the development. Many respondents are of the view that a much higher proportion of users will travel by car, and that the pressure on on-street car parking spaces will be severely problematic.
- 8.33 I recognize the widespread nature of this concern, and its genuine basis. The future pattern of travel to the mosque can only be approximately estimated. However, in my view, the level of car parking proposed is acceptable, and despite the views expressed in representations, I do not consider this a reason to refuse the application. My reasons for this are as follows.
- 8.34 The City Council's Standards are expressed as maximum levels. The proposed level of car parking is close to, although below, the maximum level permitted by the standards. The Standards are expressed as maximum levels on the basis that the provision of higher levels of car parking, especially in non-domestic buildings, does not lead to satiation of demand, but rather encourages more users of the building to travel by car, increasing both congestion and carbon emissions.
- 8.35 I do not accept the view that a higher percentage of users would inevitably drive to a mosque on this site. Even though this site is further from the city centre, it remains a sustainable location, and, given the volume of traffic on Mill Road and the existing pressure on car parking space which are referred to in many representations, cycling or walking would remain very attractive options for most users of the mosque coming from the east or the centre of the city. I consider it reasonable to suppose that this proportion would be maintained, and could be reduced. The submitted Framework Travel Plan aims to reduce the proportion of car driver travel to 6% mainly by increasing the proportion of car passenger travel and bus travel. In my view this is realistic, but a condition is necessary to ensure agreement on a final Travel Plan, which should include the proposed

shuttle bus scheme and measures to promote car sharing. At 6% of travel by car drivers, the 80 car parking spaces would cater for an attendance of 1330 people.

- 8.36 Representations suggest that much higher levels of car use for the mosque would be experienced because it is intended to serve a regional or national role. I do not consider that there is any evidence for this, and while it might be convenient for some users if the proposed shuttle bus linked with the station, I do not think there is a justification to require this.
- 8.37 The major point of demand by mosque users for parking space off-site, if such demand is created, would be in the middle of the day. This does not coincide with the peak periods of demand from residents, which are in the evenings and at weekends.
- 8.38 Requiring additional car parking space on-site for this development, would ultimately have no significant impact on the overall pressure on car parking space in this part of the ward, which arises from the dense grain of residential development, levels of car ownership, and pressure from commuter travel into Cambridge. Residents-only car parking schemes can have some impact on this conflict, but requiring additional car parking space on-site in new non-residential developments is not likely to.
- 8.39 I acknowledge, as does the application itself, that on a handful of occasions in the period of Ramadan and Eid, levels of car use for travel to the mosque are likely to be significantly in excess of what can be accommodated by the on-site car parking proposed. I accept that on these occasions, some inconvenience is likely to be caused to residents and businesses in the area. Given the infrequent nature of such events, I do not consider that refusal of the application would be justified on this basis.
- 8.40 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

Cycle Parking

- 8.41 The public areas of the proposed mosque have the following approximate floorspace areas:

prayer hall	1024m ²
atrium	120m ²
café	225m ²
portico	279m ²
teaching area	112m ²
central lobby	45m ²

- 8.42 The combined floor area of these spaces is 1805m². The City Council's Cycle Parking Standards require one cycle parking space for each 15m² of public floorspace in a place of worship. The requirement for this proposal would therefore be 120 spaces.

- 8.43 The application states that the proposal includes 151 cycle parking spaces, 116 above ground, at the front, side and rear of the building, and 35 in the basement. The application drawings, however are confusing in this respect, in that with the exception of the spaces shown at the front of the building, the cycle parking spaces appear to be too close together to meet the standards, and the stands or hoops do not appear to comply with the requirements. A more satisfactory detailed layout of the cycle parking spaces is required in order to ensure satisfactory provision is made. However, I am confident that there is space on the application site to provide an adequate number of compliant spaces, and in my view this issue can be addressed by condition.
- 8.44 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

Public Art

- 8.45 The proposal includes a considerable number of components which have an artistic or similar aspect to their design. The applicants have specified eight elements involving input of an artist or artists which they propose as a public art contribution. These elements are the entrance gates and railings, the two fountains, timber screens in the prayer hall, the interior of the dome, stained-glass windows, the mihrab and the minbar. The cost of the artistic component of these elements, above and beyond their base construction costs, is equal to 1.2% of total construction costs.
- 8.46 In common with the Public Art Co-ordinator, I welcome the detailed budgetary information provided in this submission, and I support the principle of the public art proposal. The Co-ordinator remains anxious however that not all of these elements have been demonstrated to be truly public, and that the precise extent and nature of the artist(s) involvement in all these elements has not yet been made clear. I accept this advice, and I also accept her advice that these matters can be resolved through a revised Public Art Delivery Plan which can be secured through 106 agreement.
- 8.47 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

Third Party Representations

- 8.48 I have addressed the majority of the issues raised in representations in the paragraphs above. A number of points remain, which I cover here.
- 8.49 A number of representations pose objections to a mosque in principle on cultural or political grounds. I do not accept the validity of these arguments, and in my view they do not form planning grounds for refusal of the application.

- 8.50 It is suggested that a number of smaller mosques would be a preferable solution. No such proposal has been made, however, and there is no requirement in development plan policy or national guidance to test this application against such an alternative.
- 8.51 It is also suggested that the café is a food outlet which is not needed. The café is in my view ancillary to the main use, and in my opinion, it does not fall to be considered under policy 6/10 of the local plan which covers food and drink outlets.
- 8.52 A number of representations express anxiety that the respondents may feel intimidated by the volume of users entering and particularly leaving the mosque at busy times. I acknowledge that some members of the public may feel this, but in my view this is a potential difficulty with any activity which draws a large number of people to a site, be it commercial, educational, or sporting. I do not consider it to be a reason for refusal.
- 8.53 The environmental health team have not raised air quality as an issue on this site. Disruption from construction is a matter which can be ameliorated by appropriate conditions. Boundary maintenance is a civil matter between the adjoining landowners.

Planning Obligations

- 8.54 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.
- 8.55 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 proposed development triggers the requirement for the following community infrastructure:

Public Art

- 8.56 The development is required to make provision for public art. The applicants have submitted a Public Art Delivery Plan and have supplemented this with information on public art elements and budgets. Officers have recommended as set out in paragraphs 8.49 to 8.52 above that the proposals are broadly welcomed, but that further work is necessary to clarify the details.

- 8.57 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

- 8.58 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

- 8.59 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 I recognize the widespread and genuine concern about the impact of this development in the immediate area, which focuses especially on the issue of car parking. I am of the view that the impact will be less than many of the respondents fear, and that a robust Travel Plan would help to minimise the potential problems. I am also of the view that the pressure on on-street car parking cannot be eliminated or reduced by preventing development of this sort. I am of the view that any congestion and disruption which does occur will be short-lived, and at a level which is acceptable.
- 9.2 In my view this proposal is a high-quality design, which will enhance the character of the area, and provide a new community facility for which there is an evident and pressing need.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 30th October 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. (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. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

4. 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)

5. 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)

6. No work shall start on site (including clearance, excavation or delivery of plant or materials) until a traffic management plan for the period of construction has been submitted to and approved in writing by the local planning authority. Construction shall take place only in accordance with the approved details.

Reason: To ensure highway safety and to minimise inconvenience to other highway users. (Cambridge Local Plan 2006 policies 3/4 and 8/2)

7. 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: To protect the amenity of neighbours. (Cambridge Local Plan (2006) policies 4/13 and 6/10)

8. Prior to the commencement of the development hereby approved (including any pre-construction, demolition or enabling works), 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 'Noise and Vibration Control On Construction and Open Sites', especially Part 1: 1997 'Code Of Practice (COP) for basic information and procedures for noise and vibration control', Part 2: 'Guide to noise and vibration control legislation for construction and demolition including road construction and maintenance' and Part 4: 'COP for noise and vibration control applicable to piling operations', (if the construction process is to involve piling operations). Development shall be carried out in accordance with the approved details.

Reason: To protect the residential amenity of neighbours, and to avoid pollution. (Cambridge Local Plan (2006) policies 3/4 and 4/13)

9. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228 : Part 4: 'COP for noise and vibration control applicable to piling operations', 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. Consent for piling will only be granted where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: To avoid pollution. (Cambridge Local Plan (2006) policy 4/13)

10. No development shall commence until a programme of measures to minimise the spread of airborne dust and mud from the site during the construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of neighbours and highway users, and to avoid pollution. (Cambridge Local Plan (2006) policies 3/4, 4/13 and 8/2)

11. Confirmation or not that an on site concrete crusher will be used during the demolition stage will be required. If not, confirmation of an appropriate alternative procedure that will be used will be required.

Reason: To protect the residential amenity of neighbours, and to avoid pollution. (Cambridge Local Plan (2006) policies 3/4 and 4/13)

12. No development shall take place until details of site lighting during the construction period have been submitted to and approved in writing by the local planning authority. Lighting shall be installed only according to the agreed details.

Reason: To protect the residential amenity of neighbours, and to avoid pollution. (Cambridge Local Plan (2006) policies 3/4 and 4/13)

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

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

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

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

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

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

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

Reason: To avoid adverse effects of pollution. (Cambridge Local Plan (2006) policy 4/13)

14. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority.

Reason: To avoid pollution. (Cambridge Local Plan (2006) policy 4/13)

15. No development shall take place until a scheme for the provision and implementation of pollution control to the water environment has been submitted to, and approved in writing by, the local planning authority. The scheme shall be constructed and completed according to the approved plans.

Reason: To avoid pollution. (Cambridge Local Plan (2006) policy 4/13)

16. No development shall take place until a scheme for the provision and implementation of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be constructed and completed according to the approved plans.

Reason: To avoid pollution. (Cambridge Local Plan (2006) policy 4/13)

17. No development shall take place until a scheme for the provision and implementation of surface water drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be constructed and completed according to the approved plans.

Reason: To avoid pollution. (Cambridge Local Plan (2006) policy 4/13)

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

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

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

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

20. 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. The submission shall provide full details of the arrangements to allow for extensive root growth of trees within the public highway.

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

21. 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. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

22. 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. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

23. 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. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

24. Details of any proposed floodlighting or external lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

25. Notwithstanding the approved drawings, the mosque shall not be brought into use until gates at the east and west sides of the building have been installed, in accordance with details previously approved by the local planning authority, to ensure security for the rear of the site.

Reason: To ensure a safe living and working environment and avoid the threat of crime. (Cambridge Local Plan 2006 policy 3/7)

26. Notwithstanding the approved drawings, the mosque shall not be brought into use until an amended layout for the footpath on the west side of the building, allowing space for two people wheeling cycles to pass each other has been implemented in accordance with details previously submitted to and approved in writing by the local planning authority. The revised footpath layout shall be maintained in that form thereafter.

Reason: To ensure safe and convenient circulation around the site. (Cambridge Local Plan 2006 policies 3/7, 3/11 and 3/12)

27. 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)

28. The basement car park shall not be brought into use until the location and design of the means of controlling entry has been submitted to, and approved in writing by, the local planning authority. The approved details shall be implemented before use of the mosque, and shall be maintained thereafter.

Reason: To ensure a safe living and working environment and to avoid the threat of crime. (Cambridge Local Plan 2006 policy 3/7)

29. The approved facilities for the storage of bicycles shall be provided in accordance with the approved details before use of the development commences and shall not be altered without the written agreement of the local planning authority.

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

30. No occupation of the hotel shall take place until full details of the arrangements for the storage and collection of waste and recycling from the mosque have been submitted to, and approved in writing by the local planning authority. The arrangements shall be implemented prior to occupation, and shall not be changed except with the written approval of the local planning authority.

Reason: To ensure satisfactory waste storage. (Cambridge Local Plan (2006) policy 3/12)

31. No development shall take place until a Travel Plan for the hotel has been submitted to and approved in writing by the local planning authority. The Travel Plan shall be implemented and monitored according to the provisions approved by the local planning authority.

Reason: To avoid an unacceptable transport impact, and to increase sustainability, limit pollution, and mitigate any air quality impact of the development. (Cambridge Local Plan (2006) policies 3/1, 4/13, 4/14 and 8/2)

32. No development shall take place until full details (including ongoing maintenance schedules) of the selected renewable energy strategy have been submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented prior to occupation, and shall be maintained in place thereafter.

Reason: To reduce carbon emissions (Cambridge Local Plan 2006 policy 8/16)

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 30th October 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 art and monitoring, in accordance with Cambridge Local Plan 2006 policy 3/7, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in 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
or by visiting the Customer Service Centre at Mandela House.

APPENDIX A

Cambridge City Council Design & Conservation Panel

Notes of the relevant item at the meeting of Wednesday 6th July 2011

Present:

Terry Gilbert	RTPI (Acting Chair)
Russell Davies	RTPI
Slavica Mirovic	RIBA
Carolyn Gohler	Cambridge PPF
Jon Harris	Co-opted member

Officers:

Jonathan Hurst	City Council
Susan Smith	City Council
Matthew Paul	City Council
Charlotte Jackson	City Council
Guy Belcher	City Council

Observing:

Cllr John Hipkin	City Council
Cllr Lewis Herbert	City Council
Cllr Damien Tunnacliffe	City Council

Presentation – Mill Road Mosque

The pre-application proposal for a new mosque on the former Robert Sayles warehouse site, 309-313 Mill Road. The intention is to design a mosque, which is a spiritual and cultural asset for Cambridge and incorporates local references. The design provides for a prayer hall, foyer, refectory and kitchen, teaching area, office, library and bookshop, toilets, residential accommodation, mortuary, undercroft car parking for 86 cars (including 5 disabled spaces), and landscaped gardens. A public meeting is to be held on September 8th in Romsey as part of the pre-submission consultation process. Presentation by David Marks and Heena Mistry of Marks Barfield Architects, with Rob Hopwood of Bidwells.

The Panel's comments on the scheme proposals at this formative stage in the planning process are as follows:

- Cycle parking. The Panel would urge that more secure cycle parking spaces be provided on site.
- Boundary treatments – the boundary gate and ramp to the undercroft parking. It is proposed that the mosque garden will share a common boundary with the Romsey Community Garden. Whilst the Panel would have liked to have seen detailed proposals for this interface, it is recognised that treated sensitively, there is an opportunity to visually assimilate such landscaped spaces, and in so doing, contribute to the

design aim for visitors to experience a gradual transition from public to more private space. Also, it is suggested that the appearance of the ramp to the undercroft parking could be enhanced by the incorporation of soft landscaping.

- Materials. The Panel were comfortable with the choice of Cambridge Gault brick but would stress that the detailing (particularly of the roof) needs further development.
- Cypress trees. It was noted that such trees will need to be protected against wind damage and carefully maintained so as to sustain their contribution to the integrity of the entrance garden. The landscape architecture as a whole is in need of development.
- Sustainability. The Panel hopes that the design intent for this scheme to set a new benchmark of sustainability for mosques will be deliverable.
- Green roofs. The Panel welcome the inclusion of green roofs.

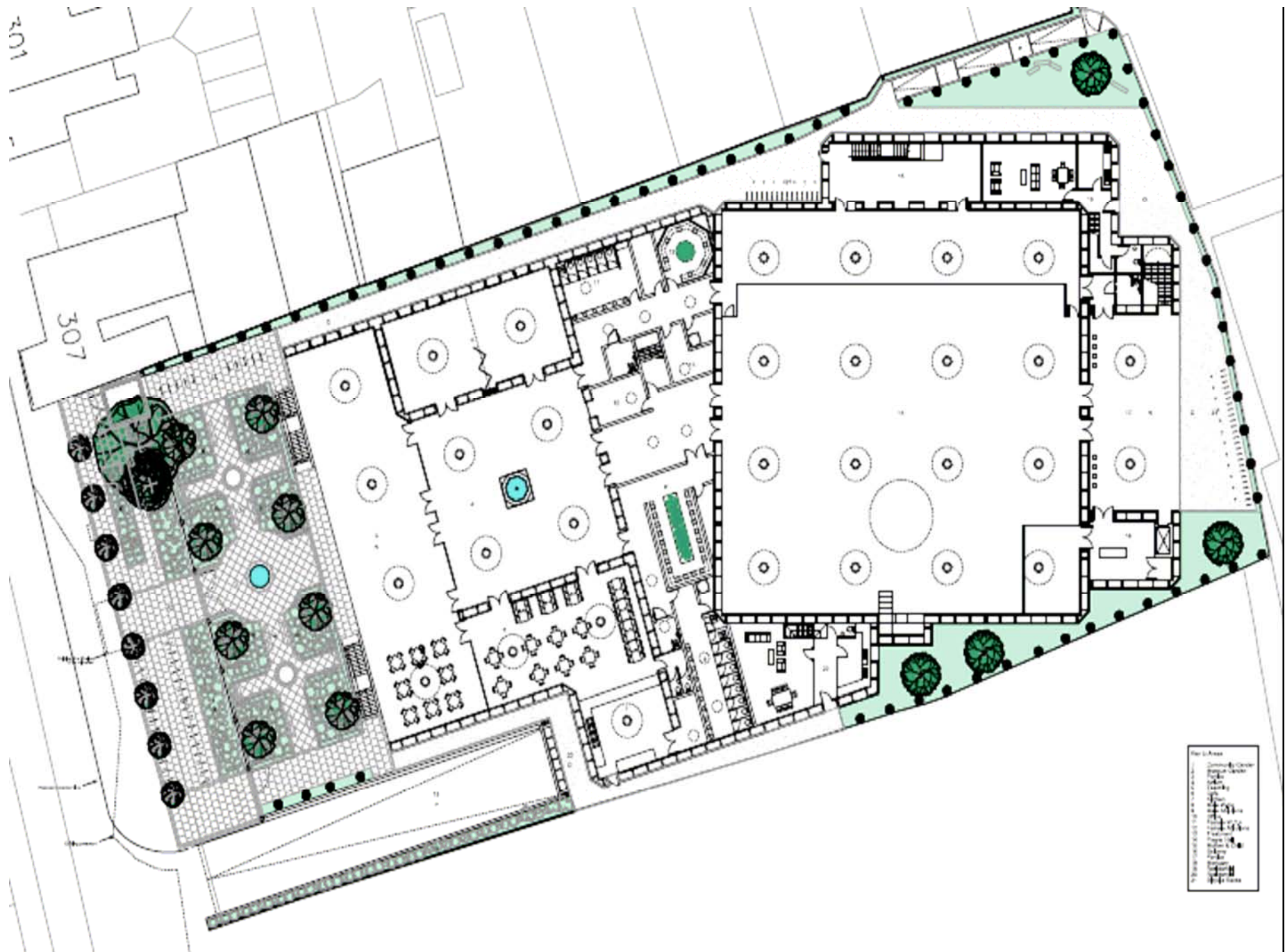
Conclusion

This is an exciting contemporary architectural proposal. The design team are to be complimented for their thoughtful and scholarly approach in the development of the scheme. Design features such as the gradual transition through a garden, a vestibule, and an atrium, into the main prayer hall; the overall building geometry, certain structural elements e.g. the laminated wood 'tree' columns, and the embedded artwork are noteworthy.

It is hoped that sufficient resources will be available to deliver a build of the quality proposed. The Panel would also urge that dialogue be maintained with the owners of the neighbouring vacant plot in the interests of securing its redevelopment.,

VERDICT – GREEN

(Unanimous, but subject to the caveats as described above.)

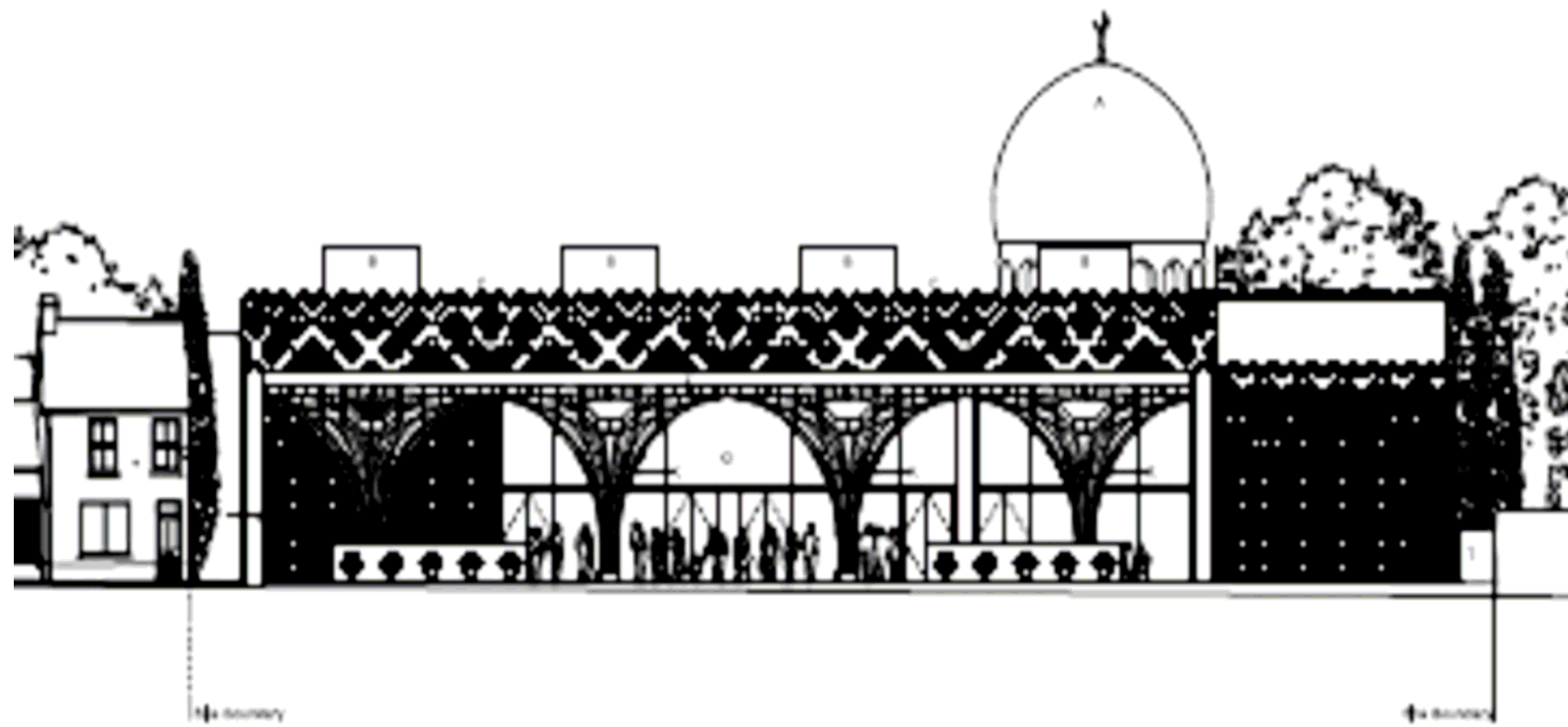


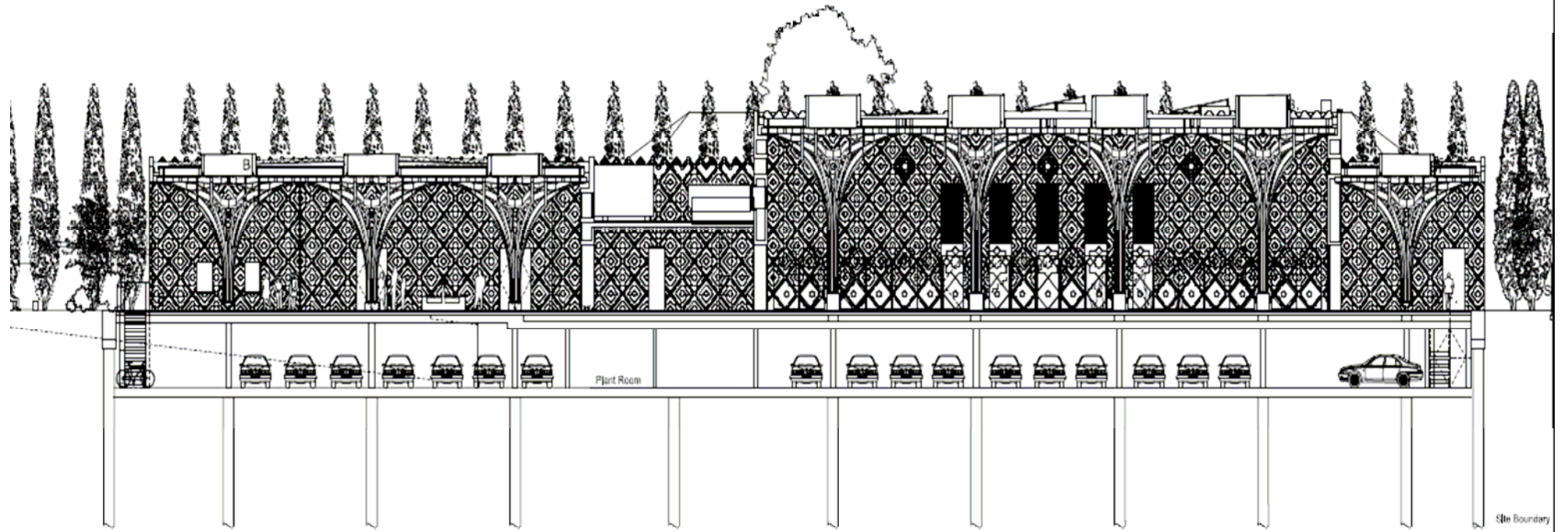
201

307

Site Legend

Tree	Shrub
Lawn	Walkway
...	...





Section A-A