

Application Number	11/1294/FUL	Agenda Item	
Date Received	31st October 2011	Officer	Miss Sophie Pain
Target Date	30th January 2012		
Ward	Petersfield		
Site	Travis Perkins Trading Co Ltd Devonshire Road Cambridge CB1 2BJ		
Proposal	Demolition of existing depot building and redevelopment of site to provide: 43 residential units (comprising 18 2-3 bed houses, 6 2-3 bed coach houses and 19 1-2 bed flats), public open space including a play area, and associated works including landscaping, new access and parking.		
Applicant	Mr C Abel		

SUMMARY	The applicants have demonstrated that the application site has a viability issue and that as such the provision of a policy compliant Affordable Housing and S106 package is not possible on this site. The Council have accepted this position after lengthy assessment by an external viability consultant and by colleagues within Strategic Housing. With regard to other matters, the development accords with the Development Plan for the following reasons: The design and scale of the building proposed are appropriate to the context. The submission does not raise any issues of highway safety. The proposed development provides acceptable levels of car parking.
RECOMMENDATION	APPROVAL

A.0 INTRODUCTION

- 0.1 The existing Travis Perkins site is 1.23 hectares and it is proposed to sub-divide the site into two. For this reason there are two planning applications before Planning Committee. This application seeks consent for the demolition of the existing building on site and to construct 43 residential units, public open space and associated works including landscaping, new access and parking (the residential scheme). The application site extends to 0.81 ha and roughly covers the southern two thirds of the existing site. The northern third of the existing site is the subject of the parallel application (11/1295/FUL) for the erection of a new depot building, parking, circulation and external storage yard for use by Travis Perkins (the depot scheme).
- 0.2 A viability assessment was submitted with the application which examined whether the proposed development could achieve the minimum receipt required to enable Travis Perkins to retain and re-develop part of the site and relocate the remaining facilities to a comparable site within the Cambridge area.
- 0.3 As part of the determination of the application, officers have procured an independent viability consultant from the District Valuer Services (DVS), who has reviewed the viability assessment and associated plans and provided Officers with a report detailing their professional view on the viability of the site to provide a development that was capable of a complete S106 package and 40% affordable housing provision in accordance with planning policy
- 0.4 The conclusion of this report is that a scheme with 40% affordable housing, a policy compliant S106 contribution of £289,930 and a profit level of 17.5% demonstrated a residual land value of £1,546,933. This is a deficit of £1,943,067 from the benchmarked value of the site and as such is not viable. This matter of viability is discussed at great length and detail within the associated section of this report.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The existing Travis Perkins site lies on the east side of Devonshire Road. It is a broadly rectangular plot with a small narrowing to the southern end of the site, nearest Angus Close.

- 1.2 The land is presently occupied by Travis Perkins, a Builders Merchant, who have been on the site since the 1970's. The site is predominantly covered with concrete hardstanding and a large building located centrally to the site that is constructed from brick and sheet roofing. The western half is a single storey structure that extends to two storeys in height. The north-west and west of this structure is used for retail and office space. The central and eastern parts of this structure are used for general storage of building materials. There is a further wooden structure in the south west corner of the site that is entirely open and this is used for the storage of wood and other materials. At present, the site has a single access point from the north west corner directly from Devonshire Road.
- 1.3 On the opposite side of Devonshire Road, facing the site, are two-storey brick houses from the mid-twentieth century, arranged in short terraced blocks, with small front gardens. To the south is Angus Close, which is a cul-de-sac of two storey semi detached properties that face either the Close or onto Devonshire Road and were built during the late 1980's/early 1990's.
- 1.4 On the east boundary, the site borders Network Rail land. Between the common boundary and the main London-King's Lynn railway line are some sidings, which remain in use and a maintenance track that is used by Network Rail operatives. Informal parking by Network Rail also occurs along this boundary too.
- 1.5 To the north, there is a vehicular access that leads to a dead end, but provides access to the rear of properties on Mill Road. These properties are a mix of two storey houses and flats over shops, whose windows face southwards, towards the site.
- 1.6 The application site is designated as site 5.09 in the Proposals Schedule of the Cambridge Local Plan (2006), which is allocated for housing. The application site is within the City of Cambridge Conservation Area No.1 (Central) and is addressed by the Mill Road Conservation Area Appraisal 2011
- 1.7 Although none of the buildings are listed, either nationally or locally, there are two of some interest, which are a water tower to the north east corner of the site and a railway shed that is embedded within an existing building on the site.

- 1.8 The section of Devonshire Road bordering the site falls within a Controlled Parking Zone. Along the western edge of the site, there is a protected tree belt (TPO) which has a variety of trees, some smaller but also larger mature specimens such as an Ash and a Sycamore and was originally grown in order to screen the builders merchant from the residents opposite.

2.0 THE PROPOSAL

- 2.1 The residential scheme, is based around a central open space, which is surrounded by a shared use surface for vehicles and pedestrians around its circumference and accessed from a new vehicular access created midway along the Devonshire Road frontage of the site.
- 2.2 The form of development is split into two areas. It is proposed that 14 houses be located fronting Devonshire Road; two semi-detached properties and a terrace of three to each side of the newly formed entrance. These houses are two storeys in height with pitched roofs and a buff brick to respond to the use of materials in the area. These houses would be set back from the road to facilitate a landscaped buffer of 8 m which would enable the widening of the footpath and to provide semi-mature street trees to replace the existing ones that would be removed. They each have their own associated gardens and garage, that are accessed from the internal shared surface road.
- 2.3 To the rear of the houses are coach houses or flats over garages (FOG's) that face the internal open space and are accessed from this aspect too. Beneath these coach houses are an associated garage, that provides car parking, cycle parking and bin storage for the residential property. There are a further four houses that are also situated around the central open space, with their associated private gardens.
- 2.4 Along the eastern boundary with the railway line it is proposed to site an apartment block that is four storeys in height and provides 19 one and two bed flats with associated undercroft car parking and areas designated for secure cycle parking and refuse storage.
- 2.5 The application proposes to include an area of public open space that is central to the site and measures approximately 43

m x 23 m at its widest points. Within this space is a children's play area, which will incorporate natural features and the ability to provide public art, which will use inspiration from the neighbouring railway line. This space will also provide seating and restful areas for residents or members of the public.

- 2.6 The internal road that circumnavigates the public open space will not be adopted by the Highway Authority, but will be built to their specification in order to allow the refuse vehicle to access and collect waste from within the site.
- 2.7 It is proposed to remove the existing protected tree belt that borders the side to the west and to replace this belt with approximately 14 street trees that will provide a landscape buffer to Devonshire Road. They will be planted so that there is appropriate space between trees in order for them to thrive in this location.
- 2.8 The applicants propose that the internal road be provided as part of the Chisholm Trail that is proposed to be constructed along this section of the railway line, as part of a strategic cycle network.
- 2.9 The application is accompanied by the following supporting information:
 1. Design and Access Statement
 2. Public Art Strategy
 3. Air Quality Assessment
 4. Ecology Report
 5. Economic Statement
 6. Flood Risk Assessment
 7. Foul Sewage and utilities Assessment
 8. Heritage Statement
 9. Land Contamination Assessment
 10. Landscaping Proposals
 11. Noise Impact Assessment
 12. Draft Heads of Terms for Planning Obligations
 13. Site Waste Management Plan
 14. Statement of Community Involvement
 15. Transport Assessment
 16. Travel Plan
 17. Tree Survey
 18. Ventilation and Extraction Statement

19. Viability Assessment

- 2.10 Since the submission of the initial application, amended drawings and additional information have been received. These details respond to comments made relating to the provision of the Chisholm Trail, further analysis of the submitted transport assessment, refuse collection and car and cycle parking provision.
- 2.11 Further consultation regarding the proposed amendments has been undertaken with all relevant consultees and residents who were notified of the application. Their additional comments have been reported below and taken into consideration when assessing the application.

3.0 SITE HISTORY

Reference	Description	Outcome
11/1295/FUL	Demolition of existing depot building and redevelopment of site to provide: remodelled Travis Perkins depot including the erection of a new depot building and reconfiguration yard area and landscaping.	Pending
C/97/0124	Erection of a new warehouse (648msq) on site of existing office/sales building (246msq) (to be demolished) at Builders Merchants Yard (Sui Generis).	Approved
C/87/0638	Retention of temporary buildings (Extension of period consent)	Approved
C/87/0434	Erection of single storey office extension and cladding of existing warehouse walls.	Approved
C/77/0288	Erection of a storage building	Approved
C/79/1015	Erection of warehouses, offices and timber store together with the laying out of parking spaces and landscaping (submission of reserved matters)	Approved
C/69/0045	Use as warehousing supplementary to business in adjoining buildings and premises	Approved

4.0 PUBLICITY

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| 4.1 | Advertisement: | Yes |
| | Adjoining Owners: | Yes |
| | Site Notice Displayed: | Yes |
| | DC Forum (meeting of 18 th January 2012): | Yes |

The minutes of the DC Forum are attached to this report as Appendix 1.

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, 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
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/8 3/11 3/12 3/13 4/4 4/11 4/13 5/1 5/5 5/10 5/12 5/14 8/1 8/2 8/4 8/5 8/6 8/8 8/10 8/16 8/18 10/1

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

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

	Cambridge Walking and Cycling Strategy Protection and Funding of Routes for the Future Expansion of the City Cycle Network Cambridgeshire Design Guide For Streets and Public Realm Cycle Parking Guide for New Residential Developments Air Quality in Cambridge – Developers Guide
	<u>Area Guidelines:</u> Eastern Corridor Area Transport Plan Mill Road Area Conservation Area Appraisal (2011)

6.0 CONSULTATIONS

External Consultees

Cambridgeshire County Council (Highways)

First Response (5th December 2011)

- 6.1 A layout plan showing the dimensions of garages, parking spaces, roads and footways is required. This plan should also mark the existing on street parking provision on Devonshire Road.

It is unclear if the internal roads will be offered for adoption. If this is the intention, then there are features such as allocated on street parking that would be unacceptable.

The developer shows a potential cycle linkage to the railway, however does not provide a cycle facility alongside the railway, assuming provision by others or diversion into the estate for any cyclists travelling along this route. This would be inconvenient and awkward provision of what would be a commuter route.

Second Response (14th December 2011)

If the internal road is offered for adoption, then parking would need to be excluded, whilst providing within the site a minimum 5 m width of shared surface, with two 0.5 m wide maintenance strips and suitable locations upon which to place street lighting and at the access 5 m of carriageway with two 2 m footways.

Given the location of the site in close proximity to the railway station, a Traffic Regulation Order restricting parking would be sought if the internal road were offered for adoption and parking would be restricted to Resident Permits.

Future residents will automatically be excluded from rights to obtain Residents Permits, but would, unless excluded by amendment of the existing Traffic Regulation Order have access to Visitor Parking Permits within the existing Residents Parking Scheme on Devonshire Road. This would place added demand for existing residents for the limited spaces available, to the detriment of the existing residents amenity. For this reason, as part of the Section 106 Agreement, the applicant should be required to amend the TRO to remove any properties within the application boundary from rights to Visitor Parking Permits.

Cambridgeshire County Council (Transport)

First Response (12th January 2012)

- 6.2 The transport assessment has no calculations to support the trip generation of the new dwellings and without this information, officers are unable to form a view as to whether a corridor transport contribution is required. Furthermore, no assessment has been made of the impact of generated traffic on the surrounding highway network, while the draft travel plan contains little information and carried no weight.

Second Response following submission of information (6th December 2012)

In order to inform future residents of the site a 'light touch' residential travel plan which should include 'welcome packs' for new residents including information on non-car travel opportunities and thereby seeking to encourage sustainable

travel patterns from occupation is sought through an appropriate condition.

Cambridgeshire County Council (Walking and Cycling Officer)

- 6.3 Concur with the City Council Walking and Cycling Officer and are of the view that the development should secure an alternative route through the site, should Network Rail not offer up the land as this would ensure that the strategic cycle route would not be endangered.

Environment Agency

- 6.4 The proposed development will be acceptable only if planning conditions are imposed requiring the submission and subsequent agreement of further details relating to groundwater and contaminated land issues.

Anglian Water

- 6.5 The submitted water strategy/flood risk assessment is acceptable to Anglian Water were it is relevant to them. It is requested that the agreed strategy is reflected in the planning approval.

Cambridgeshire County Council (Education)

- 6.6 Submission to indicate that there is insufficient local pre-school and secondary school provision and as such a contribution is sought in line with the Planning Obligations SPD (2010).

Contributions are also sought for life long learning.

Cambridgeshire County Council (Archaeology)

- 6.7 The area lies in an area of Cambridge developed from the late 19th and early 20th centuries. Consequently, the area has seen relatively little archaeological work and the potential for significant archaeology of pre medieval date can be considered uncertain. Investigations to the south west have identified evidence for activity of Roman date. There is also potential for evidence of the late 19th century industrial development of the site to survive and buildings associated with the railway located

in the area too benefit from recording prior to demolition. For this reason, the imposition of an appropriate condition is required.

Ministry of Defence

- 6.8 There are no safeguarding objections to this proposal.

Internal Consultees

Head of Environment and Refuse

First Response (15th December 2011)

- 6.9 Due to the location of certain activities within the proposed neighbouring depot site, which includes the location of skips, future residents will be exposed to excessive noise that will result in possible noise nuisance complaints. Additionally, there is insufficient provision for access to and collection of waste and recycling. As such the proposed application cannot be supported.

The Air Quality Assessment has been reviewed and in relation to the transport assessment it indicates that there will be marginally fewer trips as a result of the proposed development. Although there will be a small increase in car trips, the reduction in HGV trips will be approximately 65% and as such the overall impact on air quality would be neutral or slightly improved.

Second response (11th January 2013)

Following revisions to the location of activities within the proposed depot site and the provision that a condition is imposed on the neighbouring site that fixes the layout, the threat of excessive noise to the future residents of this application site is minimal and acceptable to officers. Furthermore, providing that the internal road is built to adoptable standards, which can be conditioned, the waste arrangements have been amended in such a way that they are now acceptable and the waste can be accessed and collected in a manageable way.

Urban Design and Conservation Team

First Response (4th January 2012)

6.10 The comments by Urban Design and Conservation are attached as appendix 1. In summary, the proposed development is generally acceptable in design terms, however there is the suggestion that the following key concerns are addressed before the application could be supported;

- o Segregated and more direct access to bin storage areas for apartment blocks
- o Provide information as to how parking will be controlled and how waste refuse vehicle movement will be accommodated
- o Direct front door access for ground level central amendment units
- o An improved layout around units 15 and 16 with revised parking arrangement and greater street frontage for the units
- o Provide more information in relation to hard landscaping
- o 2.5 m x 5 m parking spaces provided within the apartment block

Second Response (12th December 2012)

Following consideration of the amendments, the access to waste storage areas has been widened and are more direct, which is considered acceptable.

The revision of car parking spaces within the apartment block is in line with the previous comments and the arrangement of car parking to the south of the public open space has also been revised.

Cambridge City Council Access Officer

6.11 The site needs to show where the 15% housing suitable for older and those with disabilities is located. Further information on how visually impaired people will cope with the site is also required.

Head of Strategic Housing

19th December 2011

- 6.12 The applicant has put forward two options for affordable housing, this is that no affordable housing provision is provided and the second comprises one New Build Homebuy 1 bed apartment. Neither of these options comply with policy 5/5. Discussions have taken place with the applicant, Explore Living, regarding the viability of the scheme but a conclusion as to the level of affordable housing to be delivered on site is yet to be agreed. Until an independent assessment of the viability of the scheme has been completed the comments are governed by policy.

Policy 5/10 requires a mix of dwelling sizes and types to be provided on sites of 15 dwellings or more. If the guidance within the Affordable Housing SPD were adhered to, the mix for 17 affordable houses would be 2 x 1 bed dwellings, 7 x 2 bed dwellings and 8 x 3 bed. This mix is not met.

With regards to tenure mix, the SPD states that the Council should achieve 75% social rented and 25% to be intermediate housing. This equates to 13 social rented and 4 intermediate for this scheme. However, in order to assist with viability, there may be an agreement to consider an alternative tenure mix.

It should be noted, for design purposes, apartments for Affordable Housing over 3 storeys will be required to have lifts to enable accommodation to be suitable for older persons or people with disabilities.

18th June 2013

The applicants have demonstrated that the application site has a viability issue and that as such the provision of a policy compliant Affordable Housing and S106 package is not possible on this site. The Council have accepted this position after lengthy assessment by an external viability consultant and by colleagues within Strategic Housing.

This assessment has led to a series of options that are presented to Members on the basis of what level of Affordable Housing provision can be provided either on-site, off site on a

lower value site, or on a Registered Provider or City Council development site. As officers we would seek a view on the preferred option for delivery of Affordable Housing by Members of the Planning Committee and that on this basis, officers will refine the assessment further and return to Committee with a draft Affordable Housing proposal for agreement by Members prior to its completion.

Senior Sustainability Officer (Design and Construction)

First response (2nd December 2011)

- 6.13 A sustainability checklist was not submitted with the application to meet the requirements of policy 3/1. There is a small section within the Design and Access Statement but with very little that relates to sustainability, and as such it has been difficult to assess whether a holistic approach to sustainable development has been taken.

An energy strategy assessment was submitted with the application. The hierarchical approach to reducing carbon emissions is fully supported, as is the ambition to meet the energy and carbon emission requirements of level 4 of the Code for Sustainable Homes. It is not clear from the proposals whether the new units will achieve an overall Code for Sustainable Homes rating or if the development is just targeting the energy/CO₂ elements of the Code.

Photovoltaics have been chosen as the preferred technology and it is estimated that these will achieve a 16.42 tonne reduction in CO₂ emissions per annum. On the basis of the feasibility assessment provided, it is felt that this technology will be suitable for this development, and as such support the approach to meeting the 10% requirement.

Second response (13th December 2012)

Following review of the sustainability matrix, the area of concern relates to no target for the residential scheme in relation to the reduction of water consumption. Although there are no policy requirements in relation to water consumption, the impact of new development on water resources is considered within the NPPF. Therefore it is recommended that consideration be

given to achieving at least Code for Sustainable Homes Level 3/4 requirements.

Head of Environment Services (Refuse)

- 6.14 The entrance roadway will only be adopted and without the remaining roadway being adopted, the refuse vehicles will not travel on it and therefore access to bins will not be possible. Refusal is recommended.

The flats do not show any provision for organic waste and it is not clear how the capacity per person for different waste streams has been calculated.

Space should also be provided within the kitchen areas of each premises for the indoor storage of three streams of waste, before transport to the external bins.

It is also noted that in many areas residents are expected to pull bins past parking bays this is not recommended.

Second response (18th December 2012)

Providing that the internal road is constructed to adoptable standards and that there are bollards.

Planning Policy Team

- 6.15 A key issue is related to the provision of open space on the development. The Councils Open Space and Recreation Strategy 2011 addresses levels of provision within the wards of the City. Petersfield Ward is an area deficient in open space with only 1.53 hectares of Protected Open Space per 1,000 population. There is a particular shortfall of informal open space in particular.

The proposed development seeks a mix of on and off site provision for informal open space. As there is already a deficit in open space provision it is imperative that the site provides as much informal open space as possible onsite. Without justification for why 100% provision cannot be provided, support is not forthcoming.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.16 The consideration of infiltration devices is fully supported, although care should be taken regarding ground contamination and winter ground water levels. The proposals do offer the potential for a central rainwater garden to manage the surface water and this would be explored. It is recommended that a condition requiring a full foul and surface water drainage strategy be required, including details of adoption and maintenance.

Head of Streets and Open Spaces (Tree Team)

- 6.17 The tree belt along Devonshire Road is a valuable visual and environmental addition to the area and as such its loss is not acceptable. As such, the proposal for its removal is strongly objected too.

Any development of this site should incorporate the retention of the tree belt as a whole, however, it is accepted that some management would be appropriate for the future enhancement of the belt.

Head of Streets and Open Spaces (Nature Conservation Officer)

- 6.18 The ecological survey and assessment describes the current low ecological value of the proposed development site but does not attempt to indicate the sites associated with the surrounding ecological network. Ideally the report would reference the tree survey, proposed tree protection and the landscape proposals, explaining how they will seek to enhance biodiversity within the scheme.

Head of Streets and Open Spaces (Landscape Team)

- 6.19 The arboricultural assessment concluded that the existing trees along Devonshire Road boundary do not merit retention for the proposed development. This view is shared by the landscape team.

The retention of the dense screen is not considered an appropriate boundary and the proposed development seeks to

take an opportunity to improve the street scene of Devonshire Road for perpetuity with the planning of new trees which allow permeability and light into the application site.

The proposed replacement tree planting along Devonshire Road is supported, although the spacing is not considered appropriate.

The concept of the pocket park is supported, but the success of the space is dependent upon the assurance that the edge of the space does not become lined with parked cars.

The 'green walls' referred to on the landscape plans are not green walls but are climbing plants.

Should the application be approved, conditions relating to hard and soft landscape plans will be required.

Second Response (6th December 2012)

The proposed reduction in the depth of the planting beds adjacent to the dwellings is not supported for a number of reasons. The revised width of the beds are not sustainable and nor are they going to provide any meaningful defensible space for the residents.

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

Cycle Route

- 6.20 The route of a potential cycle route along the railway has been identified within a document and it identifies which sections of this route should be safeguarded as allocated development sites are brought forward. This application is one of those development sites. Whilst it is recognised that the space may be available on Network Rail land there is a reduction in space available at the southern end of the development site. For this reason a 5 m strip is required and the preferred option is for it to be along the eastern edge of the development.

The current proposal of locating the cycle route on the road within the development requires significant changes to become acceptable;

- A method of managing car parking needs to be agreed so that parked and manoeuvring cars do not impinge the cycle route.
- The design of the access and exit routes into the internal link are designed to be more cycle-friendly without sharp 90 degree turns.
- No trees are planted on the access and exit paths.
- It is made clear to future residents that this link is provided for and that large numbers of cyclists and pedestrians are predicted to use it.

Cycle Parking

Most of the cycle stores do not provide convenient access. The cycle parking for the terrace housing does not provide enough space to accommodate the 3 cycle spaces required. It is recommended that cycle parking is provided to the front of these houses.

Cycle parking for plots 2,5,6,8 and 10 appear to be uncovered and insecure. There are other plots where the cycle parking is not in accordance with the required standards and needs to be re-visited.

Access to the cycle parking proposed for the flats is unacceptable due to poor access as the paths are too narrow and could be blocked by parked cars.

Second response (4th January 2013)

Greater Anglia have stated that they are supportive of providing a cycle and pedestrian link from the station northwards to the end of the land which they lease from Network Rail running adjacent to approximately the first third of the Travis Perkins site. There appears to be enough space on Network Rail land for a short section north of the Greater Anglia land but there is then a pinch point created by rails and gantry posts. Network Rail have also stated their support for the route in principle and agreed with Travis Perkins' property agent the need for a 'wedge' shape of land within the depot site in order to provide sufficient space for the cycle path. Attached is a plan showing this 'wedge' shaded.

The Chisholm Trail has support from Cambridgeshire County Council Cabinet and whilst funding has not yet been identified land must be safeguarded to enable the route to be implemented in the future. A similar agreement to safeguard a strip of land was made as part of the Leica site Section 106, on the eastern side of the railway and so a precedent has already been set.

In conclusion, it is essential that a strip of land is safeguarded within the area proposed to be used as the depot (as shown on the attached plan), for future use as a cycle/foot path within an agreed timescale.

Cycle Parking

The cycle parking for the blocks of flats is acceptable as long as the car parking spaces adjoining the access path to the cycle parking areas are designed to prevent poorly parked cars from blocking the path – e.g with some kind of lip or bollard.

The cycle parking for the housing is generally inconvenient and unlikely to be used. Some of the garages appear narrower than the recommended 3.3m width, with pinch points created by pillars and it will be difficult to get cycles past parked cars.

All cycle racks either within the garage or shed should be removed from the plans as this will make manoeuvring cycles in and out much more difficult, in some cases impossible.

Consultative Panels

Design and Conservation Panel (Meeting of 16th March 2011)

6.21 Minutes of Meeting;

- ☐ Devonshire Road frontage (Zone 1). There needs to be greater animation in the gable ends and windows.
- ☐ Trees. The Panel did not regard the trees in terms of the success of the scheme. The retention of the existing trees was not seen as essential although the Panel would stress the need to consult with local residents regarding the removal of these trees. Should the decision be made to fell the existing trees, the Panel would regard their replacement as essential. This would

allow the full length of the road to be formalised providing a screen to the depot building and consistency along Devonshire Road.

- Access. This is currently unformed and in need of further development.
- The 'snake' building (within Zone 2). This is a poor quality design in terms of both access to light and over development. The relationship between the terraces and the flats to the rear raises issues of overlooking.
- Western elevations. The addition of light wells and green facades would make the private garden spaces feel less prison-like.
- The need for an acoustic barrier is a constraint, which contributes to the change in architectural language across the development.
- Existing buildings of historic interest. Although outside the conservation area, the Panel would welcome an investigation into the water tower and railway shed that are currently disguised by the depot building.
- Public open space. This needs to appear more publicly accessible, with a designated area for ball games. (There are more subtle ways of keeping vehicles at a safe distance than with the high railing proposed.)

Conclusion

As no plans were provided, the Panel are able to make few comments on the Travis Perkins site, beyond its need to address its setting. As a step forward, the Panel would strongly urge the development of a Masterplan for the entire area that could reveal both the residential scheme and the commercial site with this context. In terms of density, the proposed residential development is by no means greedy, but nevertheless raises questions regarding access and the management of cars on site (particularly visitor parking). The 'snake' building needs further consideration as the units and rear garden spaces relate poorly to each other. The issue of the trees is a sensitive one but the Panel remain fairly flexible on the issue of retention or replacement.

Verdict was unanimous amber.

Design and Conservation Panel (Meeting of 18th January 2012)

6.22 Minutes of the meeting

- ☐ Public Open Space (POS). The Panel felt this area was still dissected and hope that more emphasis will be placed on providing an open, community space suitable for ball games and other forms of recreation. The Panel praised the artist's proposals for the area, but thought the architect's drawings conveyed more accurately the size of the open space than the artist's that tended to make it look too small.
- ☐ Shared surfaces. The Panel noted the issues surrounding refuse collection and the County Council's adoption of the road. Members were comfortable with the fact that adoption by the County would limit the choice of surface materials.
- ☐ Parking. The Panel would strongly encourage the prohibition of parking in order to maintain the qualities of the public open space.
- ☐ Devonshire Road. This is likely to become an increasingly busy thoroughfare as it links Mill Road with the Station area. The Panel would therefore welcome the introduction of benches for the benefit of the elderly and ambulant disabled, as well as any additional planting measures that would enhance the sense of community space.
- ☐ Tree belt. The Panel are in favour of continuing the tree line in front of the depot building but, in place of a uniform belt of trees, would welcome the introduction of trees that would create seasonal interest to supplement the retained trees and to introduce variety.
- ☐ The former train shed. With the prospect of losing all ancillary rail buildings as a result of the CB1 development, the Panel welcome the news that a photographic record will be made of the shed.

Conclusion

The Panel praised the design team for responding to the comments made last time. Members still feel that the garden spaces will be rather landlocked, but were prepared to accept the density of the building on this site and could therefore endorse the strategy that the design team proposed.

Verdict was unanimous green, subject to the recommendations made.

- 6.23 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:

- ☐ 9 Devonshire Road
- ☐ Top Flat 18 Devonshire Road
- ☐ 24 Devonshire Road
- ☐ 25 Devonshire Road
- ☐ 40 Devonshire Road
- ☐ 42 Devonshire Road
- ☐ 46 Devonshire Road
- ☐ 12 Angus Close
- ☐ 28 Emery Street
- ☐ 33 Glisson Road
- ☐ 18 Lyndewode Road
- ☐ 6 Kingston Street
- ☐ An address on St Barnabas Road
- ☐ One received with no postal address
- ☐ Glisson Road and Tenison Road Residents Association

- 7.2 The representations can be summarised as follows:

Cycle Route

- ☐ The proposed development layout should be revised to incorporate the planned cycle route alongside the railway station as the omission of this would be a lost opportunity.

Provision of open space

- ☐ The provision of open space on this site could be maximised through an alternative layout, which would enable it to be more accessible and usable in terms of people's perception;
- ☐ Small pockets of open space are rarely used if they do not offer a facility such as childrens play or a sporting facility.

For the public to benefit from the space, it needs to be located either surrounded by or adjacent to a public thoroughfare;

- There is little open space in the Petersfield Ward and no ability to purchase more with money provided by developers to compensate for lack of on site provision. Accordingly, the suggestion is that the site should provide sufficient on site open space as required by local plan policy.

Tree belt

- The trees have a positive impact on the setting of the conservation area and have a significant life span in front of them. Their removal and replacement with young trees is seen as unnecessary and in terms of the character of the area and sustainability and ecology;
- Given the time for trees to mature, it would be preferred if the best existing specimens were retained. Furthermore, a formal line of trees is out of keeping with the informal, non-uniform planting in the local area. A more informal arrangement of mature and new trees, with a variety of species would be more in keeping.

Devonshire Road Frontage

- The proposed linear park would work well with the retention of the existing trees. By recessing the housing back from the street, this standard of light and outlook will be retained for all the terraced housing opposite;
- The proposed houses are disappointingly bland and are a poor imitation of the Victorian properties opposite.

Choice of Materials

- The detailing of the proposed dwellings should be of the highest quality and the choice of materials, particularly the brick, should be carefully selected. This should be through condition and that these conditions are put to the Members of the Planning Committee rather than determined by officers under their delegated powers.

Design of Flat block

- The flats are of a monolithic nature and should be broken down to reduce their bulk. There is also an objection to the use of brightly coloured panels on the railway side of the building, which is a design element that ignores the established character of the area;
- It is unclear from the proposals whether the taller blocks of the flats would be visible over the proposed houses and visible to those within the existing Victorian properties on the opposite side of Devonshire Road.

Access to the Site

- The use of Angus Close as access to the new development would remove the need for a new access on Devonshire Road and the removal of trees. The road could be run alongside the railway line and combined with a cycle-pedestrian route, could provide an effective sight and sound barrier;
- Following a comment from another resident, residents of Angus Close object to the suggestion that the access road to Travis Perkins should be via Angus Close, in order to avoid another road junction on Devonshire Road.

Parking Provision

- Concern of parking pressures, especially upon Angus Close, which suffers from residents from Devonshire Road parking in the close. The level of parking on the site should be increased, to prevent parking pressures elsewhere.

Impact upon Education

- The number of new developments aimed at families in the Petersfield Ward, means that the catchment for Parkside Federation will become more strained.

Traffic Situation on Devonshire Road

- The proposed development provides an opportunity to address the rat-running on Devonshire Road

7.3 The owners/occupiers of the following addresses have made representations supporting the proposal;

- ☐ 132 Mill Road

7.4 The representation can be summarised as follows:

- ☐ Providing that the properties are no more than 2 stories in height and that the footpath is widened on Devonshire Road, the proposed development is acceptable.

7.5 The owners/occupiers of the following addresses have made representations objecting to the amendments to the proposal;

- ☐ 2 Angus Close
- ☐ 12 Angus Close
- ☐ 6 Kingston Street

7.6 The representations can be summarised as follows:

- ☐ Although the amendments improve parking, it doesn't address the issue of how the extra cars will manage at the junction with Mill Road;
- ☐ The road system is not prepared for any additional road users;
- ☐ The provision for more family housing means that there will be increased pressure on the local schools, both primary and secondary, which is not acceptable;
- ☐ Following a suggestion that the Chisholm Trail is run through Angus Close, residents are concerned as it is unsuitable as the Close is in constant use and there is poor visibility onto Devonshire Road from Angus Close, which would lead to accidents;
- ☐ The quality and design of the proposed build is exceedingly poor and entirely out of character with the existing housing on Devonshire Road;
- ☐ The provision of public open space is inadequate;
- ☐ Strong objection to the removal of the trees on Devonshire Road;

7.7 The following association of the following addresses have made representations both objecting and supporting the amendments to the proposal;

- The Indian Community and Culture Association, Old Mill Road Library, Mill Road.

7.8 The representations can be summarised as follows;

- The cycle route under the railway bridge will create a potential clash of cars and cycles along the same road and will be unsafe;
- Community facilities are being provided at this centre, which will be within reach of the residents of the development;
- Providing that the cycle route to and from the proposed development could be reconciled to the Association's satisfaction, then there could be mutual benefits arising from the proposed development.

7.9 A petition was submitted to the local planning authority with 32 signatures objecting to the proposed development.

7.10 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 and design and the impact on the Conservation Area
3. Visual Impact, Landscape and Arboriculture
4. Ecology
5. Renewable energy and sustainability
6. Disabled access
7. Residential amenity
8. Environmental Health Issues
9. Refuse arrangements
10. Highway safety
11. Car and cycle parking
12. Strategic cycle route
13. Public Art
14. Public Open Space

15. Third party representations
16. Viability
17. Planning Obligation Strategy

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan 2006 supports the provision of additional housing within the City and those which are 0.5 hectares, or more are identified on the Proposals Map. This site is such a site (5.09) and has been safeguarded for residential development. The site is presently occupied by an industrial use, but as the site has come forward for development, the preferred use is as housing, as proposed.
- 8.3 Central Government is committed to promoting more efficient use of land through the use of suitably located, previously developed land and buildings, in order to bring vacant and underused land back into beneficial use. This site is significantly underused as a timber merchant's and with improved procedures such as 'just in time' deliveries, there is the ability to condense operations onto a smaller site. For this reason, it provides the opportunity for the wider site to be redeveloped with housing at an appropriate density.
- 8.4 This application seeks to develop two thirds of the existing Travis Perkins site for housing, leaving the remaining third for the proposed new depot (11/1295/FUL). Policy 3/6 of the Cambridge Local Plan seeks for an application to demonstrate that where part of a site is being developed, that due consideration has been given to safeguarding appropriate future developments on the remainder of the site. The application has provided an option of how the layout and typology of housing could be replicated in a way that ensures that the proposed site has been developed with a coordinated approach in mind, should the final third become available for development in the future.
- 8.5 In my opinion, the principle of development is acceptable and in accordance with policies 3/6, 5/1 and 7/3 of the Cambridge Local Plan 2006.

Context of Site and Design and the impact upon the Conservation Area

- 8.6 The site lies in an area of predominantly housing, with the existing industrial use signifying an historic anomaly. The site is located within the City of Cambridge Conservation Area (No.1 Central), which is addressed within the Mill Road Conservation Area Appraisal. I will address the site in three sections in my consideration of the design.

Devonshire Road

- 8.7 The context for the terraced and semi detached properties that face Devonshire Road is the existing terraces on the opposite side. Those properties have a distinct rhythm to their appearance, with the regularity of features such as bay windows, recessed porches and traditional details like soldier courses above window and door openings. Each property has a small defensible space to the front with a low brick wall. It is appreciated that these spaces are not necessarily utilised to their full potential and on the whole residents use this area for bin storage. This is not an attractive feature of the streetscene and a constraint that has been considered in the design evolution for the proposed houses on the site.
- 8.8 The proposed terraced houses face onto Devonshire Road and for this reason, face towards the Central Conservation Area and effect its setting. The buildings have been set back 8 m from the kerb, which has enabled a newly formed landscaped street frontage, which will be discussed in further detail below. Each of the properties, has a simple L shape porch, that provides a contemporary twist on the recessed porches opposite. A small garden is provided with associated soft landscaping and informal secure cycle parking to the front.
- 8.9 There are four pairs of semi detached houses, two sets to either side of the access into the site. These are 3 bed houses, which have larger proportions than the terraced houses as they sit within the centre of the frontage houses on Devonshire Road. These houses are 6.4 m in width by 9 m in depth. There are two houses that present their flank elevations to the access to the site and these have been detailed with a chimney breast and brick detailing that provides some interest to these elevations which are visible from the street. In order to improve surveillance of the entrance into site, the urban design team consider that a window should be inserted that serves the kitchen of each end house. I concur with this view and have

recommended a condition to this effect. The form of the houses takes a simple pitched roof, which measures 5.4 m to the eaves and 8.5 m to the pitch.

- 8.10 To the northern and southern ends of the semi detached house are a terrace of three 2 bed houses. In order to respond to the context, these buildings have smaller proportions than the semi detached houses. The houses are 6 m in width, akin to the proportions of similar Victorian terraces with a depth of 8 m. The building line to the front is maintained along the length of the site, but because of the difference in depth of the properties, the semi detached properties sit 1m deeper within their plots. The height of the terraced properties are 5.4 m to the eaves and 8.3 m to the pitch.
- 8.11 The design of these properties have been carefully considered and the successful design features of the Victorian terrace taken and adapted slightly to create a more contemporary version, but one that sits comfortably opposite the original properties. Details such as the chimney breasts on the two end houses, which frame the entrance into the site provide a successful detail which enlivens what would otherwise be a blank façade.
- 8.12 The use of buff brick with slate roofs is considered appropriate to the area, with areas such as the porch using modern materials, such as zinc to provide a successful contrast. The final materials have not been agreed, so a condition would be imposed requiring samples of all external surface materials prior to commencement of development. The windows and doors should be recessed to create an interesting frontage. These details can be conditioned.

Houses around the Public Open Space

- 8.13 Within the site itself, there are four houses, three situated to the northern edge and one to the southern edge. To reflect the character of the internal space, these houses are of a contemporary design with a flat roof and parapet. These properties have a double bay window, which faces into the site and the informal open space.
- 8.14 On the northern side of the site the properties work within a terrace along with a coach house (FOG), while on the southern

end the property is detached. The proportion of this house type is 6.4 m in width and 9 m in depth, the same as the semi detached properties along the frontage. The height is lower as it is within the centre of the site and there is a hierarchy to the heights of properties in this space with those on the boundaries higher than those within the site. As such this house type is 6.1 m in height.

Flats over Garages

- 8.15 Within the centre of the site, alongside the houses are flats over garages (FOGs) or coach houses. These line the southern boundary of the internal road and to a lesser extent, parts of the north and south boundary too. Those coach houses, that are on the southern side of the internal road, are located to the rear of the houses fronting Devonshire Road at the end of their associated gardens. Maintaining the height hierarchy across the site, these buildings are lower at no more than 6.4 m in height.
- 8.16 There are four coach house types which are proposed in order to respond to the context both within the site and amenity of future occupiers and to respond to properties outside the application site, such as those within Angus Close to the south. Principally, they follow the same design but depending upon orientation, number of bedrooms and the need to provide visual variety, there are some differences.
- 8.17 These dwelling types introduce balconies to the front elevations of the coach houses, overlooking the open space. There are also planting areas located on the roofs of carports between buildings, which provides an area for raised beds or pots.
- 8.18 These properties are constructed from the palette of materials that are to be used for the front properties, which assists in providing continuity through the site. These properties sit above their associated garage and either one or two garages that belong to other plots. The front door to the flat is separate from the garage and as such each element can be accessed independently from one another.

Apartment Block

- 8.19 To the east of the site, alongside the railway line, a four storey apartment block is proposed. This has in part, been designed to provide noise attenuation to the site, but the final design has been manipulated to break up the massing and appearance by incorporating glazed stairwells and varying heights, which also provides the opportunity to provide areas for planting for each flat.
- 8.20 Access to the flats is taken through the stair cores. The residents then access the individual unit via an external gallery access that is on the eastern elevation of the building, closest to the railway line. This provides a decked access to no more than 2 units. This solution to access the flats has come about through the internal layout and orientation of the flats and the need to place living areas and terraces to the front, overlooking the open space and away from the noise created by use of the railway.
- 8.21 At ground floor level there are two flats, with their own associated terrace, which are west facing. The remainder of the space is utilised as refuse and cycle storage to the rear of the footprint with undercroft car parking to the front. Moving up through the first and second floors the floorplan replicates itself with 7 units on each floor that have kitchens and bathrooms orientated to the rear of the units and the bedrooms and living rooms with associated terraces to the front.
- 8.22 On the fourth floor there are a reduced number of units, 3 in total, which is where the heights of the apartments rise above the three storey elements. This also provides for planting opportunities on the roof of the three storey elements as required by occupants. These roofs would also be utilised for PV panels, which are required to deliver the necessary carbon reductions.
- 8.23 The apartment block is 95.2 m in length, which is practically the length of the site along the eastern boundary because of the need for the building to also act as an acoustic barrier. In order to positively address the site the front elevation has been articulated with the use of glazed stairwells, terraces, windows and materials which produce a rhythm along its length, both horizontally and vertically. The predominant height of the

building is 10 m, although to create variety elements of the building rise up to 12.2 m with the staircores at a maximum of 13.2 m.

Impact upon the Conservation Area

- 8.24 The Mill Road Conservation Area Appraisal 2011 identifies that the character area, which Devonshire Road is in, has a principle townscape feature which is provided by the long rows of well detailed terraced or semi-detached houses with groups of buildings of a similar scale and design. It is considered that the proposed development has responded to this principle townscape feature in a positive way on the eastern side of Devonshire Road and that providing the use of materials and detailing of window reveals is of an appropriate standard, the proposed development would not harm the character or setting of the Conservation Area. Conditions can be imposed that ensure these details are appropriately carried out.
- 8.25 The Design and Conservation Panel requested that an investigation and record be made of the water tower to the north east of the site and the railway shed that is embedded in the existing depot building. This is because, although the structures are not listed, they are of interest and given the loss of ancillary railway buildings along this stretch of the railway line, it is considered appropriate that such a record is made. The applicants have agreed to this and a condition is recommended requiring a photographic record to be taken and archived appropriately.
- 8.26 In my opinion the proposal will not harm the Central Conservation Area and shall deliver a development that is sympathetic to its context and is therefore compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12 and 4/11.

Visual Impact, Landscape and Arboriculture

- 8.27 To the front of the existing industrial site is a tree belt of protected trees, located behind a 2 m high close boarded fence, that abuts the public footpath. From representations received, I have assumed that this tree belt was grown in order to screen the industrial use from the residential properties opposite and it is approximately 25 years old. During its life, other trees have self seeded themselves and this belt has become more dense

and with minimal arboricultural work, it has become quite a competitive environment for the trees and in the view of officers is not in a good condition visually. However, it is accepted the residents do value the visual quality of the trees and the contribution that it makes to the character of the area.

- 8.28 The amenity value of this belt of trees is appreciated and its success in screening the industrial use is very effective. Considerable deliberation of how to incorporate this important feature into the proposed development has been considered in many formations. However, during later design decisions, an option was put before officers where the trees remained, with some appropriate arboricultural work carried out to improve their quality of life, or to remove the tree belt entirely and to landscape the area, incorporating a newly created line of trees and the ability to widen the public footpath, through the appropriate agreement with the local highways authority.
- 8.29 The application pursues the option to remove the existing trees in their entirety and to carry out landscaping proposals, which incorporate a replacement tree belt.
- 8.30 Taking consideration of representations, I understand the importance of these trees not just in terms of visual amenity, but the varied ecology that they also provide to an urban area of the city. I have visited the site on a number of occasions and throughout different seasons to observe the value that these trees provide to the local residents and surrounding area.
- 8.31 To pursue the development, while retaining the existing tree belt has its associated risks, which is primarily that the removal of the concrete hardstanding that the existing depot site sits upon, will destabilise the trees, but will also alter their environment in such a way, that they will not adapt successfully. While I appreciate that a proposed development should be designed with due consideration of the site constraints, protected trees being one of these, there are other difficulties that need to be addressed. The removal of the hardstanding needs to occur for the re-development of the site and while mitigation measures can be carefully put in place to manage any adverse impacts, the reality is these may not be successful. The existing tree belt has grown in competitive circumstances and if the belt were to be thinned out in order to provide the more substantial trees an opportunity they may not respond well to being exposed.

- 8.32 The tree survey that accompanies the application does not identify any of the trees as category A trees and instead they are mainly made up of category B and C, which while healthy, have a limited lifespan.
- 8.33 The application provides the opportunity to carefully design and landscape the eastern side of Devonshire Road, which has been left for a number of decades, with little investment in its appearance. To retain the existing tree belt, albeit thinned out, does not in my view or the view of the landscape architects provide an appropriate boundary to a residential development. The opportunity that this application proposes is one of great merit, which will allow the improvement of the street scene of Devonshire Road with the planting of new trees, and increase permeability and light into the application site, while still retaining an appropriate level of visual amenity to the existing residents.
- 8.34 The landscaping provides the opportunity to provide a visually important grassed area to the front of the proposed frontage properties that will be shaded from the replacement tree planting, which will provide an area where the public can rest or appreciate the visual richness that this proposed boundary will provide. A resident raised the concern that the row of trees were too formal and that a more informal arrangement like other groups of trees along the road, may work more successfully. Appropriate conditions would need to be imposed to ensure that the spacing, variety and maturity of the tree were appropriate for the location, but such conditions would be reasonable and appropriate to this application.
- 8.35 On balance, my recommendation is that the existing protected tree belt be removed and replaced with a new line of trees that adds visually quality and amenity to Devonshire Road and its occupants. I believe that to not take the opportunity that this development provides to plant a tree belt that is appropriate to a residential area and not for the purposes of screening an industrial use would be a regrettable one. In my opinion the proposed development is acceptable and provides demonstrable public benefits which outweigh the current amenity value of the trees. This is in accordance with the Cambridge Local Plan 2006 policy 4/4.

Ecology

- 8.36 The ecological survey and assessment describe the site as having a low ecological value. The assessment does not attempt to indicate the sites association with the surrounding ecological network, but with a knowledge of the site, the Nature Projects Conservation officer is of the view that the proposal will not have a negative effect on adjacent sites or species. The landscape strategy includes the planting of a native hedge along part of the northern boundary and this is welcomed. However, consideration should be given to the remaining planting proposals to ensure that they are of value to biodiversity and that ecological enhancements such as the provision of bat and bird boxes are provided within the development. This can be secured through appropriate conditions.
- 8.37 In my opinion the proposal is compliant with the Cambridge Local Plan (2006) policy 4/3.

Renewable energy and sustainability

- 8.38 The application is accompanied by an Energy Strategy Assessment, which sets out a hierarchical approach to reducing the carbon emissions of the development and assesses a range of renewable technologies that could be implemented to achieve the requirement of policy 8/16. This approach is supported by officers.
- 8.39 The option that has been progressed is the use of photovoltaic panels and it is estimated that these will achieve a 16.42 tonne reduction in CO₂ emissions per annum. The reduced efficiency of panels on the east facing roof slopes which are the houses fronting Devonshire Road have been taken into account when calculating the performance of the panels and that a larger array is to be installed on these dwellings to compensate for the loss of efficiency. The east facing roof slope is that which faces into the site and will not be visible from the street or adjacent Conservation Area. On this basis, it is considered that the technology will be suitable for this development and will meet the requirements of policy 8/16 of the Cambridge Local Plan.(2006).

8.40 The development also seeks to achieve Code level 4 and the installation of the PV panels represent an improvement over Part L of the Building Regulations of 25% or more, which allows the dwellings to meet code level 4 in this element. This is an approach which is fully supported by officers.

8.41 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

8.42 The properties are built with level access, which enables those with disabilities to be able to access the ground floor of the proposed houses and the ground floor units of the apartment block. Although lift access is not provided to the upper floor flats, the external design, layout and access arrangements of the development would enable those with disabilities to move through the scheme, without a change of level. A car parking space for disabled users is also provided.

8.43 In my opinion the proposal is compliant (in respect of disabled access) with Cambridge Local Plan (2006) policies 3/7, 3/12 and 5/9.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.44 Given the location and orientation of the site, there are limited concerns relating to the amenity of neighbouring occupiers. There are no issues relating to the relationship with the north, west and eastern boundaries. This leaves the southern boundary, which adjoins properties that front Devonshire Road and Angus Close.

8.45 Plot 1 of the proposed development sits further back than the building line of 108 Devonshire Road. For this reason, the flank wall of the new two storey property will be visible within the garden of 108 and to a lesser extent 107 Devonshire Road. The proposed property will be set off of the common boundary by between 1.6 m and 3 m and is located to the north of the these existing properties. The existing boundary consists of a

1.8 m close boarded fence, with no associated soft landscaping. The proposed boundary treatment, although final detail will be conditioned, is for a replacement fence, but given the nature of the existing use of the site and that No.108 does not have any windows on the north elevation, I consider that the proposed development will not have a detrimental or overbearing impact to the enjoyment of their properties and gardens.

8.46 With regard to overlooking, as plot 1 sits deeper into its plot than 108, views will not be obtained over their gardens as the angle will be very oblique and instead will focus over the car parking court associated with Angus Close.

8.47 The remaining consideration is the relationship of plot 16 to 107 and 108 Devonshire Road. Plot 16 is a coach house and has a balcony which looks into the centre of the application site. However, on the rear elevation there are two windows, which serve bedroom 2 and 3. The window to bedroom 2 is not of concern as it looks out over the parking court of Angus Close and consideration of the 45 degree angle confirms that overlooking would be minimal. However, the window to bedroom 3 is in a position where views could be obtained over the gardens of 107 & 108. The rear elevation of plot 16 is 11 m from the common boundary and I consider that a condition which requires details of boundary treatments could overcome any outstanding concerns with potential to include soft landscaping along this boundary to mitigate any overlooking.

8.48 I appreciate that the outlook of residents along Devonshire Road will change, but this does not affect their amenity in a detrimental way, given the distances between the properties and the presence of the highway. A resident has questioned the ability to see the flats from the first floor of existing properties on the opposite side of Devonshire Road. Given the height of the frontage properties at 8.5 m to the pitch and the apartment block reaching a maximum height of 13.2 m, there will be the ability to see the flats in the distance from the first floor windows. The proposed trees will provide some screening to these views, but obviously will not reach a height, even at full maturity to screen the flats entirely. However, given that the distance between the frontage of the existing houses and the flats is at the closest point approximately 60 m and at the widest, 85 m, I do not consider that overlooking, overbearing or loss of outlook impacts will be significant.

8.49 Residents are concerned about the additional car parking pressures the area would be subjected to as a result of this application and the existing competition for car parking spaces. Future residents of the site would automatically be excluded from rights to obtain Residents Permits for the existing scheme on Devonshire Road. However, they would have access to visitor and business permits. As the existing scheme is subject to very high competition from existing residents, the applicant has agreed to enter into a Section 106 Agreement that amends the existing Traffic Regulation Order. This will remove any properties within the application site from rights to a visitor and business parking permit. The cost of this amendment will be borne by the applicant. I consider that this is a pragmatic approach, that will safeguard the amenity of existing residents and will ensure that additional pressures are not put upon the existing residential parking scheme by this proposal.

8.50 With regard to the existing entrance to the depot, this is located on the north west corner of the site, close to the Mill Road junction and as such, although the number of larger vehicles will diminish, those towards the southern end of Devonshire Road are unlikely to feel the benefits. However, the number of small vehicle trips will increase, but not to a level that would be harmful to the amenity of those residents on the west side of Devonshire Road. This is explained further within the highway safety section of the report.

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

Amenity for future occupiers of the site

Noise

8.52 One of the principle concerns for the future occupants of the residential site and one that has provided a considerable design constraint on this site is the need to mitigate the level of noise that the occupants will be exposed to from the railway line and its associated uses and the proposed depot site to the north.

- 8.53 Beginning with the railway line, as it has been referred to in other parts of this report, the design of the apartment block had to fulfil the role of also acting as noise attenuation to the remainder of the site. This meant that the building had to be of a certain height and that there were to be no gaps within the block.
- 8.54 In order to ensure that future residents were not exposed to noisy activities related to the railway, and in order to minimise the need for mechanical ventilation the layout of the flats place noise sensitive uses such as bedrooms and living rooms facing into the site and the bathrooms and kitchens, face towards the railway line. Through this layout the need for any mechanical ventilation has been eradicated and the internal noise level at night time is less than 35 dB, which is acceptable to officers. Furthermore, the design of the building has ensured that the open space will not be subjected to more than 55 dB during the daytime which is also acceptable and demonstrated through the noise report that was submitted with the application and has been reviewed by relevant officers.
- 8.55 Moving onto the relationship of the site with the proposed neighbouring depot site to the north. Initially, the layout of the depot site showed areas for pallets and skips on the boundary with residential plots, 22 – 24 and their associated gardens. This was not considered acceptable despite the inclusion of a 2.8 m height close boarded fence along the neighbouring boundary. Given the noise that is associated with moving skips and pallets, the amenity for the future occupiers was likely to be poor. For this reason an amended layout plan for the depot, which moves noisy activities to the eastern boundary away from the residential site is considered to be acceptable and the close boarded fence will protect them from general vehicle noise. To ensure that this layout is implemented, a condition is recommended as part of my report on the depot site to prevent the layout from altering and potentially harming the amenity of the future residents.
- 8.56 As such, it is the view of officers that the future residents are protected from adverse noise impacts through the design and layout of the application site and the proposed neighbouring depot site. The level of noise that there are exposed to are within the acceptable parameters that officers would expect and

for this reason, we are confident that their level of amenity will be appropriate.

Relationship between Buildings

- 8.57 Given the nature of the layout of the site with parallel building lines, there are some incidents where further consideration of its impact upon neighbouring future residents needs to be considered.
- 8.58 The back to back distances of the frontage houses and the coach house is 8 m. However, the coach houses have flat roofs, which mean that they are no more than 6.4 m in height. Furthermore, given the orientation of the gardens, they will benefit from exposure to the sun for a significant part of the day and into the evening, making them very usable spaces. Consideration of window placement and the height of those within the coach houses ensures that the level of overlooking between properties and amenity space is reduced. In order to mitigate this potential conflict further, within coach house type A, the plans indicate the use of obscure glass to the windows to the second bedrooms. I consider that for the amenity of the future occupants of coach house A, this would result in an oppressive environment. Providing that the windows are placed at a high enough level obscure glazing would not be needed. This would be a preferable solution rather than obscuring them. This detail can be addressed through an appropriately worded condition.
- 8.59 The coach houses all propose balconies to the front of the properties to mitigate against overlooking into the gardens of the houses along the frontage. In some circumstances, planting area are incorporated at first floor level as an area for raised beds or pots. To ensure that these areas do not impact upon the residents of the frontage houses, a screen will need to be installed which prevents overlooking and is set in from the rear elevations of the coach houses so as not to create a blank two storey form onto the associated frontage houses gardens. The detail of this screen can be addressed through an appropriately worded condition.
- 8.60 There is one corner of the site that is constrained and this relates to plots 22 - 24 on the north boundary. Plot 24 is a two bedroom house whose aspect is west facing. At first floor there

is a window to a bedroom, which will have views across the gardens of plots 22 and 23. However, I believe that as this is a new development and within an urban location, some degree of overlooking is expected and that future occupiers will be aware of this when buying the adjacent properties.

- 8.61 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12 and 4/13.

Environmental Health Issues

- 8.62 A contaminated land assessment was submitted with the application, which during initial intrusive investigations has provided evidence of hydrocarbon contamination and as such a remediation options assessment was prepared. As the application does not contain structural drawings, officers are uncertain that the proposed mitigation measures are compatible with the proposed structures. Therefore, in order to resolve the issue, it is proposed that an updated ground gas risk assessment is undertaken prior to the commencement of development, which can be appropriately conditioned.
- 8.63 With reference to air quality, an assessment was submitted within the application, that also incorporated the proposed depot site. The development will result in an additional 37 car parking spaces as part of the change of use from commercial to residential. The Transport Assessment indicates that there will be marginally fewer trips as a result of this change of use – although there is predicted to be a small increase in the number of car trips there will be a 65% reduction in HGV trips, such that the overall impact on air quality would be neutral or slightly improved.
- 8.64 To protect the amenity of neighbours, a strategy for dust suppression should be submitted as part of a wider Demolition and Construction Environmental Management Plan (DCEMP) condition that provides details that prevent harmful environmental impacts occurring that may harm the amenity of neighbouring residents during the construction phase.

- 8.65 In my opinion, subject to the conditions indicated above, the proposal is compliant in respect of land contamination and air quality with Cambridge Local Plan (2006) policy 4/13 and 4/14.

Refuse Arrangements

- 8.66 Each house and FOG are provided with appropriate waste storage for three bins on plot, either by the allocation of space within their garden or garage. These are all within the appropriate dragging distances for occupants to locate their bins on the kerbside for collection by the refuse lorry.
- 8.67 The apartment block to the east of the site has the provision of communal refuse and recycling stores for the use of the occupants. Following discussions with the Waste Strategy Manager, the access routes to these stores were widened to ensure that the refuse team could pull the bins out without danger to parked cars within the undercroft.
- 8.68 Appropriate waste collection requires the collection vehicle to use the access road into the site, which the highway authority does not intend to adopt. This road must therefore be constructed and maintained to the standard necessary to accommodate heavy vehicles. The Waste Strategy Team are concerned that the costs of such construction and maintenance, through long-term use, do not fall on the City Council. In recent appeal decisions, the Inspector's have indicated that this issue could be satisfactorily addressed by a condition
- 8.69 In my opinion, subject to the conditions indicated above, the proposal is compliant in respect of waste storage and collection with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.70 A capacity study of the junctions of Devonshire Road with Mill Road and Tenison Road was undertaken as part of the transport assessment, where the AM and PM peaks were recorded.

	Junction	Total trips for each scenario		Increase in Trips
		Do Nothing	Development	
AM Peak	Devonshire Road / Mill Road / Kingston Street	1018	1035	+17 (+1.7%)
	Devonshire Road / Tenison Road	736	759	+23 (+3.1%)
PM Peak	Devonshire Road / Mill Road / Kingston Street	891	925	+34 (+3.8%)
	Devonshire Road / Tenison Road	598	632	+34 (+5.7%)

8.71 This table demonstrates the greatest increase in traffic would be during the PM peak at the Devonshire Road and Tenison Road junction. However, it is the view of officers that a rise of no more than 6% in car trips from the proposed development is not significant enough to cause concern about the capacity of the junction with Tenison Road. Equally an increase of 4% at the Mill Road junction can be absorbed within the existing network. The issues raised by the highway authority about layout and dimensions can be satisfactorily addressed in my view by conditions and informatives.

8.72 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Strategic Cycle Route

8.73 The Transport Officer at the County Council has indicated that the scheme should provide a through cycle route along the internal road to safeguard the completion of the Chisholm Trail strategic cycle route along the east side of the railway.

8.74 The submitted plans allow for the use of the internal access road as part of the Chisholm Trail. Landscaped areas would need to be sacrificed at the north and south ends of the apartment block should the proposed Chisholm Trail be implemented and a link made either with the adjoining sites or

with the maintenance track that runs alongside the development on the Network Rail land.

- 8.75 However, officers, are concerned about the realistic ability of the internal road to perform as part of the strategic cycle route. The aspiration of the County Council is that approximately 2000 cyclists and pedestrians use the Chisholm Trail, which would mean all of them coming through the application site. While there are positive elements to this, in that it would be well lit and overlooked, I consider that the risk of collision and the level of adverse amenity to the future residents of the site far outweigh the positive benefits. There are 20 car parking spaces that are located along the internal road, where the route would be directed, the majority of these are within the undercroft of the apartment block. There are also the pedestrian comings and goings from the stairwells, refuse movements and residents who cycle all of which will also be using this shared route and will lead to the potential for collisions between users given the width of the space.
- 8.76 The applicants have explored the possibility of providing a route along the boundary with the railway line and bringing the apartment block into the site, but this had implications on the number of units that could be achieved on the site. This was also coupled with the problem that there was little guidance as to when the Chisholm Trail may be progressed and as such, there was little comfort to officers that in the interim, a landscaped buffer was the appropriate way forward. Furthermore, when assessed and judged against the 2006 Local Plan, there were no policy requirements for the provision of this within the site as explain further below.
- 8.77 The County Council's aspirations are based on the document 'Protection and Funding of Routes for the Future Expansion of the City Cycle Network', which provides supporting guidance to policy 8/5 of the Cambridge Local Plan 2006. Within the document, section 5.5 refers to the Trail using existing Network Rail access and maintenance tracks. Officers appreciate that this is only possible with the agreement of Network Rail. It is understood that communication is on-going with Network Rail regarding this matter. The accompanying map also indicates that it is only at the northern end of the site, within the proposed depot site, where the route is identified as being within the site.

8.78 Although for consideration as part of the Depot Scheme the wider context for the Chisholm Trail needs to be understood. Discussions have been undertaken with Network Rail to identify a pinch point towards the north end of the Travis Perkins site, which is caused by the positioning of gantries. To move the gantries would potentially render the provision of the strategic cycle route unviable. As such, there is a requirement for a small wedge of land, not more than 4 m in depth, along the eastern boundary of the depot site. This wedge of land can be secured via a Section 106 Agreement, attached to the depot application. In saying this, Travis Perkins have agreed that it would be feasible for them to continue operating on the site, even with the wedge of land removed from the site. Should an alternative site be found and Travis Perkins move, then this wedge of land would form a constraint on the future development of the site and would continue to be safeguarded for the implementation of the route.

8.79 Returning to the application site, I appreciate the view of colleagues that if Network Rail do not offer their land, then there needs to be an option within the site to allow the Trail to pass through it. However, in the form proposed, I do not agree that this route should be safeguarded as it does not provide a safe route through for users. Equally, I do not consider that there is a sufficient policy basis, to require that the layout of the proposed application site is fundamentally re-designed, given that the document 'Protection and Funding of Routes for the Future Expansion of the City Cycle Network' which explicitly proposes that the Trail is provided for on alternative land.

8.80 In my view, the proposal does not comply fully with policy 8/5 of the Cambridge Local Plan (2006), but this shortcoming does not provide a basis for refusal of the application; to do so would not be reasonable. An informative should urge the applicant to co-operate with the City and County Councils and adjoining landowners to achieve the best possible cycle access through the site.

Car and Cycle Parking

Car Parking

8.81 The proposal seeks 7 one bed units, 23 two bed units, and 13 three bed units. As the site is not within a controlled parking

zone, the maximum level of car parking which would be compliant with the City Council would be 30 + 26, a total of 56 spaces. The proposal includes car parking on a ratio of 1:1, irrelevant of the size of the unit, providing 43 spaces, of which 1 is suitable for disabled users. This provides 77% of the maximum level of car parking provision. In addition to this, the site also provides 6 visitor car parking spaces. The site would be managed by a management company, who would monitor the use of car parking spaces, including the visitor spaces, and penalize those who are misusing them.

- 8.82 In my view what is shown in this application is an appropriate level of car parking provision, which would limit the additional pressure on on-street car parking in the locality. Both residents and the highway authority have raised concerns about the level of on-street car parking which may result. Through the amendment to the Traffic Regulation Order, any further pressures created through visitor parking would be removed as future residents would not be eligible for visitor parking permits within the neighbouring residents parking scheme. The City Council already has adopted standards, and they are expressed as maxima.

Cycle Parking

- 8.83 The City Council's Cycle Parking Standards requires 129 cycle parking spaces for the combination of units proposed in the development. The application achieves this total at ground floor level, using Sheffield stands or secure sheds in individual gardens or within the associated garages. There is also the provision of Sheffield stands within the front gardens of the houses that front onto Devonshire Road, that provides space for 2 bikes and this is additional provision. These are a more informal arrangement and will not be covered, but are an alternative and more convenient location to putting the bikes in the rear of the plot, within their associated sheds.
- 8.84 The cycle parking associated with the apartment block is separated between 2 cycle stores, which have approximately 15 spaces in each. Each of these stores can be accessed from the staircores and are secure, with appropriate space for maneuvering bicycles in and out. They are located to the rear of the footprint and as the access to these stores are also used for refuse collection, the paths have been widened to at least

1.2 m. I appreciate the view that cars could park inappropriately and block access, so a condition will be imposed to prevent this from occurring. I recommend a condition on cycle parking details; this will enable officers to find a cycle parking solution which gives a higher priority to convenience, and more closely meets the Cycling Officer's aspirations.

- 8.85 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Public Art

- 8.86 The Public Art Delivery Plan explains that an artist has been commissioned to work closely with the project architects on developing a public art scheme. A number of potential schemes have been identified which incorporate artist interventions into the built environment and the community spaces such as the public open space. However, a public art scheme has not been agreed, and the public art delivery plan will need to be secured through an appropriately worded condition.

- 8.87 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

Public Open Space

- 8.88 Within the centre of the application site is an area designated for public open space (POS). This space is oval in shape and sits within the internal shared surface and has the ability to provide a pleasant outlook for those residents whose properties face into the site.
- 8.89 Policy 3/8 requires that provision be made for open space and recreation as part of the development. Given the nature and location of the development it is appropriate for there to be some provision of informal open space and play space on the site. Using the Guidance for Interpretation and Implementation of Open Space Standards 2010, there is accommodation on the site for a total of 95.5 people, 85 of whom will be within 2 or 3 bed dwellings, which will have the ability for children to live on the site. Using the guidelines this equates to the need to

provide 1,719 sqm of informal open space and 255 sqm of children's play space.

- 8.90 The Planning Obligation Strategy 2010, specifies that informal open space and childrens play, should be provided for on site, where it is appropriate. It is likely that it will not be possible/practical to provide some types of open space such as larger areas of natural greenspaces, on site as part of developments. However, on site informal open space in the form of informal play space should be provided as part of housing developments of more than 25 units. This is the guidance, which has been followed and has resulted in the pocket park, which incorporates a full quantum of children's play space.
- 8.91 The Open Space and Recreation Strategy, which was adopted in October 2011 identifies that the provision of sport, recreation and biodiversity should protected, improved and new provision made alongside built development. This Strategy identifies for each ward the strengths of the ward and if there are any deficits within the provision of open space. The application site falls within Petersfield Ward and the strategy identifies that there is a low amount of informal open space given the local population. The application site is also identified as an opportunity and as part of the re-development of the site, the quality and quantity of open space should be high in order to avoid further negative impact on deficiencies within the ward.
- 8.92 While officers appreciate that the strategy has identified the site as an opportunity, the adoption of the document occurred 2 months prior to submission of the application, when officers had been working with the applicant since the beginning of 2010. As such, the layout of the proposed development had been developed for some time, prior to the adoption of the Open Space and Recreation Strategy 2011. This document obviously forms a material consideration for the determination of this application, but given the constraints of the site and that an independent consultant has identified that the site is unable to provide the level of policy compliant affordable housing because of viability, the simple option of reducing the number of units and provide more informal open space on site is unlikely to be one that is realistic.

- 8.93 A priority has been to provide a full quantum of children's play and the view was taken that this could be incorporated in a natural way, with mounds and boulders to provide the play equipment, rather than standard pieces of equipment. For this reason, there are not areas of the park that are lost because they are forming a park only for children, adults and older children can also use it too. Furthermore, on site there are gardens provided for the houses and roof terraces and balconies for the coach houses and apartments, which provide a good quality of amenity space for the residents.
- 8.94 Some residents are concerned that as the space is within the development, there is ambiguity for users and residents, as to whether this is a public or private park. The area will be publicly accessible and the access into the site is wide enough for passers by to view into the site and see the park located centrally. In terms of users knowing if they can use the space, this would be down to making local residents aware of its presence.
- 8.95 I appreciate that this is a sensitive matter for local residents and that the preference would be for a full quantum of informal open space to be provided on-site. This is in part, because there is concern that a commuted off site sum could not be spent within the ward as there is a lack of open spaces that it could be spent on, in terms of improvements. There are identified projects for Coleridge Recreation Ground, which is considered to be a realistic distance, on the opposite side of the Carter Bridge, for future residents of the proposed development. However, officers acknowledge that this is within the neighbouring Coleridge Ward and not Petersfield.
- 8.96 The Open Space and Recreation Strategy (2011) recognises that attempts should be made to deliver open space on site but that any shortfall in provision on site can be met through payments to the City Council under Section 106 of the Town and Country Planning Act 1990 and in accordance with those payments as set out in the Planning Obligation Strategy (2010).
- 8.97 A recent appeal decision acknowledged that the 2011 strategy expressly allowed for shortfalls in on-site provision to be addressed by commuted sum payments. Policy 3/8 of the Cambridge Local Plan also makes it clear that commuted

payments may be acceptable as an alternative to on-site open space provision, depending upon location.

- 8.98 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/8 and the Planning Obligations Strategy SPD 2010 and the Open Space and Recreation Strategy 2011.

Third Party Representations

- 8.99 I have addressed the following issues raised in paragraphs indicated

Protection of the Chisholm Trail	8.75-8.82
Provision of Open Space	8.90-8.101
Tree Belt	8.28-8.36
Devonshire Road Frontage	8.8-8.13
Choice of Materials	8.13, 8.19
Design of Apartment Block	8.20-8.24, 8.51
Parking	8.83-8.84
Impact on the road system	8.72-8.74

- 8.100 Three points remain relating to the impact upon primary and secondary school places, the introduction of traffic calming measures and the suggestion of some residents that access for vehicles should be from Angus Close.

- 8.101 The impact of the proposed development and its ability to provide family housing, which will have the ability to require primary and secondary school places has been assessed by the County Council, who are the authority which provide education provision. According to their records, which takes account of the cumulative impact of new developments, they have requested a contribution towards pre-school, secondary and lifelong learning. Their view is that there is sufficient primary school capacity within schools around this ward. In the absence of evidence to demonstrate a shortage in primary school places a reason for refusal on this ground would be difficult to substantiate. The contribution requested is to mitigate the impact of development on surrounding education provision and to provide the ability to the County Council to provide additional schools when are where necessary.

- 8.102 Some neighbours have highlighted the use of Devonshire Road as a 'rat-run' and asked that as part of the development, traffic

calming measures are put in situ. While I have sympathy with residents, the proposed development does not generate enough additional trips to require a contribution towards transport measures. Equally, if the development did generate a contribution, it would be for the County Council to determine the expenditure of those monies, based upon the Eastern Corridor Area Transport Plan. In general traffic calming measures are only required where highway safety concerns can be demonstrated and none have been recognised by the County Council in their consultee response.

- 8.103 Following a suggestion from another resident, those who reside in Angus Close objected to the proposal to use Angus Close as an access into the new development, thereby removing the need for a new access on Devonshire Road and the subsequent removal of the tree belt. However, officers have to assess the application put before them.

Viability

- 8.104 The planning application was accompanied by a Viability Assessment Report which examines whether the proposed development could achieve the minimum receipt required to enable Travis Perkins to retain and re-develop part of the site and relocate the remaining facilities to a comparable site within the Cambridge area.
- 8.105 As part of the determination of the application, officers have procured an independent viability consultant from the District Valuer Services (DVS), who has reviewed the viability assessment and associated plans and provided Officers with a report detailing their professional view on the viability of the site to provide a development that was capable of a complete S106 package and 40% affordable housing provision in accordance with planning policy.
- 8.106 Prior to explaining the viability of the proposed scheme as submitted to the local planning authority, there are two terms that are referred to, which need to be defined first.
- 8.107 The viability assessment has used a development appraisal analysis where the actual cost of the development has been appraised. The output of this appraisal is a figure referred to as

the **residual land value**. This is calculated in the following way;

Estimated Development Value
Less
Estimated Development Costs
+
Estimated Interest Costs
+
Required Level of Profit
=
Estimated Residual Land Value

8.108 The second term is **benchmark value**, which is defined within RICS guidance as the value which should equate to the market value subject to the following assumption; that the value has regard to development plan policies and all other material planning considerations and disregards those which are contrary to the development plan.

8.109 The applicants viability assessment concluded that after calculating the estimated residual land value of the development, the available or surplus funds were not sufficient to provide a policy compliant S106 package and 40% affordable housing. Instead, the applicant states that only two options are viable;

- A. 43 private dwellings with no affordable housing and a maximum S106 contribution of £134,000.
- B. 42 private dwellings with 1 Newbuild Homebuy (one 1 bed apartment) affordable dwelling (2%) and a maximum S106 contribution of £60,000.

8.110 Below is a table of the policy compliant contributions that have been sought from the applicant.

Heads of Terms	Policy Compliant Amount (£)
Outdoor Sports Provision	22,729
Indoor Sports Provision	26,690
Commuted Informal Open Space	16,214
Waste – City	4,650
Waste – County	8,600
Community Facilities	62,146
Secondary School Provision	54,720
Pre-School Provision	29,160
Lifelong Learning	6,880
Public Art	50,641
TRO Amendment	6,000
Monitoring Costs	1,500
TOTAL	289,930

Independent Review of the Viability Assessment

8.111 The independent review by DVS investigated each major input in the submitted viability assessment and as necessary carried out independent research into both current sales values and current costs that were used. Where the applicants figures were reasonable, these have been agreed by our consultant and used within their review.

Analysis of the Initial Report

8.112 The initial report prepared by DVS, dated 21st February 2012 concluded that a scheme with 40% affordable housing, a S106 contribution of £303,479 and a profit level of 17.5% was not viable. Within this report, if the full S106 contributions were provided, then there was a surplus of £71,000 for affordable housing. Within the report and the analysis of figures used by the applicant, there were areas, particularly in relation to development costs, where the applicants costs or expected profit levels were considered by the consultant to be high when compared against industry norms.

8.113 The biggest concern though, was that within the viability assessment the vendors, Travis Perkins, were seeking a price that was sufficient to facilitate a relocation on site and also the development of another depot on an alternative site. As such,

the applicant had identified a land payment of £4,013,000. However, following analysis of appeal decisions our consultant demonstrated that it is well established principle that viability assessments should be carried out in order to calculate the residual land value that the scheme can afford, which is then compared to the existing use value, or alternative use value of the site, not the value that the applicants paid for the site.

8.114 In this instance, the submitted assessment did not provide an existing use value. Therefore, DVS assumed an existing depot of 25,000 sq ft and a 10,000 sq ft timber store. Given the existing condition of the site and its buildings and a yield of 7.5%, DVS produced an existing use value of £2,900,000. It is common practice to increase the existing use value by 15% as an incentive to sell, which would equate to £3,335,000 and as such, this has produced the benchmarked value that has been used in DVS's assessment.

8.115 With regard to an alternative use value, the applicants have proposed £5,500,000. However, this value is based on uses that are undefined and are not housing development as required by Development Plan Policy. As such, this value has been disregarded.

8.116 The land payment identified by the applicant does restrict the viability of the site. While there is a recognition that Travis Perkins will need to build a new depot, officers have questioned and disagree with the position that this proposed development should be attempting to fund two new operations for Travis Perkins at the expense of delivering policy compliant affordable housing and S106 contributions.

8.117 For this reason, the benchmark value of £3,335,00 by DVS removes the requirement that the development should fund any such relocation. As such, the DVS report concluded that a scheme with 40% affordable housing, a S106 contribution of £303,479 and a profit level of 17.5% produced a residual land value of £2,813,285 which is a deficit of £521,715 from the benchmarked value and as such is not viable.

Amendment of the Viability Report

8.118 Following a meeting with the applicant, DVS and officers, a review of the residual land value was undertaken and revised

contributions following confirmation of the required transport contributions were used. A revised report was issued on 9th April 2013, which remained of the view that despite the revisions, the scheme remains unviable.

8.119 Amendments were agreed as follows;

- Following discussions with Registered Providers of Affordable Housing, a rate was adopted for square footage of affordable rented units and shared ownership. This revision has resulted in a reduced income from the affordable housing provision;
- Changes in the assumed income from Affordable Housing has an implication upon the gross development value, which has reduced by £666,770 to £10,692,963;
- The build cost of the building has increased by £376,584 because of the final square footage;
- On the basis of final square footage In calculating the existing use value an additional £10,000 has been allowed for the storage yard. This has had an implication on the benchmarked value of £3,490,000; and
- The Section 106 Contributions total has reduced to £289,930.

8.120 As such, the revised report concluded that a scheme with 40% affordable housing, a S106 contribution of £289,930 and a profit level of 17.5% demonstrated a residual land value of £1,546,933. This is a deficit of £1,943,067 from the benchmarked value and as such is not viable. The applicant has agreed to this evaluation by DVS, subject to the right to reserve their position regarding the level of developer profit, which they believe should be approximately 20%.

8.121 The reason for the viability issue on this particular site, is because there is a difference of £1.9 million in the commercial and residential value of the land. As already identified, this site is allocated for residential development within the Local Plan and unless the commercial value is significantly reduced then this site could continue to operate as existing and could not be redeveloped for viability reasons. Given this position, officers are of the view that this is sufficient justification to consider the viability concerns that have been put before us as part of this planning application and that in order to bring forward residential development on this site, appropriate weight should

be given to the demonstrated viability issues. This view has been arrived at on the basis of extensive assessment of the viability assessment submitted by the applicant by an independent consultant and the view to recommend the provision of affordable housing off site has been one that has undergone thorough consideration and rigorous assessment.

8.122 This is the present position that Officers have reached, in conjunction with the professional opinion of our independent viability consultant. Moving forward, I will explain sensitivity testing that has been undertaken as a result of the review of the viability assessment.

8.123 As part of the work undertaken by DVS, there was a requirement to test alternative options, the first of which was to take a basis of 100% private units with no S106 contributions. Using the benchmark value, the appraisal provided a surplus of £417,301.

Achievable Provision of Affordable Housing

8.124 Officers from the City Council's strategic housing team have undertaken an assessment to ascertain the level of affordable housing provision that could be achieved dependent upon whether the provision is on or off site. This consideration has been constructed using a policy compliant S106 package of £289,930, which would leave a remaining £127,371 for the provision of affordable housing. These three options are;

1. The units are provided for on-site;
2. The units are purchased as newly completed units within the City, but in a lower value area; or
3. That the units are provided for on a Cambridge City Council development site.

8.125 The cost of delivering the proposed units are a subsidy that funds the shortfall between the market sales value of the property and the RSL value either with or without grant funding that may be available by the HCA. As part of this calculation, the Council are minded that the overall scheme viability within the registered provider / district council sector is measured against a maximum payback period (income stream paying off capital costs by way of a loan) of 30 years. This payback period mirrors the standard model of a 30 year business plan, and the

financial implications of delivery, maintenance, and additional capital investment on a scheme by scheme basis.

8.126 Within the Affordable Housing SPD it is stated that affordable housing will be provided on site as part of the proposed development. This is in the interests of creating sustainable, inclusive and mixed communities. The SPD goes on to say that a cascade of options will be considered on sites where the applicant has successfully demonstrated concerns of viability. This cascade of options begins with consideration of external subsidy to allow full provision on site; consideration to altering the mix of housing to be provided including size and tenure of units; reduction in numbers and finally consideration of an off-site provision or financial contribution in lieu.

8.127 On this particular site, officers are satisfied that there is a viability issue on the site that has been demonstrated by the applicant and challenged further by an independent consultant and Council officers to ensure that the maximum surplus is provided for the delivery of affordable housing and Section 106 contributions. Accounting for the Section 106 contributions a surplus of £127,371 is available for the provision of affordable housing.

Option 1 – On-site provision

Affordable Rented/Shared Ownership?	1 bed/ 2 Bed?	No of Units	Total Cost	Surplus/Deficit?
Affordable Rented	1 bed	1	£125,500	£1,871
Shared Ownership	2 bed	1	£100,000	£27,371
Shared Ownership	1 bed	1	£68,375	£58,996
Shared Ownership	1 bed	2	£136,750	£9,379
Shared Ownership	1 bed/2 bed	1/1	£168,250	£40,879
Affordable Rented	2 bed	1	£197,000	£69,629
Shared Ownership	2 bed	2	£200,000	£72,629

Conclusion of option 1:

8.128 As you can see from the table above, there are three possible options to provide no more than 1 affordable housing unit on the

site and each of these provide a degree of surplus funds.
These options are;

1. 1 x 1 bed affordable rented
2. 1 x 1 bed shared ownership
3. 1 x 2 bed shared ownership

8.129 Alternatively if Members wished to see the delivery of 2 units on the site, then there may be the wish to consider savings to the S106 package that are equivalent to the deficit of the desired option.

8.130 From the table above it is clear that no more than 2 units can be delivered upon the site. For this reason, the requirement of the Affordable Housing SPD to achieve a 75/25 split of affordable rented to shared ownership is not possible. It is either that the delivery provides 100% of either tenure or a 50/50 split of the two. For this reason and to provide Members with an option that has some options for a limited degree of unit mix, an option has been provided whereby a 1 bed and a 2 bed shared ownership scheme could be considered, if the S106 package is adjusted by £40,879.

Option 2 – Purchase off-site ‘off the shelf’

Affordable Rented/Shared Ownership?	1 bed/ 2 Bed?	No of Units	Total Cost	Surplus/Deficit?
Affordable Rented	2 bed	1	£126,000	£1,371
Shared Ownership	1 bed/ 2 bed	2	£122,500	£4,871
Shared Ownership	1 bed	2	£106,750	£20,621
Affordable Rented	1 bed	1	£98,000	£29,371
Shared Ownership	2 bed	2	£138,500	£11,129

*Based upon units at Novo, Great Kneighton and the Market Sales Value are from Bidwells market report 06/2013.

Conclusion of option 2:

- 8.131 The table above demonstrates that there is a greater ability to fund 1 or 2 units on an alternative site (it would not necessarily be Novo) that has a lower value than the proposed development site on Devonshire Road. The first four options provide the ability to fund different tenure and unit mix with a degree of surplus that like option 1, could then be commuted as an off-site sum and would provide the greatest contribution towards another unit either elsewhere in the City or on a City Council development site. This is because the full provision for S106 contributions has been accounted for.
- 8.132 Alternatively if Members wished to see the delivery of 2 shared ownership units on the site, then there may be the wish to consider savings to the S106 package that are equivalent to the deficit of the desired option.
- 8.133 From the table above it is clear that no more than 2 units can be delivered upon the site. For this reason, the requirement of the Affordable Housing SPD to achieve a 75/25 split of affordable rented to shared ownership is not possible. It is either that the delivery provides 100% of either tenure or a 50/50 split of the two. For this reason and to provide Members with an option that have been some options for a limited degree of unit mix, an option has been provided where by a 1 bed and a 2 bed shared ownership scheme could be considered.

Option 3: Off-site on an alternative City Council Development Site

Affordable Rented/Shared Ownership?	No of bedrooms	No of Units
Affordable Rented	1 bed	1
Affordable Rented	2 bed/3 person	5
Affordable Rented	2 bed/3 person	4
Affordable Rented	3	3
Shared Ownership	1 bed	1
Shared Ownership	2 bed	3
		Total 17

Conclusion of option 3:

- 8.134 This is that on a City Council development scheme, the £127,371 surplus can provide a policy compliant affordable housing scheme of 17 units using a 75/25 split and appropriate unit mix. The precise City owned site would need to be identified and may be delivered over more than one site.
- 8.135 These options have been put to Members to demonstrate ways that the affordable housing could be secured. However, further work would need to be undertaken to refine the detail of each option and so at present, officers are asking Members to agree that the principle of one of these options.

Planning Obligations

- 8.136 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.
- 8.137 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 Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

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

8.139 The application proposes the erection of 13 three-bedroom houses, 11 two-bedroom houses, 12 two-bedroom flats and 7 one-bedroom flats. No residential units would be removed, so the net total of additional residential units is 43. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£ per unit	Number of such units	Total £
studio	1	238	238	0	
1 bed	1.5	238	357	7	2,499
2-bed	2	238	476	23	10,948
3-bed	3	238	714	13	9,282
4-bed	4	238	952	0	
Total					22,729

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£ per unit	Number of such units	Total £
studio	1	269	269	0	
1 bed	1.5	269	403.50	7	2,824.50
2-bed	2	269	538	23	12,379
3-bed	3	269	807	13	10,491
4-bed	4	269	1076	0	
Total					25,694.50

8.140 For this application, the proposed development provides an on-site contribution of 770 sq m, which includes the full provision of children's play (255 sq m) leaving 515 sq m to be included as public open space and will not be adopted by the City Council. However, this does still mean that there is a shortfall of 1,204 sq m of which the applicant has indicated a willingness to provide by way of a commuted sum.

Informal open space				
Shortfall in provision	Square Meter per person	Number of People	Cost per person £	Off-site commuted sum £
1,204	18	67	242	16,214

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

Community Development

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

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	7	8,792
2-bed	1256	23	28,888
3-bed	1882	13	24,466
4-bed	1882		
Total			62,146

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

Waste

8.144 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	24	1,800
Flat	150	19	2,850
Total			4,650

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

Household Recycling Centres

8.146 A network of Household Recycling Centres is operational across the Cambridgeshire and Peterborough area. Continued development will put pressure on the existing facilities and require expansion of the network. Financial contributions are required in accordance with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012). These contributions vary according to the nature and scale of the proposed development and are based on any additional costs for the relevant local authority arising

out of the need for additional or improved infrastructure, which is related to the proposed development.

8.147 The adoption of the Waste Management Design Guide SPD requires a contribution to be made in relation to all new development where four or more new residential units are created. Policy CS16 of the adopted Minerals and Waste Core Strategy requires new development to contribute towards Household Recycling Centres (HRCs) consistent with the RECAP Waste Management Design Guide SPD.

8.148 For new development in Cambridge the relevant HRC is located at Milton. The following table sets out how the contribution per new dwelling has been calculated for the Milton HRC.

Notes for Milton	Infrastructure/households	Source
4 sites at £5.5 million	£22 million	Cost per site sourced from Mouchel Parkman indicative costs 2009
Total catchment (households)	115,793	WMT Recycling Centre catchment tables CCC mid 2009 dwelling figures
New households	24,273	CCC housing trajectory to 2025 as of December 2010
<u>Infrastructure costs</u> Total number of households in catchment x New households in catchment		
<u>£22 million</u> 115,793	x 24,273	= £4,611,730
Total Developer Contribution per household = £190		

The net gain is 43 therefore the necessary contribution towards HRC is £8,170.

- 8.149 Subject to the completion of a S106 planning obligation to secure the requirements of the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012), I am satisfied that the proposal accords with the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16.

Education

- 8.150 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.
- 8.151 In this case, 43 additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education, secondary education and lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

Pre-school education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		810	36	29,160
Total					29,160

Secondary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		1520	36	54,720
Total					54,720

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160		
2+-beds	2		160	36	6,880
Total					6,880

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

Affordable Housing

8.153 The development is required to make provision for affordable housing and I have assessed the proposals for affordable housing in paragraphs 8.125 to 8.135 above. The detail of the Affordable Housing Scheme can be secured through a Section 106 Agreement.

8.154 In the absence of a S106 planning obligation to secure this infrastructure provision, the proposal is contrary to Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008).

Transport

8.155 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode)

trips on a daily basis are likely to be generated. The site lies within the Eastern Corridor Area Transport Plan where the contribution sought per trip is £229.

- 8.156 The Highway Authority has made an assessment of the proposal, on which the following assessment of expected additional trips and contributions is based.

Eastern Corridor Area Transport Plan				
Existing daily trips (all modes)	Predicted future daily trips (all modes)	Total net additional trips	Contribution per trip	Total £
619	587	- 32	0	0

- 8.157 In the absence of a S106 planning obligation to secure this infrastructure provision, the proposal is contrary to Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1, P9/8 and P9/9, Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Public Art

- 8.158 The development is required to make provision for public art and officers have recommended as set out in paragraphs 8.88 to 8.89 above that in this case provision for public art should be made on site
- 8.159 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.

Amendment to existing Traffic Regulation Order

- 8.160 In order to ensure that the future residents of the proposed development cannot use the existing residents parking scheme in the surrounding streets for visitors it is considered reasonable for the applicant to fund an amendment to the existing traffic regulation order which will be in the region of £6,000.

Monitoring

- 8.161 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

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

9.0 CONCLUSION

- 9.1 The application site has been allocated for housing in the 2006 Local Plan and as such the principle of redevelopment of the site in the manner proposed is considered to be acceptable. At 0.81ha, the application site is of a compact size, which has a variety of constraints upon it, which has influenced its design and layout.
- 9.2 The view of officers is that the design, layout and appearance of the proposed development is acceptable and reflects the urban characteristics of the sites location, while successfully drawing upon positive architectural elements of the Victorian terraces opposite the site on the western side of Devonshire Road. As such, with the imposition of conditions to control the use of materials and finer detailing, the proposed development is considered to provide a positive impact upon the Conservation Area.
- 9.3 Car parking for existing residents is already under intense competition and this is recognised by officers. In order to mitigate the impact of the development upon this and to ensure that this situation is not exacerbated by the proposed development, the applicants have agreed to enter into a S106 agreement, whereby the future residents will be excluded from the ability to obtain visitor or business parking permits within the

existing on-street parking scheme. Through existing controls, they would already be ineligible for residents parking permits. In order to reinforce this further, a condition has been recommended that a plan is submitted, identifying a car parking space for each proposed unit and that development is carried out in accordance with this plan. This is to prevent the ratio of car parking being altered at a later time, when for example, 2 spaces may be allocated for the 3 bed houses, thereby making some units car-free.

- 9.4 With regard to the route of the proposed strategic cycle route, I am of the view, that for the route to pass through the residential site should not be safeguarded as it does not provide a safe route for users. While I appreciate that this proposal does not fully comply with policy 8/5 of the Cambridge Local Plan (2006), I do not consider that there is a sufficient policy basis, to require that the layout of the proposed application site is fundamentally re-designed, given that the document 'Protection and Funding of Routes for the Future Expansion of the City Cycle Network' which explicitly proposes that the Trail is provided for on alternative land. Despite this shortcoming, it is the view of officers that it does not provide a basis for refusal of the application and to do so would not be reasonable.
- 9.5 Within the centre of the application site is an area designated for public open space (POS). The application site falls within Petersfield Ward and within the Open Space and Recreation Strategy 2011 it identifies that there is a low amount of informal open space given the local population. The application site is also identified as an opportunity area within the strategy and as part of the re-development of the site, the quality and quantity of open space should be high in order to avoid further negative impact on deficiencies within the ward. However, while due consideration has been given to this material consideration the adoption of the document occurred 2 months prior to submission of the application, when officers had been working with the applicant since the beginning of 2010. As such, the layout of the proposed development had been developed for some time, prior to the adoption of the Open Space and Recreation Strategy 2011. A recent appeal decision on the former BT site, Cromwell Road, acknowledged that the 2011 strategy expressly allowed for shortfalls in on-site provision. It also referenced to policy 3/8 of the Cambridge Local Plan, which also makes it clear that commuted payments may be

acceptable as an alternative to on-site open space provision, depending upon location. As identified within the report, alternative provision may be made within Coleridge Recreation Ground. In my view, it is considered that the provision of a full quantum of children's play space and some informal space is appropriate and that a level of off-site provision could be made available within an agreed S106 package. Despite this shortcoming, it is the view of officers that it does not provide a basis for refusal of the application and to do so would not be reasonable.

- 9.6 In my view, I consider that for the reasons outlined above, the proposed development is acceptable and that it adequately provides for the existing and future residents of the site. The scheme's viability has been tested and it is not possible to deliver a fully policy compliant affordable housing scheme on this site. Officers have outlined options for Members to consider and it is recommended that one of the options be pursued. The exceptional and documented circumstances of this site justify this bespoke approach.

10.0 RECOMMENDATION

A. APPROVE subject to the satisfactory completion of the s106 agreement by 31st December 2013 and subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. Prior to the first occupation of the approved apartment building, full details of the means by which members of the public can contact the management company responsible for on site management and maintenance of the apartment building, including the location of a sign to include such details on the building, shall be submitted to and approved by the local planning authority in writing. The approved provisions for contact details shall be provided prior to the first occupation or in accordance with such timetable as may be agreed by the local planning authority and shall be retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the community safety (Cambridge Local Plan policy 3/7)

4. 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 and 3/12)

5. Prior to the construction of 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. Development shall be carried out in accordance with the approved details. 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)

6. All new joinery to be provided in connection with window frames and doors shall be recessed at least 75mm back from the face of the wall / façade. The development shall be carried out in accordance with the specified recess.

Reason: To avoid harm to the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

7. Prior to the commencement of development and notwithstanding the approved plans, amended drawings shall be submitted of the side elevations of house type F1 (plots 7 & 8 only) which face the approved access road and provide a window to each elevation which serves the kitchen. The development shall be carried out in accordance with the approved details.

Reason: To improve visibility and surveillance of the approved vehicle and pedestrian entrance into the approved development. (Cambridge Local Plan 2006 policy 3/4,3/7 and 3/12).

8. Prior to the first occupation of the approved development, full details of both hard and soft landscape works shall be 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. Full details of the means of providing the full quantum (255 sq m) of children's play within the public open space shall be included within the submission of information. Soft Landscape works shall include planting plans including the native hedge along the part of the north boundary; 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. Development shall be carried out in accordance with the approved details.

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)

9. Prior to the first occupation of the approved development a schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved details.

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)

10. Prior to the first occupation of the approved development, 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, 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)

11. 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)

12. Prior to the first occupation of the approved development a plan indicating the positions, design, materials and type of boundary treatment to be erected both around the perimeter of the site and individual plot boundaries shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the buildings are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

13. Prior to the removal of the existing Japanese Knotweed in two locations along the eastern boundary of the site, details shall be submitted to and approved in writing by the local planning authority regarding how this invasive species will be removed and the remaining area treated. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the species is successfully removed (Cambridge Local Plan policy 3/8)

14. Prior to the first occupation of the approved development, details shall be provided for the screening to the planting areas associated with the Coach Houses at first floor level. These details shall be submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To protect the amenity of neighbouring residents (Cambridge Local Plan policy 3/4 and 3/12).

15. No demolition or construction of the approved development shall take place until a full photographic record and survey by measured drawing has been made depicting the existing water tower on the north east corner of the site and the existing railway building that is embedded within the existing depot building. A copy shall be deposited with each of the following organisations: the Cambridgeshire Collection of the Central Library, Lion Yard, Cambridge; the County Archive, Shire Hall, Castle Hill, Cambridge, and the local planning authority. The precise number and nature of the photographs, drawings and samples to be taken is to be agreed in advance with the local planning authority and the format in which they are to be displayed and titled is to be agreed with the local planning authority before the deposit is made.

Reason: to foster understanding of the building's importance in the national and Cambridge context, and to ensure proper recording of any aspects of the building's special interest which are to be lost or altered. (Cambridge Local Plan 2006, policy 4/11)

16. Prior to the occupation of the approved development, details shall be submitted to and approved in writing by the local planning authority in consultation with the Nature and Conservation Projects Officer demonstrating where ecological enhancements shall be situated, that may include but are not exhaustive of bird boxes, bat boxes or tubes. Development shall be carried out in accordance with the approved details.

Reason: To ensure that any wildlife are protected and provided for through the approved development (Cambridge Local Plan 2006 policy 4/3).

17. Prior to the commencement of development an interim certificate following a design stage review, based on design drawings, specifications and commitments, has been issued by a Code for Sustainable Homes Licensed Assessor to the Local Planning Authority, indicating the following:

- a) that all proposed dwellings are capable of achieving a minimum of level 3 of the Code for Sustainable Homes.

All residential buildings shall be constructed to meet the applicable Code for Sustainable Homes specified minimum level as above. Prior to the occupation of any dwelling, a Post-Construction Stage assessment shall be undertaken for that dwelling. Should that assessment indicate that the specified minimum code level as above has not been met, appropriate mitigation to ensure the code level can be met shall be undertaken. Prior to occupation, or in accordance with an alternative timetable to be agreed with the Local Planning Authority, the developer shall take all reasonable measures to submit to the Local Planning Authority a certificate from the Building Research Establishment (BRE) or another certificated third party, indicating that the relevant code level has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2006 policy 8/16 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

18. No development of the approved development shall commence until such time as full details of all solar panels and/or photovoltaic cells, including type, dimensions, materials, location and fixing have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details for that phase.

Reason: To ensure that the details of development are acceptable. (Cambridge Local Plan 2006 policies 3/1, 3/4, 3/12 and 4/11)

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no windows or dormer windows other than those expressly authorised by this permission shall be constructed.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), each undercroft or garage shall be used for the purposes of parking a motor vehicle and shall not be enclosed or developed to provide ancillary or additional living accommodation to the affiliated dwelling.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

22. No development shall commence until full details of the circulation route for refuse vehicles has been submitted to the local planning authority and approved in writing. The required details shall include a full construction specification for the route, and a plan defining the extent of the area to which that specification shall be applied. No dwelling forming part of the development shall be occupied until the refuse circulation route has been laid out and constructed in accordance with the approved details, and thereafter the route shall be maintained in accordance with those details.

Reason: To ensure appropriate arrangements for the collection of waste and recycling (Cambridge Local Plan 2006 policy 3/12)

23. Prior to commencement of the development, full details of the specific type, quantity and positions of bins, boxes or any other means of on-site storage facilities for waste shall be submitted to and approved in writing by the local planning authority. The approved facilities, the full written management plan for moving bins and boxes to the collection point and returning them, and contact details for the management organisation shall be provided prior to occupation of the buildings hereby approved and shall be retained thereafter, unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To ensure appropriate waste storage and collection facilities. (Cambridge Local Plan 2006 policy 3/12)

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

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

25. Details of any floodlighting or external lighting shall be submitted to and approved in writing by the local planning authority before the buildings hereby permitted are occupied. Development shall be carried out in accordance with the approved details.

Reason: To protect the amenity of adjoining properties and the biodiversity of the area. (Cambridge Local Plan 2006 policies 3/4 and 4/15)

26. No development shall commence until a detailed scheme for the provision and implementation of surface water drainage in accordance with the submitted Flood Risk Assessment & Surface Water Drainage Strategy Foul Sewage and Utilities Assessment by Structa dated October 2011, referenced 2037-R002 Rev B has been submitted to and approved in writing by the local planning authority. The detailed scheme shall also include details of its adoption and maintenance. The drainage works shall be constructed in accordance with the approved details prior to the occupation of any part of the residential accommodation hereby approved.

Reason: In order to ensure adequate means of surface water drainage (Cambridge Local Plan 2006 policy 8/18).

27. No development shall commence until details of the foul water drainage has been submitted to and approved in writing by the local planning authority. These details shall also include details of its adoption and maintenance. The drainage works shall be constructed in accordance with the approved details prior to the occupation of any part of the residential accommodation hereby approved.

Reason: In order to ensure adequate means of foul water drainage (Cambridge Local Plan 2006 policy 8/18)

28. Prior to the commencement of development, a site wide Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:
- a) Site wide demolition, construction and phasing programme.
 - b) Contractors access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
 - c) Construction hours.
 - d) Delivery times for construction purposes.
 - e) Soil Management Strategy.
 - f) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
 - g) Maximum noise levels for construction equipment, plant and vehicles.
 - h) Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228-2: 2009.
 - i) Maximum vibration levels for construction equipment, plant and vehicles.
 - j) Dust management and wheel washing measures in accordance with the provisions of London Best Practice Guidance: The control of dust and emissions from construction and demolition.
 - k) Use of concrete crushers
 - l) Prohibition of the burning of waste on site during demolition/construction.
 - m) Site lighting.
 - n) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
 - o) Screening and hoarding details.
 - p) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
 - q) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
 - r) External safety and information signing and notices.

- s) Liaison, consultation and publicity arrangements including dedicated points of contact.
- t) Consideration of sensitive receptors.
- u) Prior notice and agreement procedures for works outside agreed limits.
- v) Complaints procedures, including complaints response procedures.
- w) Membership of the Considerate Contractors Scheme.

Reason: To protect the amenity of local residents and highway users. (Cambridge Local Plan policy 3/4 and 8/2)

29. Prior to the occupation of the approved development details of the acoustic performance and integrity of the proposed acoustic boundary on the northern boundary with the neighbouring commercial site shall be submitted to and approved in writing by the local planning authority. The approved boundary treatment shall be provided prior to the first occupation of development and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenity of local residents. (Cambridge Local Plan policy 3/4 and 4/13)

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

(a) The contaminated land assessment shall include a desk study to be submitted to the 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. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).

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

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the 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 protect future occupiers from pollution. (Cambridge Local Plan policy 4/13)

31. Prior to the commencement of development and notwithstanding the approved plans, amended drawings shall be submitted of the rear elevation of Coach House A to provide non obscured windows to bedroom 2 and that the height of these windows is such that it mitigates overlooking into neighbouring properties. The development shall be carried out in accordance with the approved details.

Reason: To protect the amenity of both future and neighbouring occupants (Cambridge Local Plan 2006 policy 3/4 and 3/12).

32. Prior to the commencement of development, a plan shall be submitted to and approved in writing by the local planning authority, which details the allocation of car parking spaces to each dwelling upon the site. This allocation shall be retained upon the site unless otherwise agreed in writing with the local planning authority.

Reason: To protect existing residents on nearby streets from un-necessary competition for car parking spaces as a result of the approved development (Cambridge Local Plan 2006 policy 8/10)

33. Prior to the first occupation of the approved development, details of facilities for the storage and secure parking of bicycles within the development shall be submitted to and approved in writing by the local planning authority. These details shall provide details in relation to;

- a) The external secure cycle parking situated to the front of the approved Devonshire Road properties;
- b) The covered and secure storage of cycles within the rear gardens of the houses;
- c) The secure storage of cycles at ground floor level of the approved apartment block;
- d) Any ancillary cycle parking.

The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

34. Prior to the construction of the undercroft car parking beneath the approved apartment building, details and drawings shall be submitted to and approved in writing by the local planning authority demonstrating how the footpaths to the waste and cycle stores will be protected from drivers parking over it and obstructing access by residents and the refuse team. The development shall be carried out in accordance with the approved details.

Reason: To ensure that drivers are unable to obstruct the access to the cycle and waste storage, thereby hindering use of the facilities (Cambridge Local Plan 2006 policies 3/12 and 8/6)

35. Prior to commencement of the approved development the following components of a scheme to deal with the risks associated with the risks associated with contamination of the site shall each be submitted to and approved in writing by the local planning authority;

1) A preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at this site.

2) A site investigation scheme, based upon (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and based on these an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site overlies a principle chalk formation aquifer and to prevent the development from creating pollution to controlled waters (Cambridge Local Plan 2006 policy 8/18).

36. Prior to the commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria has been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan and for the reporting of this to the local planning authority.

Reason: To ensure that the completed development complies with approved details in the interests of protection of the environment and harm to human health. (Cambridge Local Plan 2006 policies 4/13 and 8/18).

37. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the remediation strategy now detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the completed development complies with approved details in the interests of protection of the environment and harm to human health. (Cambridge Local Plan 2006 policies 4/13 and 8/18).

38. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To prevent pollution to controlled waters (Cambridge Local Plan 2006 policy 8/18).

39. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. Where there is no alternative to piling, a method should be selected that minimises the risks of groundwater pollution or gas migration. Mitigation measures and-or environmental monitoring may need to be incorporated into the design. The method selected should be presented in a 'Foundation Works Risk Assessment Report' which should be submitted to an approved in writing by the local planning authority before development commences.

Reason: To prevent pollution to controlled waters (Cambridge Local Plan 2006 policy 8/18).

40. Prior to the first completion of a property on the approved development, a Travel Plan shall be submitted to and approved in writing by the local planning authority, which will include how the approved Plan shall be distributed to future residents of the approved development. 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)

41. The access road to the site shall be hard surfaced, without loose material, for a distance of at least 6m from its junction with the public highway.

Reason: To ensure debris is not spread on to the public highway. (Cambridge Local Plan 2006, policy 8/2)

42. Access and manoeuvring space shall be retained as shown on the approved drawings and shall be kept free of obstruction at all times.

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

43. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety (Cambridge Local Plan 2006, policy 8/2)

44. Prior to the commencement of the first use all vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site. (Cambridge Local Plan 2006, policy 8/2)

45. The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway or future public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway. (Cambridge Local Plan 2006, policy 8/2)

46. Visibility splays shall be provided as shown on the drawings. The pedestrian splays are to be included within the curtilages of the new dwellings. These areas shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

47. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:

i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)

- ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
- iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

Development shall be carried out in accordance with the approved plan.

Reason: in the interests of highway safety (Cambridge Local Plan 2006, policy 8/2).

Informative Principle aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They may support water supply and/or river base flow on a strategic scale. The site is therefore vulnerable to pollution. The regional use of groundwater in the area also makes the site vulnerable to pollution. The previous uses of the land have contaminated the land and groundwater and remediation is necessary prior to development.

Informative In connection with condition 37, the Environment Agency Groundwater Protection Policy, directs that discharge into groundwater of surface water run-off are not acceptable and only clean uncontaminated water should be discharged into any infiltration structures. The maximum acceptable depth for infiltration structures is two metres below existing ground level with the base of these infiltration structures at least 1.2 metres above the highest seasonal water-table. Given the groundwater levels at this site (2.5m bgl) soakaways are likely to be unacceptable from a pollution prevention point of view. Other drainage options should be considered. Additionally, the construction of infiltration structure in potentially contaminated land is not allowed. All surface water drainage from areas susceptible to oil contamination must be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained.

Informative It is recommended in connection with condition 38 that piling on sites underlain by aquifers is avoided where possible and that non-invasive methods such as rafts should be used instead.

Informative Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for permits of any kind within the existing Residents' Parking Schemes operating on surrounding streets.

Informative This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

Informative No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

Informative Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

Informative The Council's document 'Developers Guide to Contaminated Land in Cambridge' provides further details on the responsibilities of the developers and the information required to assess potentially contaminated sites. It can be found upon the City Council's website. Hard copies can be provided upon request.

Informative The Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Draft Supplementary Planning Document provides further details on the responsibilities of the developers and the information required for adequate Waste and Recycling requirements. It can be found on the City Council's website.

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

Reasons for Approval

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

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8 Cambridge Local Plan (2006): 3/1,3/4,3/6,3/7,3/8,3/11,3/12,3/13,4/4,4/11,4/13,5/1,5/5,

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

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

B. Members provide officers with a view on the preferred options for delivery of affordable housing. Officers will return to Committee with a draft Section 106 package and affordable housing proposal once further work has been undertaken and for agreement by Members prior to its completion.

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 31st December 2013, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, transport mitigation measures, affordable housing, public realm improvements, public art, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, the Affordable Housing Supplementary Planning Document 2008, the Public Art Supplementary Planning Document 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010, the Eastern Corridor Area Transport Plan 2002, Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012

In the event that an appeal is lodged against a decision to refuse this application, DELEGATED AUTHORITY is given to Officers to complete a section 106 agreement on behalf of the Local Planning Authority, in accordance with the requirements of the Planning Obligation Strategy.