

Application Number	14/1905/FUL	Agenda Item	
Date Received	5th December 2014	Officer	Mr Toby Williams
Target Date	6th March 2015		
Ward	Market		
Site	64 Newmarket Road Cambridge CB5 8DZ		
Proposal	Demolition of existing buildings and erection of a mixed used development comprising 84 dwellings, circa 152m ² A1-A3 commercial space, and associated access, car and cycle parking, and public realm enhancement		
Applicant	Mr Stephen Walsh		

Update Report: 64 Newmarket Road, 14/1905/FUL

0.0 Introduction

- 0.1 This application was reported to the 6 January 2016 Planning Committee with an officer recommendation of approval. During the consideration of the application, Members of the Committee raised a number of concerns about the proposal. The Committee voted not to accept the officer recommendation of approval and a decision on whether to approve or refuse the application was subsequently deferred because the Adjourned Decision Protocol (ADP) was triggered. The Committee agreed a motion that they were minded to refuse the application for a number of reasons. The City Development Manager advised the Committee that the ADP applied because the risks of refusing planning permission on the basis of the areas of concern expressed by Committee members was greater than low and further investigation of the issues was required. The Committee agreed that a report should be brought back to the next committee meeting to help inform making a decision. This report includes at appendix 1, an update report from BPS Chartered Surveyors (the Council's Viability Consultant) which provides further guidance in relation to the relevance of a recent appeal decision at Islington, land value and comparable sales values.
- 0.2 To ensure safe decision making, members of the planning committee absent from the previous discussion should not take part in the resumed debate. The purpose of the resumed

debate is for Committee to determine if their original minded-to-resolution is still appropriate, should be amended, or whether the original officer recommendation should be followed.

- 0.3 Further analysis is therefore required to understand the policy framework for the potential issues and possible reasons for refusal, to consider any relevant legal advice, relevant appeals and any other guidance available to members to help inform a decision. Officers have also had an opportunity to discuss the issues with the applicants, who have provided a short letter, which summarises their response. This is attached as appendix 2. As part of this assessment, where certain issues are considered capable of becoming reasons for refusal and being defended at appeal, draft reasons for refusal are suggested.

Key Issues

- 0.4 The following issues were raised by Members of the Planning Committee as potentially forming the basis for detailed reasons for refusal:
1. The affordable housing block is, by virtue of its external treatment which contrasts with the rest of the development, not 'tenure blind'.
 2. There is a lack of amenity space/play space to serve the affordable housing units and the development more generally.
 3. Block G is too high in the context of the height of surrounding buildings.
 4. The scheme does not deliver 40% affordable housing.
 5. The renewable energy provisions do not extend to the affordable housing units.
 6. The development is contrary to the Eastern Gate SPD on the basis that it does not provide 'connectivity' with the surrounding parts to the SPD area.
- 0.5 Officers also advise that if Committee are minded to refuse the application, an additional reason for refusal should be added to the decision to address the fact that the necessary mitigation measures have not yet been secured via a section 106

Agreement. The applicant has agreed to enter into such an agreement and it is anticipated that in the event of an appeal it would be possible to negotiate a suitably worded Agreement to address the reason for refusal. Delegated authority would be needed for this. A suggested refusal reason is set out at paragraph 0.55.

Affordable Housing not 'Tenure Blind'

- 0.6 Block H is proposed to be the location of the affordable housing and is shown on the plans as being constructed from a blue glazed brick (variety Das Baksteen) which reflects the use of glazed tiling used on the nearby Co-Operative Society building. Officer's view was that this would provide a high quality and distinctive façade. The use of this brick was not an issue raised by the Council's Housing Officer or the Urban Design and Conservation Team, who were satisfied with the justification for its use. This is an expensive choice of material, would make a bold statement and would not appear as an inferior material to the gault brick proposed in Blocks A-G. The applicants and officers are keen to retain the brick.
- 0.7 However, members of the Planning Committee were not convinced of the arguments for the affordable housing to solely be finished in the blue glazed brick. Adopted policy 3/7, criterion g, states that a factor in creating successful places is the integration of affordable and supported housing in ways that minimise social exclusion. The Council's Affordable Housing SPD (2008) in the design section at paragraph 25 states:
- 'Design standards for affordable housing should be no lower than for market housing, and the affordable housing should not be visually distinguishable from market housing by its external appearance'.*
- 0.8 The affordable housing is to remain solely in Block H. I am of the view that the choice of brick finish of the block could be conditioned to exclude the blue glazed finish. There would be

support for this through policy 3/7(g) and the SPD. Any such condition could read:

‘Notwithstanding the approved plans for Block H, the proposed blue glazed brick Das Baksteen does not form part of the approved materials. Prior to the construction of Block H, revised material details for the proposed brick and a sample board with accompanying mortar mix (to be provided on-site and retained for the duration of works to Block H) to ensure the brickwork is of a similar finish and appearance to Block G, shall be submitted to and approved in writing by the Local Planning Authority. The approved material shall be used in accordance with the approved details.

Reason: To ensure that the provision of Affordable Housing is tenure blind to minimise social exclusion (Cambridge Local Plan policies 3/7 (g) and advice on design within the Council’s Affordable Housing SPD (2008) paragraph 25)’.

0.9 Therefore, in light of the use of a possible condition to tackle the brick finish, I do not recommend that a reason for refusal is advanced for this issue. The applicants are in agreement with this approach. I have asked the applicants to provide a revised image of the scheme with an alternative gault brick finish to show how Block H could otherwise look.

Lack of Amenity Space/Play Space

0.10 All units, whether private or affordable, have been designed with private external amenity space for future occupants.

Above Ground Floor

0.11 Members of Planning Committee specifically raised an issue with regard to the occupants of Block H not being provided with any ground floor or roof level communal external amenity space. This contrasts with future occupants of Blocks F and G, who have access to a communal roof top garden which sits on-top of Block F via a joint circulation core.

- 0.12 Private roof top gardens are also proposed on-top of Blocks A, B, C and E for a limited number of the residents of the market units of the upper floors of these or adjacent blocks. However, the majority of the private units above ground have access only to external balcony spaces of between 6-7sqm, which is a relatively generous sized balcony and would allow meaningful use, such as the provision of a small table and chairs for sitting out.
- 0.13 By comparison, every affordable unit has access to an external space of between 6-7sqm. Amendments to the scheme were specifically carried out to provide more balconies to the affordable units to ensure a parity of provision with the majority of the private accommodation.
- 0.14 Whilst there is no rooftop communal garden proposed for Block H, it would be very difficult to argue that one should be provided, when the majority of units across the site (63%) do not have access to a roof garden. The Council does not have any adopted external space standards that it can rely on that are embedded in either existing adopted or emerging policy. For the affordable units, a good level of usable private external space for the upper floor flats is provided which is directly comparable with the majority of the market provision. The external balcony space provided is in excess of what many other schemes approved in the City have provided, which is often in the form of shallower balconies of typically 1.5m depth and more limited width. For example, the typical depth of balconies on the Cambridge City Football Club site (12/1211/FUL) is 1.5m and the typical area is just below 4sqm. For the application site, the depth of a typical balcony on one of the affordable units is 2m and the typical area between 6 and 7sqm.

Ground Floor Private Space

- 0.15 Nine of the ground floor market units have access to private gardens of various (some limited) depths on the eastern side of Blocks A-G. There is also limited communal private garden space at the rear of these blocks, but it is constrained in depth and narrow.

- 0.16 There is one ground floor unit in Block H. This has access to a semi-private external garden space of 19sqm. There are no other affordable units at ground floor level in Block H because this is mostly taken over by ground floor car parking, cycle parking and circulation space. This contrasts with Blocks A-G which utilise a basement car park which frees up space at ground floor level for apartments.
- 0.17 For Block H, at ground floor level, there is therefore little further opportunity to provide any meaningful semi-private ground floor space of any quality – either private or communal - because of the arrangement of ground floor uses and space is limited. The Council does not have any adopted or emerging private external space standards that it can rely on. The extent of provision for Block H, at ground floor level, could not be reasonably improved. There is not a disparity of treatment between private and affordable provision at ground floor level.

Overall Amenity Space Provision and Play Space

- 0.18 This is a constrained and relatively narrow city centre brownfield site. As noted above, the Council does not have any adopted or emerging external amenity standards that it can rely upon in relation to private space. Neither does policy 3/8 of the adopted local plan and accompanying appendix A *require* either on-site informal space or on-site play space provision. Such provision is dependent upon:
- The size and character of the proposed development
 - The character of the surrounding area
 - The location in relation to existing open space
 - Opportunities for creating or improving provision for children and teenagers nearby (play space only)
- 0.19 It follows, therefore, that the Council is not in a position to specify what level of private amenity space or public amenity/play space provision should be provided.
- 0.20 In order to provide a new street that is actively surveyed by habitable rooms and entrances, the orientation of built form is, as a necessity, onto Severn Place. This has led to limited private amenity spaces to the rear but has helped create a new, high quality and enhanced public realm which improves connectivity in this part of the City. Members should note that

the width of Severn Place (at its widest 12.8m) itself is increased and the space attractively landscaped, which will be of benefit to existing and future residents. It is nevertheless not abundantly wide. There would still be vehicular access available through it (albeit limited) such as to Block H and for refuse collection. It would also serve as a cycle and pedestrian through-route. Together with landscaping, my view is that Severn Place would not be suitable for the provision of play equipment. I have discussed the potential for Severn Place - which is currently adopted highway and which it is proposed to be extended and widened as adopted highway - to incorporate play equipment with the County Council Highways Officer. He has orally indicated to me that play equipment provision within the highway would not be supported as it would not fulfil a highway function. The Highways Officer also expressed doubt that a play area could be safely provided adjacent to a route which would occasionally have refuse collection vehicles using it.

- 0.21 It is also worth examining the issue of informal/play space provision in relation to the Council's Open Space and Recreation Strategy (2011). The site is within Market Ward and the Strategy demonstrates that this ward has ample provision of public open space, including play spaces, compared to other wards. This includes a series of large parks and gardens including Midsummer Common, Parker's Piece, Jesus Green and Christ's Pieces, all of which are a relatively short distance from the application site. Midsummer Common could be accessed via a pelican crossing opposite the site over Newmarket Road. It is only 220m away. Jesus Green and Christ's Pieces both contain play space provision. St Matthew's Piece, off Sturton Street to the southeast, is approximately 350m away by foot and provides informal open space and a play area. It is accessible via the Newmarket Road underpass or via the pelican crossing opposite the Crown Court.

Summary

- 0.22 The provision of on-site private amenity space and member's concerns specifically in relation to Block H but also more generally across the site cannot reasonably be defended on appeal because of the absence of policy support. The lack of provision of informal open space, including play space, does not stand-up well to scrutiny because of generous off-site provision

in close proximity to the site and also because of the low anticipated number of children likely to be living at the site (3 primary and 2 secondary school children) as advised by the County Council. Being able to demonstrate harm through lack of on-site provision for future occupants would be very difficult. Adopted policy 3/8 is of little practical help in specifying what, if anything, should be provided.

0.23 I do not recommend that a reason for refusal is advanced for this issue.

Block G Height

0.24 Paragraphs 8.26 – 8.38 of the officer report deal with the issue of height, including the height of Block G at 8 storeys (27.8m). Cllr Hipkin expressed concern that this block was not a ‘bookend’ to Parker’s Piece and there was insufficient justification for the height proposed. It is noted that the site is not on the corner of the Elizabeth Way roundabout, unlike Compass House or National Tyres.

0.25 The officer report also sets out the findings of the Design and Conservation Panel meeting of 11 June 2014; their most recent assessment of the proposal which specifically considered the issue of height. They stated that:

‘The Panel were most appreciative of the detailed assessment of the tall buildings context in Cambridge and the alternative design approaches explored to evidence the case for the proposed heights of Blocks D and G. The Panel were generally sympathetic towards the case for Block G to be of 8 storeys provided that its visible mass could be reduced. However, despite the presentation of alternative strategies to reduce the building mass of Block D some doubts remained as to its visual impact and prominence.

Conclusion

The Panel accepted the principle of an 8 storey Block G (subject to modifications designed to reduce its mass) and that by a majority vote it was concluded that Block D should be reduced to 6 storeys.’

- 0.26 Notwithstanding officer and D&C Panel advice and the fact that Block G was 'trimmed' to reduce its visible mass and Block D reduced in height, this issue is a matter of opinion and subjective judgement. At the Planning Committee meeting Cllr Hipkin appeared to be more concerned with the immediate impact of Block G rather than longer distance impacts, such as from Midsummer Common. This impact would be seen more generally from East Road, close to the Crown Court.
- 0.27 Cross-sections of the scheme show that Block G (at 27.8m high) would be higher than Compass House which is 15.2m high by a further 12.6m and the Crown Court which is mainly 18.3m high by 9.5m. It would also be higher than the nearby Vue Cinema and significantly higher than adjacent Marino & Florian apartment blocks which are approximately 14.8m high.
- 0.28 The Eastern Gate SPD 2011 (page 45) envisages the Compass House site adjacent to be capable of accommodating between 4 to 6+1 storeys (the +1 being a recessive storey from the pavement edge/shoulder of the main building or alternatively contained within the roof-space). The application site is within the Eastern Gate area but is not specifically referenced in the SPD in terms of its redevelopment potential (page 9). The top floor of Block G does have large cut-out sections forming a part upper floor loggia but it is not recessive from an intervening 'shoulder'.
- 0.29 The site is not within a Conservation Area and harm to the Conservation Areas adjacent, particularly from Midsummer Common, is limited. Nevertheless, if members were minded to pursue this issue, a reason for refusal could be put forward along the following lines:

'The height of Block G, when seen in context with nearby buildings from East Road and its approach roads, would appear excessively dominant in terms of its height, design and subsequent massing. Not being on the corner of Elizabeth Way Roundabout, nor forming a 'bookend' site or properly amounting to a site suitable for a landmark building, the proposed height and its design and massing is therefore unjustified in townscape terms. The proposed upper floors are not recessive and the height is at least two storeys above

the envisaged 'shoulder' height proposed as acceptable in the Eastern Gate Development Framework SPD (20011) for Compass House. The height of Block G would neither form a continuation or reduction of height from the nodal point of Elizabeth Way roundabout either in the current context or proposed future context as set out in the Eastern Gate Development Framework SPD (2011) in the event that the Compass House adjacent was to be redeveloped. The proposed height, design and massing of Block G would be significantly taller than its neighbours and would appear as an anomaly in the street-scene. In so doing Block G would fail to respond positively to its existing context and the proposed development is contrary to policies 3/4, 3/12 and 3/13 of the Cambridge Local Plan (2006).

- 0.30 In summary, if members of Planning Committee are in agreement, a reason for refusal could be reasonably advanced regarding the height of Block G on the basis that there is some policy justification for a refusal of planning permission on this ground. It would be possible to provide some evidence to justify this reason at appeal, therefore the risk that the Council would lose a costs claim are relatively low.

Delivery of 40% Affordable Housing and its Location

- 0.31 Paragraphs 8.3 to 8.18 of the officer report deal with the issue of viability. 21 of the 84 residential units are affordable. This equates to a provision of 25%. The council's affordable housing target is 40%. The NPPG advises that a site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. At 40%, the Committee is advised that the scheme is not viable.

- 0.32 Policy 5/5 of the Cambridge Local Plan states:

'Housing developments on sites of 0.5 hectares or more and all developments including an element of housing which have 15 or more dwellings will only be permitted if they provide an agreed mix of affordable housing types to meet housing needs. The Council will seek as affordable housing 40% or more of the dwellings or an equivalent site area. **The precise amount of such**

housing to be provided on each site will be negotiated taking into account the viability of the development, any particular costs associated with the development and whether there are other planning objectives which need to be given priority. The occupation of such housing will be limited to people in housing need and must be available over the long term. Provision will be made on site unless otherwise agreed.'

(My highlights)

0.33 Adopted policy therefore allows for viability issues to be taken into account.

0.34 The Affordable Housing SPD sets out at paragraphs 41 – 45 the circumstances under which a lower level of affordable housing may be justified. The proposal has followed the required steps of the SPD. An independent review by BPS Chartered Surveyors has concluded that a lower level of affordable housing is justified. The Council's Housing Services department has accepted this advice. A 'clawback' clause would be applied to any S106. Members have been independently briefed by Andrew Jones of BPS Chartered Surveyors, who was present at the last Committee meeting and provided advice consistent with his written assessment.

0.35 The NPPF 2012 states:

'Ensuring viability and deliverability

173. Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. **To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.'**

(My highlights)

0.36 Viability is therefore a clear material consideration for members of the Planning Committee that must be taken into account.

0.37 Members should also be mindful that this is a brownfield site. The NPPG (paragraph: 026, Reference ID: 10-026-20140306) advises that local planning authorities should encourage the effective use of land by re-using land that has been previously developed (brownfield land) and that they should take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable. This application is clearly a redevelopment opportunity on a brownfield site.

0.38 The NPPG - which amounts to guidance for the interpretation of the NPPF - also advises on how viability of planning obligations should be considered in decision-taking. It states:

‘In making decisions, the local planning authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.

This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance...’

(Paragraph: 019, Reference ID: 10-019-20140306)

0.39 Members of Planning Committee did not refer to any alternative evidence to question the viability conclusions flowing from the independent advice provided by BPS Chartered Surveyors at the 6 January 2016 meeting. However, subsequent to the

committee meeting, Cllr Smart has raised two issues. The first concerns the relevance of an appeal decision at Islington Council and purchase land value. The second relates to comparable residential site values, particularly the Brunswick Site and Parkside Place. Further advice from BPS Chartered Surveyors was provided on 18 January 2016 in relation to these issues. This is attached at Appendix 1. The advice note reiterates that in this case, the land value is underpinned by the existing high commercial land value of the site and site assembly given that the land is in multiple ownership. It concludes that the scheme has been fairly priced by reference to relevant market evidence.

0.40 I attach a recent Appeal Decision which considers in the detail how the issue of viability is considered by Inspectors.

0.41 My view is that Members have no reasonable grounds to pursue a reason for refusal based upon the level of affordable housing provision sought.

Other Affordable Housing Matters

0.42 One member of Committee suggested in the meeting that Block H could be increased in height. I have discussed this issue with the applicants. Their reaction is that this would make the scheme less viable and that if this block was to increase in height it would be likely to raise issues of height and also overshadowing issues to Marino House. In any event, it would require a fresh application and members of Planning Committee are being asked to decide on the current application, not an alternative to it.

0.43 Some members of Committee raised concern in the meeting, that the affordable block should not be separately located and that its location was disadvantageous compared to Blocks A-G. There was also some concern that the number of units contained within it was too great.

0.44 The Council's Affordable Housing SPD (2008) sets out, at paras. 23-24, two different approaches to the layout of affordable housing to minimise social exclusion: pepper-potting and clustering. Clustering is referred to the development of affordable housing in groups of between 6 and 25 dwellings. It suggests that for flatted schemes, no more than 12 affordable

dwelling should normally have access from a common stairwell or lift. The advice states that clustering is the usual approach that is followed in Cambridge and affordable housing should be provided in prominent parts of a site to aid integration.

0.45 As set out in the committee report, 21 affordable units are proposed in Block H over 5 storeys. This is less than the maximum cluster size of 25 permitted by the Affordable Housing SPD. Block H only has one stairwell/lift core. The suggested cap of 12 affordable units accessed from a common stairwell/lift has not been rigorously adhered to as part of many new build schemes approved by this Planning Committee, such as the affordable block on the Homerton site 13/1250/FUL or former Cambridge City FC site 14/0790/FUL. The Council's Housing team have not raised an objection to the number of affordable units that would be accessed from the common stairwell and I consider it unlikely that an RSL would see this as an obstacle to the management of the block. Block H is provided in a prominent position on the site. It is subject to the same noise constraints and the same noise mitigation as for Block G adjacent. Its position, on this tightly constrained site, is no more or less disadvantageous than the private blocks.

0.46 Notwithstanding officers' view on the appropriateness of the position of Block H for affordable housing, I have also discussed with the applicants whether all or part of the affordable housing provision could be moved to other parts of the scheme. They have indicated that this would not be fair or reasonable to insist upon and they could not, in any case, alter the location of the affordable housing within the current design because it would give rise to issues of land transfer for a future RSL. The applicants state that this is because an RSL would typically look for a freehold title rather than leasehold and that leasehold arrangements would apply to Blocks A-G because of the underground car park servicing them. I have spoken to Housing Services about this issue and they have confirmed that leasehold arrangements are not necessarily an obstacle to RSL engagement and that it depends on the terms of the lease. I have also discussed whether the basement car park would be likely to give rise to unaffordable service charges for an RSL. The advice I have received is that this would not necessarily be the case. Affordable blocks on CB1 have, for example, been delivered with basement car parking provision and the

affordable housing block on the Homerton site is provided on a 125 year leasehold arrangement.

0.47 However, it is not open to members of the Committee to amend the location for the affordable housing without the agreement of the applicant. In this case the applicant wishes the location of affordable housing units to be in Block H. Officer advice is that this location is not contrary to adopted policy or relevant SPD advice.

0.48 My view is that Members have no reasonable grounds to pursue an increase in height of the affordable block or to pursue a reason for refusal based upon the location of affordable housing relative to the private blocks.

Renewable Energy Provisions

0.49 The applicants have confirmed that all of the units (private and affordable) will be served by the proposed combined heat and power system. I also note that the affordable block (Block H) has a solar pv array shown on the plans on top of its roof. The submitted Sustainability Appraisal confirms this provision.

0.50 The applicants have also checked their full Stage D report, on which the Sustainability Appraisal is based. The report confirms that:

‘The development is proposed to be served by a central heating system which serves all apartments, common areas and amenity areas from a central energy centre. The energy centre will comprise a gas fired Combined Heat and Power unit (CHP).....heat will be distributed throughout the site in the form of low temperature hot water (LTHW) via pipework risers and floor branches to hydraulic interface units within each apartment’.

0.51 It is therefore proposed that all 84 apartments are to be served by the CHP installation. Block H will therefore be connected to and benefit from the CHP system. For the purposes of clarity, I therefore propose to alter condition 14 to read:

‘Prior to the installation of the gas fired combined heat and power system, which for the avoidance of doubt shall serve all 84 units, further information shall be

submitted to and approved in writing by the local planning authority in relation to its technical specification, including emissions standards. The proposed on-site renewable and low carbon technologies shall then be fully installed prior to the occupation of any approved building and remain fully operational and maintained as such. The development shall be carried out in accordance with the submitted Sustainability Statement and Checklist dated 5 December 2014.

Reason: In the interests of sustainability, reducing carbon dioxide emissions and to protect human health (Cambridge Local Plan 2006 policies 3/1, 4/14 and 8/16)'

- 0.52 The applicants have indicated that they are in agreement with this approach. I do not consider there are any grounds to pursue a reason for refusal regarding the proposed renewable energy provision.

Eastern Gate SPD and Connectivity

- 0.53 One member of Committee raised an issue that the proposed development was contrary to the Eastern Gate SPD on the basis that it did not provide 'connectivity' with the surrounding parts to the SPD area.
- 0.54 Severn Place does not currently provide a direct through-route to Newmarket Road. The proposal makes this connection and facilitates pedestrian and cycle access via an enhanced public realm. This accords with the general principles of re-connecting streets and the movement and circulation strategy set out in section 3.2 of the SPD and also adopted policies 3/7 and 8/4.
- 0.55 I recognise also that the SPD identifies 5 projects, including the remodelling of the Elizabeth Way roundabout (project 1) and a remodelling of the St Matthew's Street junction (project 3) to improve pedestrian and cycle movement/safety within the Eastern Gate Area. However, none of the projects have been identified within the current tranche of City Deal projects. There is therefore no certainty that the projects will be delivered and no evidence that a contribution is necessary to grant permission. None of the projects are costed, so they could not

be apportioned to different funding streams or the application proposal. The SPD identifies a broader stream of funding for delivery than just S106 contributions. Notwithstanding viability issues, given the scale of the projects, the developer could not fund a whole project and it would not be reasonable to ask for this. The County Council Transport Team has not requested any funding for any of the SPD projects arising from this development.

- 0.56 I do not consider there are any grounds to pursue a reason for refusal regarding conflict with the Eastern Gate SPD or adopted policy regarding connectivity.

Failure to enter into a S106

- 0.57 In the event that the Committee decide to refuse the application a reason for refusal would have to include provisions relating to S106 matters. These are set out in the original committee report. The reason for refusal would read.

‘The proposed development fails to secure: education contributions to mitigate primary and secondary school impacts arising from the development; contributions towards community facilities and open space requirements/mitigation arising from the occupation of the site; provisions to secure an appropriate amount of affordable housing, including a claw-back mechanism; provisions to ensure land assembly to deliver affordable housing; provisions to secure off-site mitigation of the adjacent restaurant in terms of odour and noise affecting future occupants; provisions to secure a travel plan and relinquishment of parking permits. As such, the proposal is considered contrary to policies 3/8, 5/5, 5/14, 8/2, 8/3 and 10/1 of the Cambridge Local Plan 2006; Cambridge City Council Affordable Housing SPD (2008); Cambridge City Council Planning Obligation Strategy (2010).’

- 0.58 In the event of an appeal, delegated authority is sought to agree a S106 to overcome this reason for refusal.

Recommendation

0.59 It is open to members to consider either:

1: To **APPROVE** the application in light of this further advice and the additional/amended conditions recommended plus those set out in the original officer report and amendment sheet, together with a S106 agreement (including a claw-back clause).

or

2: To **REFUSE** the application for any or all of the issues as set out above and highlighted in the table below. In considering refusal reasons, members should be mindful of the officer advice and the potential for a costs award against the Council should the decision be subject to a planning appeal. If minded to pursue issues 1, 2, 4, 5 or 6 as refusal reasons, members should be clear exactly which policies the proposed development would be contrary to and the harm that would arise;

and/or

3: Additionally or separately, put forward any **FURTHER REASONS FOR REFUSAL** with clear policy reasons and the harm identified.

Issue	Recommendation
1: Not tenure 'blind'.	No reasonable grounds to pursue refusal. Additional condition recommended at paragraph 0.7.
2: Lack of amenity space/play space	No reasonable grounds to pursue refusal.
3: Block G too high	Grounds could be advanced which may have some chance at appeal if there is member agreement on this issue. Suggested reason for refusal at paragraph 0.28

4: 40% affordable housing not provided	No reasonable grounds to pursue refusal.
5: Renewable energy	No reasonable grounds to pursue refusal. Additional condition recommended at paragraph 0.49.
6: Contrary to Eastern Gate SPD	No reasonable grounds to pursue refusal.
7: Lack of S106	Reasonable grounds could be advanced if members agree to refuse the application for other grounds. Suggested reason for refusal at paragraph 0.55.

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed buildings are acceptable in terms of scale, massing and design and are in line with the aims of the Eastern Gate Development Framework.</p> <p>The application would secure mitigation measures to ensure that all impacts of the development are dealt with independently and through legal agreement with adjoining owners.</p> <p>The proposals accord with the relevant Local Plan Policies and the NPPF.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located on the southwest side of the Elizabeth Way roundabout at the western end of the area known as Eastern Gate. The site fronts Severn Place to the west, Sun Street/Newmarket Road to the north and East Road to the south.
- 1.2 To the east of the site lies the 3-storey pitched roof office block called Compass House, whilst to the south of the site lies the 5-storey Crown Court on the opposite side of East Road and 4 storey Grafton Shopping Centre and car park 'drum'.
- 1.3 The existing site accommodates four 2-storey pitched roof industrial and warehouse buildings dating from the mid-20th Century (Atrium Fitness Club and retail showroom) as well as a car park adjacent to Sun Street. The western site of the site, on the opposite side of Severn Place is occupied by four 2 storey semi-detached houses (Nos. 1-7 Severn Place).
- 1.4 A number consented and recently constructed residential developments are located immediately to the west of the site on the opposite side of Severn Place including Marino House

(09/0292/FUL), and Florian House (12/0113/FUL) (constructed) and land adjacent to 5 Wellington Court (09/0819/FUL).

- 1.5 The site is located within the study area defined by the Eastern Gate Development Framework Supplementary Planning Document (Oct 2011). The vision for the Eastern Gate study area is articulated through a number of high level strategies (Chapter 3 'Strategies for Change') which consist of 4 key themes: Movement and Circulation; Open Space, Land Use and Activity; Built Form, Scale and Massing, and; Public Art.
- 1.6 The site lies outside of the Central conservation area but the boundary of the site borders the Central Conservation Area on the north side of Newmarket Road. The site lies within the Air Quality Management Area and outside of the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposals seek full planning permission for the demolition of the existing buildings and erection of a mixed used development comprising 84 dwellings, circa 152m² A1-A3 commercial space, and associated access, car and cycle parking, and public realm enhancement.
- 2.2 The proposed scheme seeks to demolish all of the existing building on the site and construct a series of 8 residential blocks fronting Severn Place. Blocks A-G (private) form a series of adjoining blocks with staggered footprints and heights and are located on the east site of Severn Place with a full basement level below.
- 2.3 Block H (affordable) forms a separate block on the west side of Severn Place and occupies the site of the existing 2 pairs of semi-detached houses (Nos. 1-7 Newmarket Road).
- 2.4 There are two ground floor commercial units proposed within Block A and G fronting Sun Street/Newmarket Road to the north and East Road to the south.

2.5 The proposed 84 units results in a site density of 168dph based on a site area of 0.498 hectares. The dwelling mix is as follows:

- 27 x 1 Bed Units
- 45 x 2 Bed Units
- 12 x 3 bed Units

2.6 There are two ground floor commercial units, one at Sun Street which would be 35 sqm and the other at East Road which would be 116.7 sqm.

2.7 The development is split into blocks (A-G) on the eastern side of the development and these vary in height with the lowest block heights being at the Sun Street/Newmarket Road and rising through the site to East Road. Block H is physically separate to the other blocks on the western side of the site and is the affordable housing block.

Block	Height (storey)	Height (metres)	Unit Mix
A	2/3 storey	11.575	1x3B5P, 2x2B4P (3 units total)
B	2/3 storey	10.225	3x2B4P Maisonette (3 units total)
C	5 storey	17.675	2 x 1B2P, 6x2B4P, 1x3B6P (9 units total)
D	6 storey	21.325	1x1B2P, 7x2B4P, 1x3B6P, 1x3B6P Maisonette (10 units total)
E	4 storey	14.45	1x1B2P, 5x2B4P, 1x3B6P (7 units total)
F	5 storey	17.675	10x1B2P, 5x2B4P (15 units total)
G	8 storey	27.815	5x1B2P, 5x2B4P, 6x3B6P (16 units total)
H	5 storey	17.825	8x1B2P, 8x2B3P, 4x2B4P, 1x3B5P (21 units total)

Parking

- Blocks A-G have basement car parking below which is accessed from Sun Street.
- Block H - detached block to the west of the site (5 residential floors internally – some parking at ground floor level)
- Overall there would be 51 Parking spaces and 158 Cycle Spaces provided to serve the development.

2.8 The removal of the existing buildings on the site has also created the opportunity to reconnect Severn Place with Sun Street providing a cycle/pedestrian route between East Road and Sun Street/Newmarket Road avoiding the busy Elizabeth Way roundabout. This area includes landscaping and paved courtyard/circulation spaces. The pedestrian route varies in width from 6.2m at its narrowest point, to 12.8m.

2.9 The application is accompanied by the following information:

- Plans
- Planning Statement
- Design and Access Statement
- Transport Assessment
- Noise Assessment
- Tree Survey
- Overshadowing Study
- Ecological report
- FRA
- Waste Strategy
- Sustainability Statement
- Landscape proposals
- Viability Assessment (Confidential)

2.10 Since the original submission the following amendments have been made to the scheme:

- Re-location and amendments to type of cycle spaces to meet cycle officer's specification;
- Re-location and re-orientation of bins to ensure all are accessible and removable individually;
- In order to increase the visibility of the apartment entrance at GF level in Block H and to meet the recommendations of Cambridge Constabulary Architectural Liaison Officer, the porch size was reduced and the entrance door moved south and closer to East Road;
- Low level external landscaping features have been added to the ground floor plan adjacent to Block H of the development on either side of the vehicular entrance (see drawing 2348_A_GA_00_0101). This serves to remove the point of conflict from the building egress point;
- The design of ground floor external doors has been amended in the revised ground floor plan (see ABA drawing 2348_A_GA_00_0101) and now the doors open inwards (as opposed to outwards) which would eliminate the risk of

pedestrians and cyclists in the shared space within Severn Place colliding with outward opening doors;

- Proposed cycleway on East Road frontage has been amended to a shared surface. The shared surface with no delineation would, by mixing cyclists and pedestrians in a common space, act to encourage cyclists to select a suitable speed for the environment amongst pedestrian users. This should also be less daunting for vulnerable users such as the visually impaired who would now be free to use all the space within the site, without risk of straying into a dedicated cycle route where cycles may be travelling at higher speed;

2.11 The following additional information/clarification has been provided:

- Updated site location plans to clarify the extent of land ownership
- Theoretical zone of visual influence plans
- Updated CGI of the proposals to include the recently constructed flats
- The Applicant has confirmed that they are agreeable to voluntary relinquishing the rights of the site to visitor permits;
- The Applicant has confirmed agreement to carry out enhancement works to the Orchid restaurant's extract system (subject to planning permission for these works and for this application being granted).

2.12 The Council has also secured an independent review of the viability assessment submitted with the application by BPS Chartered Surveyors and this review forms part of the application information and this information is public.

3.0 SITE HISTORY

There is a long and complex planning history to the site relating to its commercial uses, the most relevant planning history relating to applications for residential development of the site are outline below:

Reference	Description	Outcome
07/0081/FUL	Erection of 3 storey mixed use development, ground floor A1 and residential units above (4no.	PERM dated 04.05.2010

06/1115/FUL	1 bed flats). Erection of five storey mixed use development, ground floor A1, A2, A3, A4 or A5 use, and residential units above (8 No. 1 bed flats)	REFU 07.12.2006
C/01/0744	Erection of a 3-storey mixed use development (ground floor retail and residential on the first and second floors)	APC dated 13.05.2002

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	DC Forum (meeting of)	No
	Design & Conservation Panel	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/3 3/4 3/5 3/6 3/7 3/8 3/10 3/11 3/12 3/13 3/15 4/4 4/11 4/13 4/14 4/15 4/16 5/1 5/6 5/9 /510 5/14 6/5 6/6 6/8 7/1 7/2 7/3 8/1 8/2 8/3 8/4 8/5 8/6 8/9 8/10 8/16 8/18 10/1

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)</p>
<p>Supplementary Planning Guidance</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Affordable Housing (January 2008)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p> <p>Eastern Gate Supplementary Planning Document (October 2011)</p>
	<p><u>City Wide Guidance</u></p> <p>Central Conservation Area Appraisal (2011).</p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p>

	<p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p> <p>Cambridge Sub-Region Culture and Arts Strategy (2006)</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>The Cambridge Shopfront Design Guide (1997)</p> <p>Modelling the Costs of Affordable Housing (2006)</p>
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	<p><u>Area Guidelines</u></p> <p>Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:</p> <p>Newmarket Road Suburbs and Approaches Study (October 2011)</p>
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5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan are of relevance

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Initial comments dated 22.01.2015

- 6.1 CCC submits a holding objection to the planning application – subject to further clarification being provided.

Additional comment No 1

- 6.2 Holding objection maintained: additional comments provided.
- 6.3 The principle of the new pedestrian cycle link between East Road and Newmarket Road is supported. The introduction of bollards at the southern end of Severn Place is not. The

bollards located beyond the current extend of Severn Place and the egress towards Sun Street car park is acceptable in principle. The location and type of bollards needs to be agreed with the County Council.

- 6.4 The permissive right of way for cyclists and pedestrians with through access for service vehicles for the remaining length between the existing public limit of Severn Place and Sun Street car park is acceptable in principle. Appropriate parking regulations will need to be introduced.
- 6.5 Further clarification is required in respect of how the occupancy figures have been calculated from Appendix D. Clarification is also required as to whether the 5 Parking spaces in Block H will be used by the occupants of Block H or Marino Place. If used by residents of Block H then parking for this block is split between two locations, further information is required to explain how this will be managed.
- 6.6 The provision of car parking at a rate of 0.61 spaces per dwelling is agreed as appropriate based on the 2011 Census car occupancy figures for Market Ward.
- 6.7 The analysis of the existing conditions and travel characteristics is broadly acceptable. The speed limit on Newmarket Road should be cited as 20 and not 20mph. Clarification is required as to the survey data supplied in Appendix D concerning whether it was taken in term time and whether the correct location on Newmarket Road has been assessed. Data in tables 4.3 and 4.2 cannot be agreed until further clarification regarding the TRICS data is received.
- 6.8 TA needs to identify distribution of pedestrian and cycle trips generated by the proposed development and to assess the ability of the local pedestrian and cycle networks to accommodate these trips. Tables 7.3 and 7.4 need further clarification.
- 6.9 Travel Plan Framework – request a condition to secure submission of residential travel plan framework.

Additional Comment No 2

- 6.10 The vehicular access to the western block provides no visibility on egress between drivers and pedestrians and cyclists. This could be overcome by provision of landscaping features or street furniture to move the point of conflict away from the building egress point. Several doors are shown as opening outwards.
- 6.11 The applicant should be required to show the extent of the public highway. The cycle lanes lack differentiation from the surrounding landscape surfacing and would be confusing to those unfamiliar with the layout. The cycle land should be in a different surface finish.
- 6.12 During pre-application discussions the developer has been asked to confirm whether they would voluntarily relinquish right of the site visitor permits as well and responded positively, confirmation of this is absent within the submitted documentation.

Additional Comment No 3 (dated 2/09/15).

- 6.13 The Transport Assessment Team can remove its holding objection subject to securing suitable conditions in respect of a residential travel plan and construction management.

Head of Refuse and Environment

Initial comments

- 6.14 Based on the current information refusal of this application is recommended due to waste and recycling concerns as outlined in detail below.

Construction/demolition pollution

- 6.15 Pollution from the demolition and construction phases has the potential to affect the amenity of surrounding properties if not controlled. In the interests of amenity, I therefore recommend a demolition, construction environmental management plan (DCEMP) condition. The discussed WSP assessment below provides general good practice and recommendations

concerning demolition/construction noise/vibration. A full report will be required.

Noise

- 6.16 WSP have provided a noise impact assessment dated 27/11/14. Each aspect within the report is discussed below.

Traffic

- 6.17 The monitoring period for the Newmarket road façade (MP1) occurred between 25/9/13 1200hrs and 26/9/13 at 0700hrs and obtained a daytime LAeq of 61 dB. The monitoring period did not include the busy morning period of 0700-1000hrs. However, 61 dB at 15m from Newmarket road is representative of the traffic noise climate reported in previous noise assessments on other Newmarket road sites. Section 5.2.8 of the WSP assessment advises on glazing performance. The proposals are reasonable Section 5.2.12 advises that Newmarket Road and East road facade habitable rooms will be provided with MVHR. The installed MVHR units will be required to provide comfort/summer.

Ventilation

- 6.18 Where windows are required to be kept closed to achieve acceptable noise levels inside, a ventilation system is required to provide sufficient comfort ventilation to enable occupants adequate ventilation rates without the need to open windows due to external noise. During warmer weather the ventilation system needs to be able to cope with the need for increased ventilation. This necessitates an increase control for the occupier which may result in elevated noise levels. Acoustic treatment of the extract system needs to be taken into consideration in these cases. It is important to note this is not a request for air conditioning. It is a requirement of adequate ventilation without opening windows due to the local noise climate. It is important to note that Part F requirements for ventilation are separate to the amenity requirements for comfort ventilation. Purge ventilation is generally used for the rapid removal of pollutants such as when painting or in the case of burning food and in many cases is achieved by opening windows Ventilation strategy reports that have been assessed in previous planning applications to appease amenity

requirements recommend 4 air changes per hour within living rooms and at least 2 within bedrooms to achieve comfort ventilation during warmer weather. This is not to be confused with Part F requirements for purge ventilation, as discussed above.

External amenity areas

- 6.19 Section 5.3 of the WSP report advises on external amenity areas and predicted noise levels. It is understood that winter gardens will be provided for units on the East road and Newmarket road facades. This is acceptable.

Site Plant noise

- 6.20 Section 8 of the WSP assessment details noise emission limits for plant. The limits within table 8.1 are acceptable. As residential units are present on site, to protect amenity the plant noise limit will also have to be achieved as measured at habitable room windows. Full details of the plant on site will be required in accordance with the plant condition.

Nearby commercial plant

- 6.21 The site description within section 2.1.2 of the WSP assessment advises that the nearby noise sources include building plant noise. It is required that this is investigated further to assess the impact of nearby commercial plant on the development site. It is requested that a noise assessment be carried out to assess nearby plant in accordance with the principles of BS4142:2014 Methods for rating and assessing industrial and commercial sound or similar. Recommendations in the report to protect the amenity of the proposed residential units from noise associated with the plant should form part of a noise insulation scheme to be submitted for approval and this should be conditioned. If the commercial plant noise precludes the opening of windows to achieve standards including WHO night noise guidelines and BS8233:2014 internal noise levels, mechanical ventilation will be required. It would also be recommended that non-openable windows are incorporated into the facades overlooking the plant. If windows can be opened, even with the provision of mechanical ventilation, future occupants are entitled to instigate statutory nuisance complaint investigations. It would be unacceptable to permit a

development which would allow harm to future amenity of its occupants.

However, should the recommendations include mitigation works to the existing plant which is not in control of the applicant; this may need to be secured by way of a section 106 agreement. The control of noise is preferable more easily achieved at source.

Conclusion

- 6.22 It is recommended that plans are produced indicating the noise affected units/balconies and which will be installed with the MVHR systems and upgraded glazing. Full specification, noise and air change calculations are required for the proposed MVHR systems. I recommend the noise insulation scheme condition to request a full building envelope and ventilation scheme is provided to achieve the above recommendations.

Commercial units A1 A3

- 6.23 The application specifies uses classes A1 A3. This includes shops, hairdressers, profession/financial services and restaurants and cafes.

Opening hours and deliveries

- 6.24 Opening and delivery hours should be restricted to reasonable hours to protect local amenity. I have suggested hours to be controlled by conditions.

Plant noise

- 6.25 Plant noise limits are discussed above within the noise section and will be conditioned via the aforementioned plant noise insulation condition.

Odour

- 6.26 A3 use class includes restaurants and cafes. Odour from the cooking process at the application site has the potential to adversely affect the amenity if not controlled with a carefully designed extract system with various layers of filtration depending on the type/frequency of cooking and proximity to receptors. It is recommended that details are provided in

accordance with Annex B and C of DEFRA guidance on the control of odour and noise from commercial kitchen exhaust systems. Use class A1 includes dry cleaners and hairdressers which may also require odour/fume filtration/extraction I recommend that conditions and informatives to control this be attached to any permission granted.

Contaminated Land

- 6.27 The proposed scheme is for a mixed use development, residential with retail space, with associated facilities (including landscaped areas). The planning application includes a basement car park. Intrusive investigations undertaken at the nearby former Marino House as part of a residential development (ref: 12/0113/FUL) identified increased carbon dioxide concentrations (up to 6.1% v/v); gas mitigation measures were incorporated beneath the buildings.

Phase I Desktop Study

- 6.28 A review of historic maps recorded multiple former and existing industrial units on and off the site including a Bus Depot, a Car Workshop, Engineering Works, Gas Works and Dry Cleaners. Possible presence of a boiler and a storage tank was also noted during the site walkover. Records from the County Council Petroleum Officer also indicated the former presence of petrol tanks offsite in 1939 and 1940. A site-specific conceptual model was constructed in the report. We consider it acceptable. The report confirms that an intrusive investigation should be undertaken, including ground gas monitoring, to assess the possible contamination issues on the site. The scope of works, which would normally form part a) of the contaminated land condition, was not presented.

Additional Comments

- 6.29 It I noted that the application includes a basement. The applicant should be made aware of the possible implications to the design of the basements if the intrusive investigation confirms the presence of ground gases and the need for gas mitigation measures.

Conclusions

- 6.30 The Phase I report has recognised the potential contamination issues on the site and recommends that an intrusive investigation is required to assess the ground conditions. All these issues can be dealt through the contaminated land condition which should be attached to the application if planning permission for the development is granted.

Air Quality

- 6.31 The application is for 84 residential units, 2 commercial units and basement/off street parking with 51 cars (26 more than currently provided). The traffic model indicates some increases in local traffic an additional 328 daily on parts of Newmarket Road and an additional 110 daily on parts of East Road, presumably near the site access points. These figures seem reasonable. An Air Quality Assessment, Severn Place redevelopment 64-66 Newmarket Road, dated 27th November 2014 and produced by WSP has been provided in support of this application.

Operational Phase

- 6.32 The site is in the Air Quality Management Area. The modelling reported in the air quality assessment predicts a small increase in annual mean concentrations, 0.1 microgrammes per cubic metre, of Nitrogen Dioxide at roadside locations in the vicinity of the application site. The modelling did not predict a measureable increase in Particulate Matter. The proposed development itself is set back from both Newmarket Road and East Road, so the impact of levels of nitrogen dioxide on potential residents at the site are not of concern.
- 6.33 However, there is a small impact on air quality in the Air Quality Management Area, which is contrary to Local Plan Policy 4/14. The cumulative impact of small increases in emissions from new developments and intensification of use in central Cambridge has a negative impact on public health; mitigation is required to offset or reduce this impact. No mitigation is proposed in the Air Quality Assessment, although I note that the number of car parking spaces is less than maximum permitted

- 6.34 The Transport Assessment has one relevant mitigation proposal a Residential Travel Plan. A Residential Travel Plan delivered by a proactive Travel Plan Manager is proposed to reduce car travel and increase travel choices for the development; this should be secured via planning condition and be in place prior to first occupation. The Residential Travel Plan recommends Car Club Scheme is considered. This is an ideal site for a car club it is recommend that an allocated parking space is provided for a car club vehicle and that this should be secured by condition.
- 6.35 It is recommended that an appropriate level of S106 funding is secured towards local infrastructure improvements that will have a positive impact on air quality and public health.

Waste Strategy

- 6.36 On page 18 of the Waste Strategy the document, point 4.5.4 states "In order to allow each waste container to be individually accessed and removed by residents, a clear space will be provided between and around containers and walls." This needs clarifying as residents cannot remove these bins. It should be possible to remove any individual bin without removing any other bin(s).
- 6.37 Rationale for using 660 litre bins for recyclables and 360 bins for compostables is not understood. Recommend using 1100 litre bins for recyclables as then fewer will be needed. The 360 litre bins do not appear to be correct within the plans in terms of size and orientation.
- 6.38 More detail is required regarding access for the vehicles and tracking is required for the site.
- 6.39 The sizes of the bins for block A and B look different from the bins drawn for block B. The sizes require checking.
- 6.40 The plan does not include a designated area for the collection of the basement bins. This needs to be added and a check made that there is sufficient space for all refuse bins one week and then all recyclables and compostable waste the following week. Provision needs to be made for the larger space required. It is recommended the outstanding waste details are provided prior

to determination of this application. If this is not achievable then refusal of this application is recommended until the waste concerns can be addressed.

Revised Comments dated 27/08/15

Waste strategy

Original comments from waste strategy, and revised comments in bold:

- 6.41 On page 18 of the Waste Strategy the document, point 4.5.4 states "In order to allow each waste container to be individually accessed and removed by residents, a clear space will be provided between and around containers and walls." This needs clarifying as residents cannot remove these bins. It should be possible to remove any individual bin without removing any other bin(s).

Bins moved around to address this

- 6.42 The rationale for using 660 litre bins for recyclables and 360 bins for compostables is not clear. Recommend using 1100 litre bins for recyclables as then fewer will be needed. The 360 litre bins do not appear to be correct within the plans in terms of size and orientation.

1100 litre bins added. Acceptable

- 6.43 More detail is required regarding access for the vehicles and tracking is required for the site.

Tracking doc supplied and agreed

- 6.44 The sizes of the bins for block A and B look different from the bins drawn for block B. The sizes require checking.

Bin size is acceptable

- 6.45 The plan does not include a designated area for the collection of the basement bins. This needs to be added and a check made that there is sufficient space for all refuse bins one week and then all recyclables and compostable waste the following week. Provision needs to be made for the larger space required.

There is a new plan with a designated area for bins – to be brought up from the basement by concierge

Commercial noise

- 6.46 There are still have concerns regarding the commercial noise presence in the area. The planning agent has been contacted and agreed to contact the acousticians WSP to identify/clarify the surrounding commercial noise sources and to recommend mitigation, if necessary. To date this information has not been received and the deadline for comments has expired. Therefore, advice remains as per memo 9/1/15 comments.
- 6.47 The presence of commercial sound sources that cannot be adequately mitigated may require non habitable rooms to be relocated on the noise affected façade. This is the purpose for the request for commercial noise assessment/clarification prior to determination of this application in the event the floor plans require change and/or agreements need to be made between the applicant and local businesses for acoustic mitigation.

Revised comments dated 09/11/15

- 6.48 I refer to my previous memo dated 27th August 2015. Concerns regarding the Orchid restaurant next door were stated. Since that memo, extensive discussions with the applicant/consultants have occurred including a site visit with the planning officer. See comments below.

Commercial noise

- 6.49 The submitted WSP Plant noise assessment dated 11 September 2015 was assessed and discussed in length with its author Toby Lewis. It was agreed via email dated 2nd October 2015 from Toby Lewis that the noise affected rooms in close proximity to the plant on the roof of Orchid restaurant; 70 Newmarket Road would have non openable windows overlooking the plant (east façade). These rooms were C201, C301 and C401. This is acceptable.
- 6.50 However, if new extraction equipment is to be installed to abate the odour concerns discussed below, sound levels may change and require re-assessment.

Odour

- 6.51 The site was visited the site with the planning officer on 9th October 2015 to establish the level of odour abatement at the Orchid restaurant and the potential harm to amenity of future occupiers of the proposed development. The site visit did not establish any level of odour abatement other than high level discharge and standard grease filters within the cooking canopy. Whilst this very low standard of odour abatement may be currently operating without complaint due to the existing distance to receptors and height of discharge, the proposed application site will place residential windows/balconies at a greater height than the current discharge and in a close proximity. This is highly likely to expose the future residents to unacceptable levels of cooking odour, with the restaurant operating its current kitchen extraction system.
- 6.52 In the email from Toby Lewis stated above, it was confirmed that the applicant would be willing to enter a s106 obligation/agreement to improve/upgrade the current kitchen extraction/odour abatement system at the Orchid restaurant to protect amenity of the future occupants of the proposed development. This is very dependent on the acceptance and cooperation of the Orchid Restaurant. It is likely that a written legal agreement will be required between the applicant and restaurant ensuring that the abatement system will receive an acceptable upgrade to its kitchen extract system. It will be the planning department's decision to ensure the agreement is deliverable, enforceable and meets all the necessary planning tests. Until an agreement or similar mechanism is in place to guarantee and secure these off site works (preferably prior to commencement of any approved development), in the absence of this support cannot be offered for this application.
- 6.53 It is recommended that the upgrade of the kitchen extraction/odour abatement system at the Orchid restaurant is in accordance with DEFRA document: Guidance on the control of odour and noise from commercial kitchen exhaust systems. It is recommended to aid odour dispersion that the extraction termination is not less than 1m above the roof ridge of any building within 20m of the building housing the commercial kitchen. If this cannot be complied with then the termination point shall discharge no less that 1m above the roof eaves or

dormer window of the building housing the commercial kitchen. Lower discharges will require an exceptionally high level of odour control.

Urban Design and Conservation Team

Initial comments

- 6.54 The submitted scheme is broadly acceptable in design and conservation terms and the proposed linked blocks will help create a high quality, contemporary development. However assurance that the proposed north-south link can be delivered on highway land is required, as we understand that the Sun Street car park and Severn Place lie outside of the ownership of the site.
- 6.55 A number of amendments and further clarification is required as outlined below before we are able to fully support the application.
- Introduce spandrel panels/transparent glazing to the bottom section of the full height bedroom, bathroom and en-suite windows on the east elevation if not already proposed;
 - Provide further details of the cycle parking provision for the maisonettes within Block B;
 - The 7 cycle parking spaces associated with Block D are located to the rear of Block E. These spaces are less convenient and do not relate to the units in which they serve. The Sheffield stands should be located at the rear of Block D;
 - Provide further details of the cycle storage associated with Block F which is located to the north of Block H in respect of enclosure and access. Locating the cycle parking for the ground floor units of Block F in horizontal lockers in front of the units would improve access for intended users;
 - Provide details of the waste management strategy;
 - Clarify the boundary treatment surrounding the garden associated with Unit H001;
 - No rear doors are shown on the east elevation of Unit B001 at ground floor level, this appears to be a drawing error and so should be corrected and re-submitted. .

Revised comments dated 9 July 2015

6.56 The following is response to the boundary to the amenity space for unit H001 within Block H:

6.57 Thank you for clarifying the height of the proposed boundary treatment surrounding the garden associated with Unit H001. As noted in your email the proposed boundary comprises of a 600mm brick retaining wall, with a 1100mm high metal railing above with a planted zone between the cycle path and amenity space. This arrangement is acceptable in design terms, the height of the boundary (1700mm high from within the amenity space and 1330mm high from the road), together with the proposed planting will prevent direct overlooking of this amenity space and will go some way to reduce the impact of traffic noise from East Road.

6.58 The detailed design of the railings will be conditioned should the application be approved.

Final Urban Design comments dated 30/10/2015

6.59 The Urban Design Team previously provided commented on draft amendments in our response dated 10th June 2015. The 14/1905/FUL Consultation Response Statement (July 2015) has been submitted and provides a response to the representations made to the previous draft comments. The comments below are based on the submitted information contained within Appendix B of the Consultation Response.

Urban Design Team original comments (dated 5th January 2015)	Consultation Response (July 2015)	Urban Design Team comments relating to proposed amendments
A Introduce spandrel panels/transparent glazing to the bottom section of the full height bedroom, bathroom and en-suite windows on the east elevation if not already	Translucent glazing is proposed to all en-suite windows (up to a clear fan-light) and secondary return windows to bedrooms on the East facing elevation. Primary bedroom windows will retain full-	The proposed translucent glazing (up to fan-light window) to the en-suites is acceptable in design terms. Windows on the return faces of the east elevation are

	<p>proposed;</p>	<p>height clear glazing to ensure wheelchair users can enjoy a view. The detail design of the railings will ensure they provide adequate privacy by being more opaque up to 800mm Above Finished Floor Level (AFFL) and more open between 800mm-1100mm AFFL.</p>	<p>proposed to be translucent. This approach is acceptable in design terms.</p> <p>Primary bedroom windows with inward opening doors are proposed with full height clear glazing. The indicative design of the railings shows wider balustrades up to a height of 800mm AFFL. This approach is acceptable and improves privacy to these bedrooms. The detailed design of the balustrades should be conditioned should the application be approved.</p>
B	<p>Provide further details of the cycle parking provision for the maisonettes within Block B;</p>	<p>A low wall in front of Block B to allow 2 cycles to be locked to the wall using a wall bar will be provided. This allows the covered decked area facing Severn Place to be used as amenity space for tables chairs etc if the cycle spaces are not in use. (Sheffield Stands would prohibit this) Cycle parking will therefore be on-plot, secure, sheltered, well-lit and easily accessible to ensure maximum uptake by residents</p>	<p>This arrangement is acceptable in design terms.</p>
C	<p>The 7 cycle</p>	<p>We have taken more of</p>	<p>This arrangement is</p>

	<p>parking spaces associated with Block D are located to the rear of Block E. These spaces are less convenient and do not relate to the units in which they serve. The Sheffield stands should be located at the rear of Block D;</p>	<p>the cycle spaces into the building footprint (+2 spaces between the cycle and refuse stores in each of blocks C, D and E) and provided 4 Sheffield Stands (8 spaces) under an extended roof canopy to the rear for Block D. This solution has been agreed with CCC's Cycling and Walking Officer (Clare Rankin) via email.</p>	<p>acceptable in design terms.</p>
D	<p>Provide further details of the cycle storage associated with Block F which is located to the north of Block H in respect of enclosure and access. Locating the cycle parking for the ground floor units of Block F in horizontal lockers in front of the units would improve access for intended users;</p>	<p>10 Sheffield Stands are provided in this location (20 cycle spaces) which is secured with a locked gate, which could open automatically with a residents fob key. The area will therefore be secured, well-lit, overlooked and sheltered by the balconies above.</p> <p>"As long as the balconies provide shelter for the bikes and there is a minimum of 1m aisle width from the back of the bikes to the wall then I think this is a good compromise solution – certainly better than having two-tier racks" - Response from Cycle Officer (CCC's Cycling and Walking Officer (Clare Rankin)</p>	<p>This arrangement is acceptable in design terms. Boundary treatments and gates should be conditioned should the application be approved.</p>
E	<p>Provide details of the waste</p>	<p>In order to ensure all the bins are accessible and</p>	<p>This arrangement is acceptable in design</p>

	<p>management strategy;</p>	<p>removable individually we have relocated some of the bins within the refuse stores. Compost and recycle-able waste align opposite walls. Also we have relocated and increased in width (to 1500mm) the external doors in blocks C, D and E to improve the accessibility to the bins for refuse collection.</p> <p>We have reviewed and corrected the size and orientation of the 660L and 360L bins and the number of bins in general and specifically within blocks A and B.</p>	<p>terms.</p> <p>The submitted waste vehicle tracking diagram confirms that the route through the site does not compromise the proposed basement collection point. Bins are located clear of the existing highway and within the ownership boundary now occupied by the Kitchen Showroom.</p> <p>The submitted plans show that waste taken from the basement storage in Block G will be taken to the waste collection point by concierge and returned to the basement following collection.</p>
<p>F</p>	<p>Clarify the boundary treatment surrounding the garden associated with Unit H001;</p>	<p>Revised drawing submitted showing planted buffer with low retaining wall and steel railings to units H001's amenity space.</p>	<p>The proposed boundary surrounding the garden associated with Unit H001 comprises of a 600mm brick retaining wall, with a 1100mm high metal railing above with a planted zone between the cycle path and amenity space (as agreed via email on the 9th July 2015).</p> <p>The proposed arrangement of the</p>

			<p>boundary is acceptable in design terms, the height of the boundary (1700mm high from within the amenity space and 1330mm high from the road), together with the proposed planting will prevent direct overlooking of this amenity space.</p> <p>The detailed design of the railings will be conditioned should the application be approved.</p>
G	No rear doors are shown on the east elevation of Unit B001 at ground floor level, this appears to be a drawing error and so should be corrected and re-submitted.	The submitted drawing (2348_A_GA_00_0101) accurately elected the ground floor plan when cut at 1.5m AFFL. We have amended the cut-plane locally to show the rear, raised ground floor of the maisonettes (as below) and will re-submit this drawing to the Planning Portal.	The amended drawings now show these rear doors and is acceptable in design terms.

Conclusion

6.60 The submitted Consultation Response Statement (July 2015) has addressed previous comments raised in relation to the draft amendments reviewed in July 2015. The application is therefore acceptable in design terms. The changes proposed within the Consultation Response Statement have been carried through to the submitted Current Planning Drawing Set (01/10/15). Suggested conditions are requested.

Comments relating to Theoretical Zone of Visual Influence dated 30/1/2015

- 6.61 A Theoretical Zone of Visual Influence (ZTV) has been submitted (requested by Toby Williams at the meeting of the 12th August 2015) to determine the visibility of Blocks D (6 storeys) and G (8 storeys) from Midsummer Common. The ZTV have been produced using 3D data available in Google Earth Pro (3D trees and buildings) and a 3D model of the proposed scheme. Each of the ZTV's (one for Block D and G) have been produced from views looking towards the Common from the parapet of Blocks D and G. The red line, drawn in the perspective views, indicates the fixed roof line, beyond which Midsummer Common is seen and defines the forward edge of the ZTV from the Common irrespective of season.
- 6.62 The submitted ZTV perspective views and plans for Blocks D and G show that the visibility from Midsummer Common would be limited to the northwest corner of the Common, to the north and east of Victorian Road. Block G would be more visible over a larger portion of the Common given its increased height over that of Block D. The trees along the south eastern edge of the common would significantly reduce the visibility of both Blocks when in leaf. The visibility of the Blocks to the west of Victoria Road would be negligible given the existing mature trees either side of Victoria Road.

Conclusion

- 6.63 The visibility of Blocks D and G from Midsummer Common is acceptable in design terms. We previously noted (see comments dated 5th January 2014) that the proposed scale of development was acceptable, the stepping of building heights responds to the different characters of East Road and Sun Street/Newmarket Road and also helps to articulate the roofline and break down the overall length and mass of the blocks.

Senior Sustainability Officer (Design and Construction)

- 6.64 In accordance with the requirements of Policy 3/1 of the Local Plan, the applicant has submitted a Sustainability Statement and Checklist to demonstrate how the principles of sustainable design and construction have been integrated into the scheme. Further information is also provided within the Design and

Access Statement. A variety of measures are proposed including: Green roofs are to be provided over a significant area of roofspace. These will have multiple benefits, including surface water attenuation, biodiversity enhancement and helping to reduce internal cooling loads. The combined use of photovoltaic panels with green/brown roofs beneath is also supported as the living roofs will help to create a more stable microclimate around the panels, helping them to work more efficiently.

- 6.65 The targeting of level 4 of the Code for Sustainable Homes for all units. The screening of balconies with opaque brick piers to help reduce solar gain, as well as creating privacy and helping to reduce noise; Use of responsibly sourced materials including local sourcing of materials where possible to minimise transportation related carbon emissions
- 6.66 The specification of water efficient appliances and sanitary ware to achieve potable water use of 105 litres/head/day. All of these measures are supported.

Renewable Energy Provision

- 6.67 Policy 8/16 of the Local Plan 2006 requires major developments to provide at least 10% of their energy requirements through the use of on-site renewables, with the contribution calculated in terms of carbon reduction. As part of the Sustainability Statement, the applicant has included a Thermal Design and Sustainability report, which outlines the range of technologies that have been considered and the carbon calculations to demonstrate compliance with the 10% requirement. It also outlines the hierarchical approach to reducing energy demand and associated carbon emissions, an approach which is supported. In terms of meeting the requirements of Policy 8/16, the preferred technologies are the use of photovoltaic panels and gas fired Combined Heat and Power (CHP), which has been sized to meet base thermal loads with the provision of a thermal store. Electricity generated by the CHP is to be used within communal areas and within the basement car park. The CHP unit is to be located in the basement of block F. While CHP is a low carbon as opposed to renewable technology, its use in meeting the requirements of policy 8/16 is supported in the Councils Sustainable Design and Construction SPD. Calculations have been submitted that show a predicted carbon

reduction of 23,994.34 Kg/CO₂/annum attributable to the CHP, with a reduction of 6,242.43 Kg/CO₂/annum associated with the use of photovoltaic panels. Combined these technologies lead to a level of carbon reduction that slightly exceeds the 10% requirement, and as such their use is supported. One area where clarification would be welcomed is in relation to whether the CHP will be connected to all blocks. From looking at the plans for Block H, there is no reference to a heat interface unit or plant room that would enable these units to connect to the CHP, so clarification would be welcomed, although this does not impact on my support for the approach being taken in relation to renewable/low carbon energy provision.

Conclusion

- 6.68 To conclude, the approach being taken to sustainable design and construction and meeting the requirements of Policy 8/16 in relation to renewable energy provision is supported.

Head of Streets and Open Spaces (Tree Team)

- 6.69 No objection to the proposals subject to conditions relating to tree protection measures.

Head of Streets and Open Spaces (Landscape Team)

Proposed Landscape Scheme

- 6.70 The illustrative landscape plan for the scheme is considered a very interesting and dynamic streetscape. Detailed plans, to scale, are however required to fully assess the proposals. Furthermore, a large proportion of the proposed public realm improvements are on Highway Land, including Severn Place, the Sun Street car park and southern end of the development on East Road. Whilst the landscape proposals are generally supported, the deliverability of this scheme, in terms of land ownership, is questionable. Confirmation is required that this is possible and supported by the Highway Authority.
- 6.71 The creation of a pedestrian and cycle friendly link between East Road and Newmarket Road is welcomed and in line with the aspirations of the Eastern Gate Development Framework SPD. This new route provides a great connection to Midsummer Common though the Brunswick Site. The question is how will

this be facilitated over Newmarket Road? A direct crossing point between these two sites would be the ideal. The verified views demonstrate that the proposed development is not visible from Midsummer Common. It would however be very interesting to see a view from the Brunswick Site of the proposed development, to illustrate the visual and physical connection across Newmarket Road.

- 6.72 The enhancement of the Sun Street car park is welcomed, subject to the retention of the Plane Trees, as per the City Council Tree Officer's advice.
- 6.73 The proposed paving pattern/layout is considered a creative solution to calm traffic through the lane. Furthermore the proposed Porphyry pavers we considered a high quality solution for this area of public realm.
- 6.74 The proposed planters and pots are considered an appropriate solution to greening the street and defining thresholds between public and private space. The inclusion of trees along this laneway will provide some much needed softening within a very hard environment. However, they should only be planted if sufficient room is provided above and below ground from the tree to mature properly. An automated irrigation system should also be provided. Replacement of the trees/shrubs within planters should be provided for in the Management Plan.
- 6.75 The proposed green roofs are a welcomed addition to the proposed scheme in terms of increasing amenity and ecological values, as well as reducing rainwater runoff.
- 6.76 Details of the proposed boundary fences/walls, street furniture and lighting are requested as conditions.

Amenity

- 6.77 The proposed amenity spaces for each of the units are considered of a functional size. The communal gardens are a welcomed addition to the amenity provision on site. Furthermore the cast shadow analysis indicates that at least half of the amenity spaces to the rear of Blocks A-G and the roof terraces are likely to receive the recommended minimum of 2 hours continuous sunlight on the 21st March, in accordance

with the BRE Site Layout Planning for Daylight and Sunlight: A guide to good practice, 2011 Second Edition.

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

- 6.78 The principle of providing a section of cycleway to improve the cycle route from Wellington St to East Road and remove the pinch point on the corner is very much welcomed. However, more detail is needed as is further design amendments to improve the proposed link.
- 6.79 The cycle parking is at ground level which is welcomed but the change in approach has resulted in the parking being fitted in as an after-thought with rather ad-hoc provision some of which is poorly related to the dwellings they serve.
- 6.80 Access to the cycle parking requires negotiating at least 2 doors. The doors to the outside area and to the cycle parking should open automatically to reduce the difficulty of access.
- 6.81 The cycle parking for block D is not acceptable. 6 of the spaces are difficult to use double decker racks, 2 spaces are in a locker which is inconveniently located away from the foyer entrance and 7 of the spaces are at the back of block E. All of the cycle parking should be convenient to access and easy to use.
- 6.82 Locating some of the cycle parking for block F in the proposed location could be acceptable if it is secured with a locked door, preferably which opens automatically with a fob key. However, I would agree with Urban Design comments that lockers should be provided at the front of block F for the ground floor dwellings.
- 6.83 Having part of the cycle parking for block C outside and part inside is not ideal and further consideration should be given to amalgamating the spaces into one area within the building.
- 6.84 2 or 3 racks for visitor and staff parking should be provided at the front of block A.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.85 The application is fully supported. There is a significant amount of green roof coverage and the proposals reduce the amount of surface water discharge from the site compared to the existing. The proposals also separate out a combined sewer into foul and surface water sewers which reduces the risk of pollution to the environment.

Anglian Water

- 6.86 No objection and request a condition relating to construction of hard surfaces should planning permission be granted.

Cambridgeshire Constabulary (Architectural Liaison Officer)

Initial comments

- 6.87 The site is within the busy Market Ward that the level of crime is the highest in the City. Pedal cycle crime being particularly high. Pre planning discussions took place with the architects with a view to the development overall achieving the security standards outlined by Secured by Design (SBD) in terms of doors/windows/glazing/access control and mail delivery. There is mention on page 7 of the guide of the 2010 guide; this has now been superseded by the 2014 guide. One area to highlight is mail delivery. SBD does not allow trades buttons. However this could be acceptable if accompanied with an access code. During the consultation it was outlined that some of the entrance doors were recessed, this is not normally advised within the SBD guidance. The recesses and the angle of view would be wide enough to ensure a caller was in view from other flats within Severn Place. It is unclear whether the entrance door to the ground floor affordable flat of Block H would be wide enough there were good open views of the door from East Road. A scheme at CB1 allowed visitor parking within the basement car park. Logistically this has been a problem in terms of visitors gaining the necessary permission.
- 6.88 This development does not allow visitor parking as a matter of course. Provided that this development meets the physical security standards outlined within the Secured by Design new

Homes 2104 document there are no objections to what is proposed. Once planning is approved that the applicants should engage with the Architectural Liaison Officer at an early stage.

Revised comments dated 20/08/15:

- 6.89 The points raised in respect of crime prevention have been adequately addressed.

Cambridgeshire County Council (Education)

- 6.90 No response received.

Cambridgeshire County Council (Archaeology)

- 6.91 Our records indicate that the site lies in an area of high archaeological potential. It is considered likely that important archaeological remains survive on the site relating to multi-period occupation and industry. This includes 12th-13th century middens associated with Barnwell Priory excavated at Cambridge Regional College (Historic Environment Record reference ECB3333) and a fishpond (MCB5624). Residual Neolithic worked flint and Post-Medieval quarry pits were also investigated. Between East Road and Newmarket Road a number of breweries were established in the 19th century, which include Star Brewery (MCB16525), Auckland Brewery (MCB17310), Shakespeare Brewery (MCB17308), Priory Brewery (MCB17304). Britannia Ironworks, the last surviving 19th century foundry/smithy buildings in Cambridge (MCB16546) was located to the south of East Road and associated terrace housing of Britannia Place to the immediate south east of the application area, north of which was a 19th century Brush Works. We are anticipating considerable truncation of the archaeological record in this area but consider this to be of significance in relation to the historic industrial usage of the site.
- 6.92 No objection to development proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a condition.

Cambridgeshire Fire and Rescue Service

- 6.93 Should the Planning Authority be minded to grant approval the Fire Authority would request adequate provision is made for fire hydrants which may be by way of a S106 agreement or planning conditions.

Housing Officer

Affordable Housing Mix

- 6.94 40% Affordable Housing (AH) has not been achieved on site. 25% AH is proposed with 21 Affordable Housing units planned, from a total of 84 dwellings. This is not in accordance with Cambridge City Council's Affordable Housing Supplementary Planning Document, January 2008 (AHSPD). The viability assessment has proven a reduced requirement of Affordable Housing, therefore this application is considered acceptable
- 6.95 The application indicates 14 (66.6%) social rented units, and 7 (33.3%) shared ownership units. Although below the 75% / 25% split required within the AHSPD the viability assessment has defined this change in levels and is therefore seen as acceptable.
- 6.96 There are 3 houses planned on site, with the remaining 81 units being flats. Therefore it is considered acceptable that 100% of the Affordable Housing is provided as flats.
- 6.97 Within the Planning Statement a schedule of current household sizes on Homelink, the Choice Based Lettings system, is cited as evidence for the need for smaller units. However, this is a snapshot in time and the Strategic Housing Market Assessment is a far more inclusive assessment of need, accounting for population growth, household changes and changes in population demographics. None of which are taken account of in the Homelink numbers.
- 6.98 The percentages of size of dwellings are shown in Table 1. The AH mix does not meet the AHSPD guidance on mix of size of dwellings. However, the AH does largely mirror the market

housing. If there was one less 1 bed unit and one less 2 bed unit, and two more 3 bed units this mix would be wholly supported. As the mix stands it is considered acceptable.

Unit Size	Total Number of Units	Affordable Housing		Market Housing	
		Number	Percentage	Number	Percentage
1 Bed	27	8	38%	19	30%
2 Bed	45	12	57%	33	52%
3 Bed	12	1	5%	11	17%
	84	21	100%	63	99% due to rounding

Table 1: Size of unit by tenure

Affordable Housing Siting

6.99 The cluster size of block H at 21 units is in accordance with the AHSPD guidance. To clarify a statement made in the Design and Access Statement, section 4.5 Design development following Pre-App advice, point 7, it was proposed by the architects to officers that Block H would be the AH block. The siting of the AH is considered acceptable. If the viability assessment proved that more Affordable Housing could be provided on site this should be delivered in the row of blocks A to G.

Design

6.100 Good sized balconies have been provided for every AH dwelling, which is supported.

6.101 The AHSPD requires the AH not to be distinguishable from the private housing in design terms. The design of the flats is considered tenure blind, with a design justification for using a glazed brick on the AH block (Block H).

6.102 There is one core for the whole of Block H, which serves 21 units. The AHSPD recommends no more than 12 AH dwellings have access from a common stairwell. It has previously been recommended to the applicants to seek the advice from a Registered Provider of AH to ensure the effective management of this scheme, and in particular this element.

6.103 The application is not clear whether or not the AH tenants/owners will have access to the roof top communal gardens. Access for all tenures would be strongly advised to ensure the scheme is truly tenure blind.

6.104 The proposal for all dwellings to meet level 4 of the Code for Sustainable Homes is welcomed. Especially as this will be applied across all dwellings, which will aid tenure blindness.

6.105 It is also welcomed that all units will be designed to the Lifetime Homes standard and that 15% of dwellings will be designed to wheelchair accessible housing standards. Again, this is especially welcomed as it will be delivered across all tenures.

Summary

- The Affordable Housing element of this application is supported by Housing Development subject to the viability assessment proving the need for a reduced level of Affordable Housing. If the viability assessment does not prove a reduced amount of Affordable Housing is required this application is not supported.
- The AH dwelling size mix is considered acceptable.
- The tenure split between rented and intermediate housing has not been provided therefore this cannot be commented upon.
- The design of the AH and private units is considered tenure build.

Recreation Services Manager

OUTDOOR SPORTS - £40,574

6.106 The following outdoor facilities would experience pressure arising from the proposed development:

- Abbey Sports Centre
- Logans Meadow
- Chesterton Rec
- Chesterton Outdoor Bowls
- Chesterton Secondary School
- Cantabrigian Rowing

6.107 The development will be a mix of properties mainly 1 & 2 bedroom accommodations and likely to be students or young professionals. Analysis of sporting need has been based on this and the Sport England Market segmentation categories of the current population characteristics.

The dominant sporting demand from this new set of accommodations will be for use of the adult football pitches for games, training and recreational use, along with tennis and cycling which are also sporting preferences in these groups

6.108 If some of the anticipated population is expected to be from Anglia Ruskin University then the university does have it's own sports ground but that is at the top North end of the City at Howe's place off Huntingdon Road which is directly on the City Boundary and falls in South Cambs by a matter of feet. This site is also going through the planning process to upgrade the site and provide new artificial pitches, pavilion and community space, therefore it is likely that any leagues games will be played at this site rather than at the Abbey Coldhams common or the Chesterton pitches.

6.109 The site will generate a need for recreational football activities both for training and general kick-about. Residents and other local players are more likely to use Jesus Green or Chesterton Rec along with other local green spaces for recreation games and training rather than travel to designated areas such as Coldhams Common or Howe's place.

6.110 Tennis is also a popular sport amongst these categories of proposed residents and the local areas near this development are well served for Tennis with 6 courts at Jesus Green and 4 courts at Christ's Pieces all within a 5 minute cycle ride from the development, and all are free public use

Project Identified for S106 contribution for outdoor recreation:

6.111 Chesterton Playing Fields - all prices currently estimated

- 3x Cricket Nets and an Artificial Wicket - £42,000
- or
- Long Jump/ Triple Jump Pit
- 100m Sprint track
- Outdoor exercise equipment hub and trim trail – £42,000

INDOOR SPORTS - £35,864

6.112 The following indoor facilities would experience pressure arising from the proposed development:

- Abbey Sports Centre & Gym
- Cambridge Parkside Pools & Gym
- Chesterton Community School Sports Centre
- Chesterton Indoor Bowls Club
- Kelsey Kerridge Sports Centre
- Private Gyms – DW's, Nuffield Health & YMCA

6.113 The development will be a mix of properties mainly 1 & 2 bedroom accommodations and likely to be students or young professionals. Analysis of sporting need has been based on this and the Sport England Market segmentation categories of the current population characteristics. There are three main segments occupying the surrounding residential properties all of them in the younger market categories. The dominant sporting demand from this new set of accommodations will be for use of gyms and exercise class based facilities, particularly those with swimming pools.

6.114 The facility being developed is an old fitness gym and studio (The Atrium) and since its closure has put more localised demand on the existing facilities, so with new and additional demands from the new residents on local facilities already nearing capacity, it will be fitting to see the contributions going into sports facilities for extra provision of gym and group exercise classes.

6.115 There is also a large student population from Anglia Ruskin University (ARU) living in and around the vicinity along with lecture halls and rooms at the neighbouring site in Compass House, so again can be envisaged that a lot of the potential

residents from the development will have some form of ties with the university. ARU already has a partnership arrangement with Kelsey Kerridge sports centre and have recently (Jan – May 2015) invested small capital amounts into improving some areas for use by their student based sports clubs. This current working relationship would mean that with the close proximity of the main Anglia Ruskin Campus being 5 minutes' walk away from both Parkside and Kelsey Kerridge, these will probably be the two most used centres by any potential residents.

6.116 Chesterton Gym and Pool is also very close but is on a non-direct route heading out of the main city centre, and Abbey Pool and Gyms are also very close to the proposed development and are more easily accessible off one of the main arterial roads in and out of the City.

6.117 It is therefore anticipated that residents would be attending more activities within these four sites and therefore the demand on these centres will be growing especially for indoor sports hall team games at Kelsey Kerridge, along with additional demands for gym and exercise class based activities at all the sites.

Project Identified for S106 contribution for indoor recreation:

6.118 Kelsey Kerridge – all prices currently estimated

- Function or aerobics space provision from unused area - £35,000

**Community Funding and Engagement Officer
Community Facilities: £50,000.**

6.119 The following facilities are likely to experience increased demand arising from the development and are in close proximity to the site.

1. Memorial Unitarian Church Emmanuel Rd, CB1 1JW
2. Michael House Centre St Michael's church, Trinity Street, CB2 1SU
3. St Andrew's Street Baptist Church & the Stone Yard 43 St Andrew's Street CB2 3AR

6.120 The Memorial Unitarian Church is current open approximately 80% of the time for community uses and turns down bookings once a week due to capacity issues. The Michael House

Centre, St Michaels Church is open 100% of the time for community uses and turns down bookings on a monthly basis due to capacity issues. St Andrew's Street Baptist Church & the Stone Yard are open approximately 50% of the time for community uses and turn down bookings once a month due to capacity issues.

6.121 The facilities are in need of the following works to improve capacity and to be in a position to offer better community facilities.

- Heating and toilet facilities
- Storage/flooring & painting & decorating
- Replace kitchen & painting and decorating

6.122 The estimated cost of delivering these specific projects to provide improvements is a total of £50,000

Design and Conservation Panel (Meetings of 15 January 2014 and 11 June 2014)

The conclusions of the Panel meeting of 15 January 2014 were as follows:

The Panel appreciated the opportunity to view a model of the scheme. The Panel's comments are as follows:

- Response to immediate and wider context.** The architect's site and context assessment was accepted. In addition, the proposal to develop a series of individual buildings of differing heights to create a varied skyline and roof-scape and the general site massing principles are not contested. However, it was felt that an insufficient case had been made to justify the eight storey G building and seven storey D building within the site's immediate and wider context of the City's historic core. Within the site's immediate context the G block would be a new marker building and exceed the height of the County Court (on the opposite side of East Road) building by three storeys. Although various distant verified views had been generated and examined by officers, concerns were expressed that blocks of 7 and 8 storeys would be setting an unwelcome precedent for high rise buildings in Cambridge.
- Movement and access.** The removal of existing buildings on the site and the creation of a pedestrian and cycle link from Severn Place through to Newmarket Road and thereby avoiding

Elizabeth Way and the introduction of basement parking are supported in principle. However, it was felt that further development and detail was needed to assess the extent to which a safe and dynamic streetscape in the form of a shared surface along Severn Place could be realised, and that the basement car-parking accessed via a ramp from Sun Street could be delivered. Would the car-park access appear as an unwelcome dark hole in the Newmarket Road elevation?

- **Configuration of buildings.** The Panel noted the innovative way in which issues of overlooking and overshadowing had been resolved. However, it was felt that further development was necessary in relation to: a) the overshadowing by C and D blocks of Compass House, b) a general concern at the impact on the living spaces at street level and c) on the quality of some communal garden spaces.
- **Materials and aspects of detailed design.** The Panel were comfortable with the proposal to utilise brick as a primary material with subtle differences in colour shade and texture between blocks.

In the next stage of design development it is hoped that each block will be enriched by the detailing of windows, openings and the public and private spaces.

Conclusion

Conceptually, the Panel acknowledge that the proposed scheme is aspirational, well designed and contemporary. Such a scheme would set the quality bar higher for development in the area. However, there are some concerns about certain elements and on the deliverability of the scheme. A more convincing case for the height of the proposed D and G blocks needs to be made, or their height reduced. In addition, an effective collaboration with adjoining landowners and public agencies is necessary so as to be able to incorporate key parcels of land needed to realise the scheme's full potential.

VERDICT:AMBER (6), GREEN (3) RED (1) – due to height of Blocks D and G

The conclusions of the Panel meeting of 11 June 2014 were as follows:

The Panel were most appreciative of the detailed assessment of the tall buildings context in Cambridge and the alternative design approaches explored to evidence the case for the proposed heights of Blocks D and G. The Panel were generally sympathetic towards the case for Block G to be of 8 storeys provided that its visible mass could be reduced. However, despite the presentation of alternative strategies to reduce the building mass of Block D some doubts remained as to its visual impact and prominence.

Conclusion.

The Panel accepted the principle of an 8 storey Block G (subject to modifications designed to reduce its mass) and that by a majority vote it was concluded that Block D should be reduced to 6 storeys.

6.123 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 Councillor Gillespie provided the following comments in respect of the proposals:

- The consultation in respect of the site has been inadequate several people nearby have not been contacted about it.
- The height of the development is out of character, it is a ridiculous proposal and should be roughly 50% of the size that has been proposed maximum. The traffic that it will add to Newmarket Road is also alarming, this is a road that frequently has tailbacks all the way along it back to East Road roundabout.
- I live a minutes walk away from the sit and I don't believe Auckland Road residents were asked for their comments on it.

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

Ascham Road (2 letters)
Cavendish Road
Cambridge Cycling Campaign

12A Brooke House, Kingsley Walk
33 Brooke House, Kingsley Walk (2 letters)
11 Darwin House, Kingsley Walk (2 letters)
12 Darwin House, Kingsley Walk
15 Darwin House, Kingsley Walk
37 Keyes House, Kingsley Walk
34 Marlowe House, Kingsley Walk (2 letters)
39 Marlowe House, Kingsley Walk
42 Marlowe House, Kingsley Walk
43. Marlow House, Kingsley Walk
3 Newton Court, Kingsley Walk
50 Newton Court, Kingsley Walk
9 Sherbourne Court
52 St Andrews Road
Green Pea Property Management on behalf of numerous owners of Byron House, Wellington Street
Cintra Ltd 8 Wellington Street

7.3 The representations can be summarised as follows:

General Comments

- Support for the provision of a pedestrian/cycle link
- No objection to the redevelopment of the site as a matter of principle.
- Public art on Marino House has been ignored and will be hidden by the new development.
- The 3D plans do not give a true impression of the site as Florian House has been missed off and a mature tree shown in its place – this is misleading.
- A site visit should be undertaken by Officers and Members before a decision is made in respect of the proposals.
- The third party comments have generally been ignored.
- The consultations were not carried out widely enough

Design & character of area

- Block H due to its scale and design would be unacceptable and harmful to the character of the area.
- The opportunity is missed to link Wellington Street with the new pedestrian route of Severn Place. The scheme turns its back on this area which has become more residentially based in the past few years.
- The proposed height of block G (8 stories) is too high and will be over-bearing. Currently the Crown Court building is visible and block G will occlude this view.
- Block G is angular and will appear at odds with the Crown Court Buildings.
- All other buildings in the vicinity of the site are smaller scale, 5 stories down to 2 storey.
- The design appears ugly and close to the worst of the Marke.
- Block D is too high at 6 stories.
- The finish to block H (Glazed brick) being different to the rest of the development seems incongruous.
- The fenestration detailing to block H with vertical proportions is inappropriate.
- The different treatment of block H will stigmatise the occupants.
- The whole scheme is too high and overdevelopment which is out of character with the surrounding area.
- The height should be capped at 4 floors and should be uniform throughout the development.
- The gates to the underground car park seem very industrial and will not help to re-invigorate the area. Something more visually pleasing should be designed.
- Overcrowding the area is very tightly packed already and is already over-developed.
- Shared community/meeting space should be provided on the ground floor.
- Cambridge has maintained its unique city environment and the scale of buildings do not dwarf church steeples or university/college buildings. This development should not be so high.
- There are tall buildings in Cambridge but this is not an appropriate location for another one.
- The floor heights are out of scale with the surrounding residential properties and the overall height of the building should be assessed rather than just the number of floors. This is particularly the case with the top floors of blocks D & G

Traffic/Parking Issues

- Traffic congestion - the development will increase vehicle movements on Newmarket Road which is already very congested.
- Traffic already queues to the Grafton Quarter car park and additional vehicle movements will exacerbate this.
- There is uncertainty as to whether the reinstatement of the north/south link could be realised because of Severn Place and Sun Street being County Council Highway Authority land.
- Parking issues - there are current 8 parking spaces in Sun Street between the proposed development and Newmarket Road. It is not clear whether these are to be retained. If they are to be lost this will put pressure on parking. Additional parking requirement arising from the new occupants
- There are not enough visitor parking spaces proposed.
- Retail space at ground floor level will lead to more parking and traffic problems.
- Concern about lack of consideration for southbound cycling traffic both in the application and by the County and City Council's on assessing it.
- The junction between Severn Place with East Road makes no provision for cycles to proceed south-west along East Road or to St Matthews's Street. There are limited pedestrian facilities at the junction, but it is not remotely suitable for use by cyclists. There is, plenty of space at the junction to insert a cycle route. There should be some requirement placed on the developer to provide for such movements presumably by modifying the signal installation at the very least. Otherwise the cycle facility between Newmarket Road and East Road will be utterly useless as far as southbound cyclists are concerned.
- There is a small parcel of land which is currently used as a private car park for January's, it is not clear if this land forms part of the proposals.
- 1 parking space per flat should be provided.
- Car sharing and zip cars are needed with a development offering this level of parking.
- Increased traffic volumes will put pedestrians and cyclists at risk. What will happen when the currently vacant Compass House is re-occupied?

Amenity

- Noise and air pollution – arising from the demolition and construction phase of the development.
- The scheme will introduce overlooking (Particularly Kingsley Walk) where there is currently none.
- Block H due to its bulky design and unsympathetic scale would have a significant detrimental impact on the amenity areas (front balconies) of Byron House. It would also create shading throughout the year to the primary and sole windows to the apartments fronting Wellington Street in Byron House.
- Loss of daylight/sunlight to Marino House, Florian House and Byron House.
- Noise and disturbance to existing residents through vehicle movements and general residential and commercial occupation of the site.
- The scale of the buildings and unbroken mass would be overbearing and oppressive and create an intimidating outlook onto the existing occupants. The Newmarket Road existing residents have been considered but this is not the case for the Severn Place residents.

Housing mix/type

- The proportion of affordable housing is too low.
- Too many apartments in new developments are unoccupied and serve as only investments.

7.4 Two copies of a petition containing 19 Signatures in total from the manager/owners of the following properties; Flats 2, 3,4 ,9, 10, 12 Byron House, flats 1-8 Florian House, Flats 1-4, 74 Newmarket Road, Jess Polish Supermarket 72 Newmarket Road, Navadhanya Indian Restaurant 73 Newmarket Road, EC English 57-61 Burleigh St, EC English Kite House Adam and Eve St, Urban Hairdresser 42 Burleigh St, World Study Solutions 43 Burleigh Street Charlie's Café 44 Burleigh St.

The petition raises the following issues:

- The scheme should be refused as the amount of construction for such a narrow street is excessive and too ambitious.
- The developer is seeking financial benefit and is not considering the future well-being of existing residents and future inhabitants.
- Reference is made to the Accordia development, but Accordia differs significantly from this scheme distance between the

blocks are greater, the style of height, massing, volume and density is not like Accordia.

- NPPF core principles have not been met
 - Emphasise enhancing and improving the places in which people live their lives
 - Seek to secure a high-quality of design and good standard of amenity for occupants
 - Manage development to make full use of public transport, walking and cycling.
- The development would increase footfall in the area circa 306 people, including excluding guests and visitors.
- In the event of fire there will be too many people using escaping in one area. Access/escape for a catastrophic fire or explosion should be in place.
- Such high density of people could lead to public unrest and need for police intervention.
- The design is monolithic with no gaps to provide respite. The other buildings will become totally obscured and insignificant. The buildings are not welcoming to the new pedestrianised area.
- The materials are inappropriate.
- There is a lack of natural surveillance.
- The affordable block will not have any access to ground floor spaces for them to enjoy.
- Marino House and Florian house will be in the shade for much of the day. Lounge areas are of the east façade and have no other windows, the impact on these windows will be significant. There will be no views of the sky to these properties as the buildings opposite them will obscure this view due to their height.
- Overlooking
- The road surface seems to consist of a variety of treatments – how will this be maintained and at who's expense?
- Loss of free parking on Severn place and how will parking for the shops be managed?
- How will waste lorries access the existing and new development? There are no designated parking places or passing places for vehicles of this nature.
- How will increased cycle traffic egress onto East Road safely?
- The scale model shows how the existing 3 blocks will be dwarfed by the excessive overdevelopment.
- Block G which is the tallest and most prominent block reflects the Marque tower on the corner of Hills Road/Cherry Hinton

Road. A prominent landmark building should be interesting and elegant.

- The solar panels have been specified but have not been shown on the drawings and this will add a further 1-2m in height and will require a guard rail to the perimeter for maintenance. These will be visible and so should be shown.
- The public art on Merino House will not be as visible when block H partially blocks the view. This used public funds and views of it should be protected.
- Careful consideration should be given to the proposed blue brick to Block H which is totally out of keeping with anything else in the vicinity. With such a strong colour this will not compliment or harmonise with the other buildings on East Road or to the rear of this block down Severn place.
- The increase in commercial and residential activity will result in the loss of parking bays on Newmarket Road.
- The 3D drawing does not accurately reflect the current buildings on site and is excessively out of date. This should be updated before the application is determined.
- Officers and Committee members should visit the site before a decision is made.

7.5 The petition did not request a Development Control Forum to be held.

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

8.0 ASSESSMENT

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

1. Principle of development
2. EIA
3. Viability
4. Affordable Housing
5. Context of site, design and external spaces
6. Public Art
7. Renewable energy and sustainability
8. Disabled access
9. Residential amenity

10. Refuse arrangements
11. Highway safety
12. Car and cycle parking
13. Landscaping
14. Third party representations
15. Planning Obligation Strategy

Principle of Development

- 8.2 The application site is not within a protected industrial commercial or retail area and the most recent use of the majority of the site was a 'The Atrium' gym, the majority of the site is currently vacant. Consequently the proposals fall to be assessed for acceptability as a matter of principle under Policies 5/1 and 5/5 (Housing Provision).
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 5/5 and the details of the proposals will be assessed under the relevant section headings to the report below.

Environmental Impact Assessment

- 8.4 Having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the opinion of the local planning authority is that the development, when looked at in the context of its surroundings, cumulatively with other uses/proposals, its existing use and the accompanying documentation to be submitted with an application, it is not likely to result in significant environmental effects. Officers are of the opinion that the documentation provided as part of a formal planning application is sufficient to enable us to assess the sensitive impacts arising from this development. The development is also below the threshold where an ES would be required.

Viability

- 8.5 The applicant's submitted a viability assessment with the application which concluded that the site was unviable by a substantial figure and consequently reduced the level of affordable housing offered within the scheme.
- 8.6 In line with Affordable Housing SPD which sets out at paragraphs 41 – 45 the circumstances under which a lower

level of affordable housing may be justified an independent review of the viability assessment (paid for by the applicants') has been conducted by BPS Chartered Surveyors.

8.7 The independent review of the viability assessment by BPS Chartered Surveyors concluded that the site is unviable and that a lower level of affordable housing is justified at this site.

8.8 In the light of these conclusions by a specialist adviser, I am of the opinion that the viability of the site can be used in this instance to justify a lower level of affordable housing. (see specific discussion below).

Affordable Housing

8.9 The council's affordable housing target for a scheme of this size is 40% as required by policy and as set out in the Affordable Housing SPD (2008). It is proposed that 21 of the 84 residential units are affordable. This equates to a provision of 25%. All 21 of the affordable units would be accommodated in Block H.

8.10 The mix of affordable units comprises 21 units with the following tenure mix

- 7 shared ownership (33% of affordable housing units) and:
- 14 social rented (66% of affordable housing units).

8.11 All of the units are provided in Block H and the size of the units are as follows:

- 8x1Bedroom 2 Person units,
- 8x2Bedroom 3 Person units
- 4x2Bbedroom 4 Person units,
- 1x3Bedroom 5 Person units

8.12 The affordable Housing SPD sets out that there should be a mix of housing types and tenures, in this case all of the affordable units will a mix of shared ownership and social rented which is considered acceptable and there is also mix of housing sizes. I consider that the type and tenure of the proposed affordable housing is acceptable. The Housing Officer is supportive of the scheme and concurs with my conclusions.

8.13 Some concern has been raised with regard to the separation of the affordable units (in block H) from the rest of the

development and also concerns have been raised about the external treatment of this block. I am of the opinion that the clustering of the affordable units like this is in line with the advice in the current adopted affordable Housing SPD (para 23). The materials are a glazed brick and this is an expensive choice of material, which will make a bold statement at the Nelson Close end of the site. Again, this is in line with the aspirations of the Affordable Housing SPD Design section (paragraphs 25 – 28). I am satisfied that the siting and design of the affordable units are compliant with the Affordable Housing SPD, the general issues of design and context will be picked up in detail in the relevant section to this report.

- 8.14 I am also mindful that the Affordable Housing SPD sets out at paragraphs 41 – 45 the circumstances under which a lower level of affordable housing may be justified. I am of the opinion that these proposals have followed the required steps set out in the SPD and an independent review of the viability assessment has concluded that a lower level of affordable housing is justified at this site and consequently the current proposals comply with the requirements of the SPD.
- 8.15 Given the background information submitted in relation to the viability of the site and the conclusions of the independent review of this by BPS Chartered Surveyors, I am of the opinion that the number and mix of the affordable units would in this case, be justified at the lower provision offered with the scheme. I am also of the opinion that it will not be possible, under the circumstances, to secure additional affordable housing as part of the current proposals. That said, the affordable housing offered can be secured as usual through a S106 legal agreement and a 'clawback' clause inserted so that should the site appreciate in value, or the build costs fall so that a profit is made, then the Council can recoup monies on lieu of affordable housing provision.
- 8.16 Agreement has also been sought from the applicants to ensure that there is written confirmation that they wish to proceed with the development of the site notwithstanding the viability issues identified. In addition to this, agreement in relation to entering into an unconditional contract with a registered provider to deliver the affordable housing is sought. If agreement to these provisions is secured then I am of the opinion that the Council stands the best possible opportunity of securing the affordable

housing offered with the scheme, notwithstanding the viability issues of the site. Subject to these agreements, a S106 agreement to secure the affordable units and a 'clawback' clause to recoup any profit should the site become viable between grant of planning permission and completion of works I am satisfied that the affordable units offered at the site can be secured.

8.17 The Housing Officer is supportive of the scheme and is satisfied with the level and type of provision and tenure split. The Housing Officer has clearly stated that if the viability assessment proving the need for a reduced level of affordable housing is key to the support for the scheme, and I am satisfied that the review of the viability assessment by BPS Chartered Surveyors has demonstrated this. The detail of the Affordable housing scheme can be secured through a Section 106 Agreement.

8.18 In my opinion, if the offered level of affordable housing is taken in isolation there is a clear conflict with policy 5/5. However, in the light of NPPF guidance, the Affordable Housing SPD and the conclusions of the independent review of the viability of the site together with an overall and balanced view the wider benefits of re-using the site, providing additional housing and the creation of a new pedestrian thoroughfare, I am of the opinion that on balance, the proposal is compliant with Cambridge Local Plan (2006) policy 5/5 and the Affordable Housing SPD (2008)

Context of site, design and external spaces

8.19 The development comprises 84 dwellings, A1-A3 commercial space, and associated access, car and cycle parking and public realm enhancement.

8.20 A series of 8 residential blocks fronting Severn Place are proposed. Blocks A -G are arranged on north-south axis from Sun Street to East Road. These are all private blocks arranged in a series of staggered footprints and heights. They are located on the eastern side of Severn Place with a full car parking basement level below. On the western side of Severn Place is Block H, the affordable block, which would sit opposite Block G facing East Road.

- 8.21 Pedestrian and cycle access for most of the blocks would be from Severn Place into a series of vertical circulation cores. These would also provide access and a visual connection to the rear of Blocks C, D and E to a series of communal and semi-private garden areas. Block A, at the northern extreme of the site facing onto Sun Street, incorporates a commercial unit on its corner, a pedestrian access point and a vehicular access point into the underground basement car park. The basement level stretches the length of the eastern block arrangement and provides access upwards into the different cores. Parking is provided for Block H (affordable block) within this basement and is secured via a condition.
- 8.22 The scheme seeks to provide an extended and newly paved and landscaped public realm to Severn Place, which would be a significant improvement on its existing look and feel. It would extend to Sun Street/Newmarket Road thereby providing a new through-route in this part of the City which accords with the aspirations of the Eastern Gate SPD. It would be wider than at present, ranging from 6.2m to 12.8m, being approximately 11.1m wide across from Marino House. It would be a pedestrian and cycle friendly environment, with bollards positioned at either end. The scheme provides double height access points, generous recessed balconies/habitable rooms, porches, raised ground floor planters and roof top gardens facing onto Severn Place. Activity, surveillance and vibrancy to Severn Place would be created. Together with a new through-route to Newmarket Road, the public realm would be improved. This would be of significant benefit to existing and future residents.
- 8.23 The scheme would consist mainly of brick facades. Blocks A to G are not only staggered in footprint and height but are also proposed to be constructed in different brick types which are individually specified in the Design and Access Statement. This would reinforce the difference between the blocks and provide variation in texture, colour and ultimately greater visual interest to the scheme. Block H is proposed to be constructed from a blue glazed brick (variety Das Baksteen) which reflects the use of glazed tiling used on the nearby Co-Operative Society building. My personal view is that this would provide a high quality and distinctive façade.
- 8.24 Windows have concrete sills and are metal lined to provide deep reveals. Winter gardens to mitigate noise issues from

East Road are shown and a series of roof-top gardens are proposed across the tops of Blocks A - G. Balconies are deeply recessed and are typically 5-7sqm. Block G, the tallest block at 8 storeys, is terminated at its top with a loggia, providing visual depth to the façade. My view is that the facades are well articulated and would provide a dynamic form and appearance to the development.

- 8.25 In terms of the overall design, I note that the Council's Urban Design and Conservation Team have reviewed the scheme together with its amendments and find it to be acceptable. Setting aside height as an issue, I also note that the Design and Conservation Panel also accept the design response to the immediate and wider context, including the concept of proposed individual buildings of differing heights and materials. The Panel describe the scheme as 'aspirational, well-designed and contemporary'. I do not disagree with this assessment. In my opinion, subject to conditions to seek to secure the detail proposed, the scheme would be of a high quality and would respond successfully to its immediate surroundings.

Height

- 8.26 The proposed scheme is varied in height from lower 2/3 storey buildings adjacent to Sun Street on the northern portion of the site (Block A) to 8 storeys on the East Road side, on the southern portion of the site (Block G). Between Blocks A – G, the height is staggered. Block H (the affordable block), which sits opposite Block G, is 5 storeys.
- 8.27 When the application was first reported to the Design and Conservation Panel, prior to the formal application being made, the Panel concluded that 'an insufficient case had been made to justify the eight storey G building and seven storey D building within the site's immediate and wider context...' . The Panel noted that Block G exceeded the height of the County by three storeys. The Panel was concerned that an 'unwelcome precedent' would be set and required a more convincing case for the height of Blocks D and G to be made.
- 8.28 The scheme was subsequently amended and reported back to the Design and Conservation Panel. The focus of the Panel discussion was a detailed assessment of the height of the proposal in relation to Blocks D and G. Following this, the Panel

expressed a view that they were generally sympathetic towards the case for Block G to be of 8 storeys provided that its visible mass could be reduced. They remained concerned regarding the visual impact and prominence of Block D seeking a reduction from 7 to 6 storeys.

- 8.29 The applicants response was to narrow the form of Block G to make it more slender and to take a storey off Block D to reduce its height to 6 storeys, in line with the Panel's advice. The current planning application was submitted on this basis.
- 8.30 The Council's Urban Design and Conservation Team have also considered the issue of height very carefully. They advise that the proposed scale and massing has been informed using verified views and 3D modelling in order to assess the visual impact from both long and short distance views and that the application is accompanied by a skyline assessment in relation to adopted policy 3/13 (Tall Buildings and the Skyline).
- 8.31 The proposed site lies within an area of differing building heights and scales ranging from 2 and 3 storey residential, retail and office accommodation on Newmarket Road to larger 4 and 5 storey buildings on East Road (Grafton Centre and the Crown Court building). The Urban Design and Conservation Team state that variation in scale between the 8 individual blocks has been developed to reflect their immediate surrounding context. Blocks A and B are 2 and 3 storeys and reflect the smaller more domestic scaled buildings on Sun Street/Newmarket Road. Blocks G and H (8 and 5 storeys respectively) front East Road and respond to the height of nearby larger scale buildings (including the Crown Court, Grafton Centre, ARU young Street Campus). The 8 storey height of Block G and the 8 storey Parkside Place development at the southern end of East Road, in effect, will form bookends of similar height to the buildings along East Road.
- 8.32 The Urban Design and Conservation Team advise that Block G forms an appropriate landmark building on East Road and can support a "gateway" style proposal. They advise that it would not be out of character with this built up, commercial part of the city and would also not compromise the function of any future development on the site of Compass House. They advise that the proposed scale of development is acceptable and that the

stepping of building heights responds to the different characters of East Road and Sun Street/Newmarket Road.

- 8.33 In order to support this conclusion, the application is accompanied by a series of verified views which are set out in the Design and Access Statement. This shows that the scheme is visible from a range of different viewpoints. In particular, the top floor accommodation of Blocks D and G are visible from long distance views from Midsummer Common (view 18). This view shows the top storey of Block D and the top 1½ storeys of Block G to be visible.
- 8.34 The verified views show that the scheme is hidden by existing buildings and trees in closer views from Midsummer Common and hidden behind existing buildings from views taken along Maids Causeway. It is visible from the Elizabeth Way Roundabout/Tyre Depot and opposite No. 42 Newmarket Road.
- 8.35 Further to the verified views set out in the Design and Access Statement, a Theoretical Zone of Visual Influence (ZTV) was requested and submitted as additional information to determine the visibility of Blocks D and G from Midsummer Common. Views from Blocks D and G have also been produced looking towards the Common from roof level.
- 8.36 The further information shows that the visibility of the scheme from Midsummer Common would be limited to the northwest corner of the Common and to the north and east of Victoria Road. Block G would be more visible over a larger portion of the Common given its increased height over that of Block D. The trees along the south eastern edge of the common would significantly reduce the visibility of both blocks when in leaf. The visibility of the blocks to the west of Victoria Road would be negligible given the existing mature trees either side of Victoria Road.
- 8.37 The Urban Design and Conservation Team conclude that the visual impact of Blocks D and G is acceptable. Given the detailed level of assessment and limited visual impact highlighted, I share this view. Even though the skyline is partially broken, I do not consider the longer distance views of the tops of Blocks D and G to be harmful to the character or appearance of the Conservation Area. There is minimal visual impact closer to the site due to the built-up nature of the

surroundings. When visible, particularly Block G, the impact of the scheme in terms of height, combined with the high quality design, is appropriate to its context.

Overall

8.38 This is a high quality scheme that is well thought out in terms of its design and layout. My view is that it accords with policies 3/4, 3/7, 3/11 and 3/12 of the adopted Local Plan. More specifically, the staggered footprint and height of the scheme - culminating in an 8 storey block at its southern end - combined with the high quality design and significant public realm improvements, mean that it would enhance the character and appearance of the Conservation Area and its immediate surroundings. The proposal therefore also accords with policies 3/13 and 4/11 and with the Eastern Gate Development Framework SPD (2011).

Disabled access

8.39 The new public realm will provide level access to all of the dwellings, with slopes not exceeding 1:40. 7 disabled car parking bays of a total 46 spaces are provided within the basement area around each core. This level of provision exceeds the local plan requirement of 5%.

8.40 Policy 5/9 of the Local Plan requires the development to provide 15% of its units as designed to be suitable for people with disabilities to meet long-term housing needs. The proposed scheme accords with this policy, providing 15% of the units as wheelchair accessible. Communal lifts are provided to all the blocks apart from Block A, which is two storeys in height. The Design and Access Statement confirms that all of the dwellings will be designed to Lifetime Home standards.

8.41 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Public Art

8.42 The applicants have submitted a Public Art Strategy. Its aspiration is the delivery of public art on site. Artist's brief and proposals for engagement with local stakeholders are included. I note the third party comments in relation to the public art already in situ at Merino House and I am of the opinion that the

new public art need not conflict with the existing installation and there may be scope to build on this with the new installation. I note also that the third party representations raise concerns about the existing public Art being obscured. Having visited the site to assess this issue, there is a bike storage shelter immediately adjacent to the south of Marino house, which already partially obscures the artwork at the lower level. This bike store will remain in-situ and I am satisfied that the upper parts of the existing artwork will remain visible as is currently the case. I am satisfied that this can be adequately controlled via conditions.

8.43 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

Renewable energy and sustainability

8.44 The proposals incorporate photovoltaic panels and CHP to power the communal areas (eg lighting to the car parks and stairwells). The sustainability statement outlines that the proposals would achieve just over the 10% renewable energy requirement. The Senior Sustainability Officer has supported the proposals and I concur with this view.

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

Residential Amenity

Impact on amenity of existing neighbouring occupiers

Overlooking

8.46 The proposed blocks A – G would create a new ‘street’ and would front onto existing residential blocks to the west of the application site.

8.47 Blocks A & B have been designed so as their main outlook/amenity space is at third floor level to the west elevation with brown roofs to the east, which has the effect of ‘setting back’ the development from the properties to the east and restricting outlook to the lower levels. The second floor also has

no outlook to the east. This means that the only outlook afforded to the east is from the ground and first floor levels. Given that the residential units to the east are sited above ground floor commercial units, I am satisfied regarding the relationship to the properties to the east of the site in terms of overlooking.

- 8.48 With regard to the impacts of Blocks A&B in relation to the properties on Dukes Court, the Blocks would be sited with a separation distance of approximately 15m. In addition to this, the new Blocks has been designed to 'step back' the main building and to incorporate amenity spaces to the western elevation with strong boundary treatments to these areas. This will reduce the impact of window to window overlooking and I am satisfied that this arrangement, with the separation distances to the amenity spaces is acceptable.
- 8.49 Block C is set at an oblique angle to Florian House and significantly to the north of Marino house and I am satisfied that there would not be any significant adverse impacts arising from block C in terms of overlooking.
- 8.50 Blocks D &-E would impact on Marino House and Florian House as they are sited directly opposite these blocks at a distance of between 20m and 14m. Blocks D & E both contain units with habitable rooms and balcony/amenity areas which would look onto the existing apartment blocks. I am of the opinion that whilst this relationship will have an impact on the existing apartments, there is still sufficient separation distance between the blocks for the town centre location.
- 8.51 Blocks F and G are sited to the south of Marino House and are directly opposite Block H, I do not consider that there are any impacts arising from this block in relation to existing properties.
- 8.52 Block H is sited to the south west of the site and, Marino House and Byron House would be the most affected properties, and to a lesser extent properties on Wellington Court. With regard to Marino House, there are no windows on the southern elevation to the apartment block which serve principal rooms, I am satisfied therefore that the windows serving the main habitable rooms to Block H and the balcony/amenity areas would not create an unacceptable sense of overlooking or loss of privacy to the occupants of Marino House. Byron House is sited at a

distance of 18m to the north-west of Block H at an oblique angle and again I am satisfied that the relationship between these units would be acceptable.

- 8.53 Given the location and current use of Compass House (office building) I am satisfied with regard to the impacts on this property arising from the proposals.

Dominance/sense of enclosure

- 8.54 Blocks A and B would be 11.7 and 10.2m in height respectively. These blocks are sited to the northern end (Newmarket Rd/Sun Street) of the development. I am satisfied that these building heights would relate well to the properties above the commercial units fronting onto Newmarket Road/Sun Street and also to those at Dukes Court.

- 8.55 Block C is sited opposite Wellington Passage and would be 17.6m in height. This block is sited approximately 12m from Florian House at an oblique angle with block D being directly opposite Florian House. Florian House is a modern block of 8 apartments and is approximately 15m high to its highest point. Block C would be approximately 2.6m higher than the existing apartment block and I consider this scale to be acceptable.

- 8.56 Block D is 21.3m high and would be set away from Florian House and Merino House by approximately 20m. Merino House also is a modern block of 11 one bedroom studios and is approximately 14m to its highest point, this block is physically attached to Marino House. Block D would exceed the height of the existing apartments by 7m, although with a separation distance of 20m I am satisfied that it would not appear overbearing or overly dominant. In addition to this, I note that there are balconies to Merino House which actually obscure the view upwards from the lower properties and so I do not consider that these will be significantly adversely affected. In addition to this, the existing buildings are closer to the existing apartment buildings, and whilst I accept that these are a smaller scale, I consider that the increased separation at distance at ground floor is beneficial in public realm terms.

- 8.57 Block E is 14.5m high and would be set at a distance of approximately 10m from Merino House and is to the south of Florian House. Given that this Block would be of a similar scale

to the existing apartment blocks I am satisfied that this relationship would be acceptable. I also consider that the staggered building heights would give some 'relief' when viewed from these existing apartments.

8.58 Blocks F and G would be 17.6 and 27.8m high respectively however, these blocks are set to the south of both Florian House and Merino House and block G fronts onto East Road. I am satisfied that there would not be any undue overbearing impact from these blocks on any existing residents given the proposed layout.

8.59 Block H would be 17.8m high and is set at a distance of approximately 13m from the southern elevation of Merino House and at an oblique angle to Byron House and at a distance of 18m at its closest point. Considering that Block H would be just under 4 m higher than Merino House when coupled with the separation distance between the blocks I do not consider that this Block will be unduly dominant or create an unacceptable sense of enclosure.

8.60 I have considered the impacts on the properties at Wellington Court and I am of the opinion that these properties are set sufficiently far away and to some extent are screened by the existing apartments at the site so as the proposed buildings (particularly the highest blocks D, H & G) will not have an adverse effect in terms of dominance or enclosure.

8.61 Compass House is to the east of the site and again, I am satisfied that the impacts of the development would be acceptable in relation to this property given the separation distance and its position on a busy arterial road and roundabout.

Loss of daylight/sunlight

8.62 An overshadowing study has been provided as part of the submitted skyline assessment (criterion 4: Amenity and Microclimate page 104 of the submitted D&A Statement) and forms a summary of the overshadowing study undertaken by WSP which accompanies the application. The content of this study has been reviewed by the Urban Design and Conservation Team who have provided the following detailed comments

- 8.63 *The results are presented as shadow plots for the equinox (21st March), halfway between the equinox and mid-summer (7th August) and halfway between the equinox and mid-winter (7th November) at 9:00am, 11:00am, 1:00pm, 3:00pm, 5:00pm and 7:00pm. The buildings assessed for overshadowing impacts were Compass House (office accommodation), Marino House (11 one-bed studios) and dwellings on Wellington Street.*
- 8.64 *The results of the shadow study for the equinox (21st March) indicate the proposed scheme will result in additional overshadowing of the east elevation of Marino House and dwellings within Wellington Street at 9:00am (but does not cast shadows by 11:00am). The south facing façade of Marino House is in shadow in the morning until 3:00pm (due to the location of Block H), however the south elevation of Marino House does not contain any principal windows (windows limited to en-suite bathrooms and as such are less sensitive). Additional overshadowing of Compass House occurs from 3:00pm onwards but is limited to the car parks to the northeast and southeast. Compass House is in full shadow at 5:00pm in the existing and is not overly increased by the proposal.*
- 8.65 *The results for the halfway point between the equinox and mid-summer (7th August) are similar to the equinox results above. The proposal results in overshadowing of the east façade of Marino House until 9:00am (but free from overshadowing by 11:00am). The south façade of Marino House remains in shadow until 3:00pm. Overshadowing of Compass House occurs from 3:00pm onwards but this is predominantly limited to the western 'wing'. The results show that dwellings within Wellington Street are not affected by the proposed development during this period.*
- 8.66 *The results from the halfway point between the equinox and mid-winter (7th November) indicate the east facing façade of Marino House is in shade until 9:00am in the existing. Overshadowing of the south façade of Marino House increases by the proposed development between 11:00am and 1:00pm (and is already in full shadow from 3:00pm onwards due to the arrangement of existing buildings). Overshadowing to Compass House increases marginally in the afternoon from 1:00pm onwards, but is already in full shadow from 3:00pm onwards in the existing condition. Overshadowing to the dwellings within*

Wellington Street is marginally increased at 9:00am by the proposed scheme. From 9:00am onwards these dwellings are in shadows cast by the Grafton Centre car park 'drum'.

8.67 In conclusion, the submitted shadow studies indicate the proposed scheme will result in limited overshadowing of the east façade of Marino House in the morning but more significant overshadowing to the south elevation. However given the windows on the south elevation serve en-suite bathrooms the overshadowing impact is less significant. Overshadowing of Compass House is predominantly limited to the car parks and western 'wing'. Overshadowing of dwellings in Wellington Street is marginally increased by the proposal in the morning. The level of overshadowing resulting from the proposed scheme is acceptable.

Impacts on Florian house (consented scheme 12/0113/FUL)

8.68 The submitted shadow analysis included in the Skyline Assessment (Criterion 4: Amenity and Microclimate page 104 of the D&A Statement) and Overshadowing Study produced by WSP indicate the overshadowing impacts to the residential development located immediately to the north of Marino House and south of Wellington Passage (application ref: 12/0113/FUL). The results are presented as shadow plots for the equinox (21st March), halfway between the equinox and mid-summer (7th August) and halfway between the equinox and mid-winter (7th November) at 9:00am, 11:00am, 1:00pm, 3:00pm, 5:00pm and 7:00pm.

8.69 The results of the shadow study for the equinox (21st March) indicate that overshadowing to the east façade of the 12/0113/FUL flat block will be limited to the early hours (9AM) but is free from overshadowing by 11AM. The shadow plots for the afternoon (1PM, 3PM and 5PM) show that the east elevation of the flat block is overshadowed from the block itself.

8.70 The results for the halfway point between the equinox and mid-summer (7th August) are similar to the equinox results above. The proposal will result in overshadowing of the east façade of the 12/0113/FUL development at 9AM (but free from overshadowing by 11AM). The shadow plots for the afternoon (1PM, 3PM, 5PM and 7PM) show that the east elevation of the flat block is overshadowed from the block itself.

- 8.71 *The results for the halfway point between the equinox and mid-winter (7th November) indicate the east elevation of the flat block is in shadow at 9AM in the existing and proposed, but is free from shadow at 11AM. The shadow plots for the afternoon (1PM and 3PM) show that the east elevation of the flat block is overshadowed from the block itself.*
- 8.72 *In conclusion the proposed scheme would result in minor additional overshadowing impacts to the east elevation of the 12/0113/FUL development in the morning, but will be free from overshadowing by 11AM. Due to the minor nature of overshadowing a full BRE assessment would not be required nor has it been requested. Accommodation within the 12/0113/FUL development is arranged so that habitable rooms (living, kitchen and dining rooms) are located towards the rear (west) side of the block. Windows on the east elevation facing Severn Place are limited to the communal hallway and bedrooms and are therefore less sensitive to overshadowing impacts.*
- 8.73 Having reviewed the comments from the Councils Urban Design and Conservation Team I concur with the conclusions, that whilst there would be some impacts, these would be acceptable and would not be so significant as to justify a refusal of planning permission.

Noise and Disturbance (from residential and commercial uses proposed)

- 8.74 The proposed residential units would be sited directly opposite Florian House, Merino House and properties on Dukes Court. Currently the area to the east of these existing units is largely vacant and vehicular traffic can enter the site from Nelson Close/East Road onto Severn Place. The previous uses were retail and leisure and although the site is currently vacant, these uses could re-commence without the need for planning permission. I am of the opinion that a residential use, in terms of noise and disturbance would be more compatible with the existing residential uses to the west of the site.
- 8.75 In addition to this, the proposals would mean that Severn Place would be closed to vehicular traffic and a new through route created for pedestrians and cycles from Newmarket Road to Nelson Close/East Road (which is currently not possible). I

consider that this would reduce vehicular noise and disturbance in the immediate vicinity of the surrounding residents and would create an active pedestrian and cycle route which would enhance the living conditions.

8.76 The scheme also incorporates two ground floor commercial units (A1/A3 uses), one at the Sun Street end of the development which would be 35 sqm and the other at East Road end of the site which would be 116.7 sqm.

8.77 Given the central location of the development and also coupled with the fact that these would be 'new build' commercial units, I am satisfied that it would be possible to suitably extract the units so as not to cause a noise/odour issue for the existing residents. Signage and any lighting would require planning permission and/or advert consent in their own right and would be assessed separately. I have noted the Environmental Health Officer's comments relating to opening hours of the units and again, I am satisfied that this can be controlled by suitably worded conditions.

Loss existing of parking provision

8.78 Third party representations have been received relating to the loss of existing on street car parking particularly in relation to Merino House and Florian House. From my site inspection it appeared to me that this is 'informal' on street parking which is unrestricted and cost free, it is also available on an 'ad hoc' basis with no guarantee of a parking space being available. I am of the opinion that access to free and unrestricted parking such this is unusual for a town centre location of this nature and that the loss of this, whilst it would have an impact on the occupants of these properties, it would not amount to a loss of any allocated or assured parking for the residents of the surrounding area. When the loss of parking is balanced against the provision of the pedestrian/cycle thoroughfare and the introduction of a residential use to replace the existing leisure/retail uses (and re-use of the largely vacant site) I consider that this impact would be acceptable.

8.79 The proposals will have an impact on the amenity of the existing residents to the area. The question though, is not whether there would be *any* impacts but rather *whether these impacts would be acceptable*. Having considered the issues outlined

above, I am of the opinion that given the location of the properties, the context of the existing potential leisure and retail uses re-commencing and the creation of a pedestrian through route, and removal of the parking/vehicular traffic, that on balance, the impacts would be acceptable in this case.

- 8.80 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

Overlooking

- 8.81 The relationship between the new units themselves has been designed so as to minimise the overlooking between the new units and I am satisfied that this relationship is acceptable. I also consider that the separation distances are appropriate for the context.

Daylight/sunlight

- 8.82 A Daylight/sunlight analysis has been submitted in support of the application and the Council's Urban Design and Conservation Team have commented the cast shadow analysis indicates that at least half of the amenity spaces to the rear of Blocks A-G and the roof terraces are likely to receive the recommended minimum of 2 hours continuous sunlight on the 21st March, in accordance with the BRE Site Layout Planning for Daylight and Sunlight: A guide to good practice, 2011 Second Edition. I consider that as the analysis demonstrates that the proposals would comply with the BRE guidance that the scheme is acceptable in this regard.

Amenity Space

- 8.83 The Council's Urban and Conservation Design Team have commented that the proposed amenity spaces for each of the units are considered of a functional size. The communal gardens are a welcomed addition to the amenity provision on site. I concur with this view and consider that given the size of the units proposed and their central location that there is adequate access to sufficient amenity space for all of the units.

The amended proposals have also strengthened the boundary treatments to ensure maximum screening from the surrounding traffic noise.

Noise and disturbance (existing residential and proposed commercial at ground floor level)

- 8.84 The proposed residential units would be sited directly opposite Florian House, Merino House and properties on Dukes Court. The area to the front of the properties would become a pedestrian/cycle through route from Sun Street/Newmarket Road to Nelson Close/East Road. I am of the opinion the residential occupation of the site would be compatible with the existing residential uses.
- 8.85 I am mindful that the site occupies a busy location and that there is likely to be noise arising from traffic movements in the area. However, given the central location of the units I consider that this would be acceptable and would not be unduly harmful to the overall level of amenity enjoyed by the future occupiers of the site.
- 8.86 The scheme also incorporates two ground floor commercial units (A1/A3 uses), one at the Sun Street end of the development which would be 35 sqm and the other at East Road end of the site which would be 116.7 sqm.
- 8.87 Considering the central location of the development and also coupled with the fact that these would be 'new build' commercial units, I am satisfied that it would be possible to design suitable fume extraction units so as not to cause a nose/odour issue for the new or existing residents should these be required. Signage and any lighting would require planning permission and/or advert consent in their own right and would be assessed separately. I have noted the Environmental Health Officer's comments relating to opening hours of the units and again, I am satisfied that this can be controlled by suitably worded conditions.

Noise and disturbance and odour (existing commercial uses)

- 8.88 There are existing commercial uses to the north east of the application site which front onto Sun Street/Newmarket Road. One of these units is a restaurant (the Orchid) which currently

has an extract system at high level and has been in operation/use for some time.

8.89 The proposals would introduce a significant number of sensitive receptors into the area and the restaurant currently extracts in a way that the impacts arising from noise and odour would be not acceptable with so many new residential units in close proximity to the site, and sited at a higher level. Clearly when the extraction equipment was installed, it responded to the context of the site at that time, and it would not be reasonable to serve an abatement order on the Orchid Restaurant after granting planning permission for a significant number of sensitive new receptors, knowing that the extraction system currently in place would not adequately mitigate impacts for the new residents. The Council's Environmental Health Officer has raised concerns that a significant number of properties would be adversely affected and that the impacts arising from noise and odour should be mitigated at source, rather than relying on mechanical extraction for the new units which would affect the amenity of the new occupiers and would not address the use of outside spaces. I concur with this view.

8.90 In order to mitigate the impacts at source (eg to improve the extraction system in terms of odour abatement and reduce the noise), this would require the existing system to be assessed and any improvements to be carried out at the Orchid restaurant prior to works commencing on the application proposals. There are two potential ways to achieve this:

- To enter into a S106 agreement with the owners of the Orchid restaurant to undertake works required prior to commencement of the development (subject to securing planning permission for the works as appropriate).
- To apply for planning permission for the works and to implement this prior to commencement of the development.
- Both of these options will require a report to be produced and for the mitigation to be agreed by the LPA.

8.91 I am of the opinion that either of these options would satisfactorily mitigate the impacts of the existing commercial use and would adequately treat the noise and odour at source prior to the commencement of the development to ensure that the living conditions of the new occupants are acceptable.

- 8.92 The applicants have indicated their agreement to pursue either the S106 or planning permission to address the issues and which course is appropriate will depend on the owners of the Orchid restaurant and the findings of the reports into the existing extraction at the site.
- 8.93 The applicant's have agreed to waive the right to visitor parking permits for the new occupants of the flats and this will have an impact on the new residents of the scheme. However, I am of the opinion that any future occupants will be aware of this restriction prior to occupation and also given the town centre location of the site, that the impacts arising from this will be acceptable.
- 8.94 In my opinion subject to conditions and either a S106 agreement to secure works to the Orchid restaurant or the works being implemented on site (prior to commencement of works for this scheme) I am satisfied that the impacts relating to noise and odour from existing businesses can be adequately mitigated at source. Subject to this, I am of the opinion that the proposal would provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.95 The refuse arrangements have been subject to amendment since the scheme was originally submitted and the latest comments from the Waste Manager indicate that the initial concerns relating to the bin sizes, manoeuvrability of the bins and vehicle tracking data indicate that all of these concerns have been addressed. On this basis, I consider that there is adequate provision made for bin storage and collection at the site and the proposals would therefore, be acceptable in this regard.
- 8.96 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.97 The proposals would incorporate a new vehicular access to the northern end of the site which would provide an 'in' and 'out'

access to the basement car parking. Following clarification since the original submission of the application the vehicular access is now considered safe and functional by the Highway Authority and I concur with this view.

8.98 The Highway Authority have also reviewed the Transport Assessment and have accepted both the baseline data and anticipate trip generation and impact on the highway. This is also deemed to be acceptable and again, notwithstanding the concerns raised in the third party representations, I concur with this conclusion.

8.99 There is no objection to the principle of the creation of a pedestrian/cycle thoroughfare through the site and conditions relating to the surface treatments (cycle lanes) and the standard of construction (to adoptable standards) can be adequately controlled by conditions.

8.100 The third party representations have raised concerns about conflict between cyclists and vehicles in using the access to parking and also in relation to cyclists wishing to travel south-west along East Road or to St Matthews's Street from the junction between Severn Place with East Road. However, this issue has not been raised as a concern by either the Highway Authority, or the Walking and Cycling Officer and as such there are no grounds to resist the proposals on this basis.

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

Car and Cycle Parking

8.102 The car parking provision at the site is 51 spaces in total. 46 of these are provided at basement level under blocks A-G and a further 5 spaces are provided in the undercroft to Block H. The spaces are allocated as 13 for the affordable units and the remaining 38 for the other private units. I consider that this split can be secured and implemented by way of a suitably worded condition.

8.103 The Highway Authority have accepted this parking ratio of 1:60 as acceptable for the central location. I concur with this view and consider that the level of parking provision is appropriate. The parking standards set out maximum provision levels and I

am satisfied that given the central location of the development that the level of parking is acceptable.

8.104 The overall level of cycle parking for the site is 157 spaces, these are allocated as 129 residents spaces and 28 additional visitor/customer spaces.

8.105 The level of cycling provision has been accepted by the Walking and Cycling Officer as acceptable and I agree that in terms of quantum the proposals are acceptable. The proposed arrangement of the cycle parking has been amended since the original submission of the scheme and is now considered acceptable by the Walking and Cycling Officer. I concur with this view and consider that provision can be adequately secured by way of a condition.

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

Landscaping

8.107 A landscape strategy has been submitted with the scheme and the general approach of this is supported by the landscape officer, as is the inclusion of brown roofs. I agree with the conclusions of the landscape officer and consider that the details of these elements can be adequately controlled via conditions.

Third Party Representations

8.108 The third party representations have been addressed in the main body of the report and/or in the table below:

Issue	Response or paragraph reference
Design issues <input type="checkbox"/> Scale and Bulk - height <input type="checkbox"/> Materials <input type="checkbox"/> Density <input type="checkbox"/> Design	8.19 – 8.38
Increased vehicle movements/congestion	8.97 – 8.101
Parking provision	8.102 – 8.106
Loss of existing parking	8.78

Cycle provision & cyclists safety	8.102 – 8.106, 8.100
Highway Safety	8.97 – 8.101
Affordable housing provision is too low	8.9 – 8.18 & S106 agreement
Amenity issues (noise & disturbance, overlooking, daylight etc)	8.46 – 8.80
New developments dominated by investment properties	This is not a planning matter and cannot be afforded weight in the determination of the application.
Existing public art obscured	8.42, 8.43
Noise and disturbance in construction phase	Controlled by condition.
Increased use of area and associated noise and disturbance to existing occupants	8.74
Fire escape route	No objection from Fire Authority.
Overcrowding and antisocial behaviour and lack of natural surveillance	Police matter if materialises, there is nothing inherent in the design to indicate that this will occur. The police liaison officer has not raised any concerns relating to this issue after assessing whether the scheme is 'secure by design'.
Consultations not carried out widely enough	The application was advertised by way of a press and site notice and the owners/occupiers of the properties with a boundary that adjoins the application site were directly notified. The statutory requirements for consultation have been met.
The public consultation organised by the developers was poorly attended and poorly advertised.	This cannot be given significant weight in the determination of the application, the minimum requirements for public consultation by the developer have been met.
3d Plans are misleading and do not show Florian House	Revised plans submitted to update this.

Site visit should be undertaken by Officers and Members prior to a decision being made	The site has been visited by Planning Officers as is standard practice for all applications. There is no formal requirement for members to attend site.
Third party comments have been ignored	The third party comments are summarised in the report and have been addressed.
Shared/community space should be provided on the ground floor	There is no policy basis on which to require this.
Can the pedestrian link be realised – it is on highways land?	It is intended that the link will be adopted.
Developer is seeking financial benefit and is not considering the future well-being of existing residents.	Financial gain cannot be considered as part of the assessment and the development is assessed in terms of its impacts on existing residents. (paras 8.46 – 8.80)
How will waste lorries access the site	Swept path analysis submitted and deemed acceptable.

Planning Obligation Strategy

Planning Obligations

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

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

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing

Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing. 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

8.110 The development is required to make provision for open space and the request for specific projects to improve outdoor and indoor facilities is set out at paragraphs 6.113 – 6.125 via a financial contributions. I am satisfied that the projects and sums requested would meet the CIL tests and that the detail of this provision can be secured through a Section 106 Agreement.

Community Development

8.111 The development is required to make provision for community facilities and the request for specific projects to improve the provision of community facilities is set out at paragraphs 6.126 – 6.129 via a financial contribution of £50,000 above. The detail of the scheme can be secured through a Section 106 Agreement. I am satisfied that this request meets the CIL tests.

Education

8.112 I am in the process of liaising with service managers to establish whether there are deficiencies in the provision of education provision in the local area. If this can be established then there would be grounds for seeking commuted payments to secure improvements to these facilities. This process will take some time to resolve therefore I would request delegated authority from Committee to conclude discussions with service managers and to negotiate with the applicants and either:

- a) Secure commuted payments towards appropriate projects to mitigate the impacts of the development on local infrastructure

Or

- b) Accept that it is not appropriate to seek commuted payments towards some or all of the local infrastructure categories in this case because such contributions would not be compliant with the CIL Regulations.

Affordable Housing

8.113 The development is required to make provision for affordable housing and I have assessed the proposals for affordable housing in paragraphs 8.11 to 8.19 above. The detail of the Affordable Housing Scheme can be secured through a Section 106 Agreement.

8.114 Subject to the completion of a S106 planning obligation to secure the requirements of the Affordable Housing SPD (2008), I am satisfied that given the submission of the viability assessment and its subsequent independent review by BPS Chartered Surveyors that the level of provision is appropriate for the scheme. In my opinion it would not be possible to secure additional affordable housing provision through the current scheme and therefore, the proposal accords with Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008).

Other S106 requirements/or confirmation required before completing the S106

8.115 The following issues will need confirmation and/or inclusion in the S106 agreement.

- A negatively worded clause to ensure that the development does not commence until the developers have a freehold interest in the land at 1-7 Severn Place to ensure that the scheme and affordable element can be delivered.
- The noise and odour issue relating to the Orchid Restaurant will either need to be resolved before the grant of planning permission or a tri-party agreement entered into to secure the required works via the S106 agreement with an appropriate trigger point for the works to be completed (eg before commencement of the development)

- The inclusion of a 'clawback clause' within the S106 in the event that the scheme becomes profitable.
- Relinquish the visitor parking permits and to meet the costs of doing so.
- Residential Travel Plan

Planning Obligations Conclusion

8.116 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.

Other Matters

Land Ownership

8.117 Currently the site is only partially assembled in the applicant's ownership. Two semi-detached properties to the south east of the site (1-7 Severn Place) currently lie outside of the applicant's ownership and will need to be acquired by the applicants to deliver the scheme.

8.118 It is accepted that land ownership cannot be given significant weight in the determination of the application and is essentially a civil matter that the Council cannot compel the applicants to purchase the site. Planning permission also relates to the land and not the individual applying for permission which is how site which have not been fully assembled can be the subject of a planning application.

8.119 However, as this is a major application and as all of the affordable units are located in block H which would occupy the area which currently outside of the applicant's ownership it is considered a negatively worded clause in the S106 agreement to prevent commencement of development until the developer has a freehold interest on the land and can realise the development is appropriate. It would not be reasonable, in my opinion to complete a S106 agreement and issue planning permission without such a clause to ensure that the site has been acquired and the scheme is capable of being delivered in its entirety, including the affordable housing element (see also S106 requirements section above).

9.0 CONCLUSION

- 9.1 In the light of the preceding discussion it is concluded that this is a challenging site and that there are still issues that need to be resolved before the development of the site can be realised. The viability issues with the site and been independently reviewed and verified and I accept these findings. The impacts of the development and the benefits of the scheme are balanced, and I am of the opinion having weighed all of the factors that the proposals would be acceptable subject to conditions and S106 obligations being secured. Consequently the application is recommended for approval.

10.0 RECOMMENDATION

- 1) **APPROVE** subject to completion of the s106 Agreement, and imposition of the following conditions:

1. Start Date

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. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

-Detailed history of the site uses and surrounding area (including any use of radioactive materials)

-General environmental setting.

-Site investigation strategy based on the information identified in the desk study.

(b) A report setting out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

5. Implementation of remediation.

Prior to the first occupation of the development or (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material
- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development
- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

9. 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) 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/Demolition hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. Prior notice and agreement procedures for works outside agreed limits and hours.
- d) Delivery times for construction/demolition purposes shall be carried out between 0730 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
- e) Soil Management Strategy.
- f) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
- g) Maximum noise mitigation 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.
- j) Dust management and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition - supplementary planning guidance 2014
- k) Prohibition of the burning of waste on site during demolition/construction.
- l) Site lighting.
- m) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- n) Screening and hoarding details.
- o) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- p) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
- q) External safety and information signing and notices.
- r) Consideration of sensitive receptors.

- s) Prior notice and agreement procedures for works outside agreed limits.
- t) Complaints procedures, including complaints response procedures.
- u) Membership of the Considerate Contractors Scheme.

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

10. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted to and approved in writing by the local planning authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area.
(Cambridge Local Plan 2006 policy 4/13)

11. Noise assessment and mitigation - plant near new development

Part A

Prior to the commencement of refurbishment/ development works a noise report that includes the provisions of British Standard (BS) 4142:2014, Methods for rating and assessing industrial and commercial sound, which considers the impact of noise upon the proposed development shall be submitted in writing for consideration by the local planning authority.

Part B

Following the submission of a noise report and prior to the commencement of refurbishment/ development works, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) for protecting the residential units from noise from the neighbouring industrial use shall be submitted to and approved in writing by the local planning authority.

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area Cambridge Local Plan 2006 policy 4/13

12. Opening hours for commercial units

The opening hours to members of the public for the proposed commercial units shall only be between 07.00 hrs and 23.00 hrs Monday to Saturday and between 08.00 hrs and 22:00 hrs Sundays and Bank Holidays. The commercial units shall not be open to members of the public outside of these permitted times.

Reason: In order to safeguard residential amenity (Cambridge Local Plan policy 4/13)

13. Deliveries to Commercial Units

Collections and deliveries to the commercial units shall only be between the hours of 07.00 hrs and 21.00 hrs Monday - Saturday and 09.00hrs and 13.00 hrs on Sundays and Bank Holidays. The commercial units shall not be open for collections or deliveries outside of these permitted times.

Reason: In order to safeguard residential amenity (Cambridge Local Plan policy 4/13)

14. Renewables

Prior to the installation of the gas fired combined heat and power system, further information shall be submitted to and approved in writing by the local planning authority in relation to its technical specification, including emissions standards. The proposed on-site renewable and low carbon technologies shall then be fully installed prior to the occupation of any approved building and remain fully operational and maintained as such. The development shall be carried out in accordance with the submitted Sustainability Statement and Checklist dated 5 December 2014.

Reason: In the interests of sustainability, reducing carbon dioxide emissions and to protect human health (Cambridge Local Plan 2006 policies 3/1, 4/14 and 8/16)

15. Archaeology

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).

16. Fire Hydrants

No development shall commence until a scheme for the provision and location of fire hydrants to serve the development has been submitted to and approved in writing by the local planning authority. The development shall take place in accordance with the approved scheme.

Reason: To ensure the provision of adequate water supply infrastructure to protect the safe living and working environment for all users and visitors (Cambridge Local Plan 2006 policies 3/7, 3/12, 8/18 and 9/3).

17. Sample Panels

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

Reason: In the interests of the 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 policy 3/12).

18. Non-masonry walling systems

Full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing shall be submitted to and approved in writing by the LPA prior to their installation. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

19. Windows and doors

Full details of all windows and doors, as identified on the approved drawings, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the LPA prior to their installation. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

20. Boundary Treatment

The development shall not be occupied until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with 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).

21. Cycle Parking

The development shall not be occupied until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The 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).

22. Surface Water Strategy

The drainage works shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy of 20 November 2014.

Reason: To prevent environmental and amenity problems arising from flooding (NPPF 2012).

23. Within six months of the commencement of development, a Public Art Delivery Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:

- Details of the Public Art and artist commission;
- Details of how the Public Art will be delivered, including a timetable for delivery;

- Details of the location of the proposed Public Art on the application site;

- The proposed consultation to be undertaken with the local community;

The approved Public Art Delivery Plan shall be fully implemented in accordance with the approved details and timetable.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan 2006.

24. Prior to the occupation of the development, a Public Art Maintenance Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:

- Details of how the Public Art will be maintained;

- How the Public Art would be decommissioned if not permanent;

- How repairs would be carried out;

- How the Public Art would be replaced in the event that it is destroyed;

The approved Public Art Maintenance Plan shall be fully implemented in accordance with the approved details. Once in place, the Public Art shall not be moved or removed otherwise than in accordance with the approved Public Art Maintenance Plan.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan 2006.

25. The building shall not be occupied until the area identified on the approved plans for car parking has been drained and surfaced in accordance with details submitted to and approved by the local planning authority in writing and that area shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: To avoid obstruction of the surrounding streets and in the interests of highway safety and convenience. (Cambridge Local Plan 2006 policies 8/2 and 8/10)

26. Prior to the commencement of occupation, full details of the storage facilities for the separation of waste for recycling and composting within the individual flats shall be provided. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. Cambridge Local Plan 2006 policies 3/12 and 4/13

27. Prior to the commencement of the use hereby permitted, the on-site storage facilities for commercial waste, including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be set up and provided and shall include provision for a minimum of 50% recycling/organic capacity. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. Cambridge Local Plan 2006 policies 3/12 and 4/13

28. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

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

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

29. Details of any proposed floodlighting or external lighting shall be submitted to and approved in writing by the local planning authority before the buildings are occupied. Development shall be carried out in accordance with the approved details and thereafter retained as such.

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

30. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of all protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the development, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP).

Prior to commencement, a site visit will be arranged with the retained arboriculturalist, developer and LPA Tree Officer to agree tree works and the location and specification of tree protection barriers and temporary ground protection.

The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To ensure that the trees in the vicinity of the site are adequately protected in accordance with Policy 4/4 of the Cambridge Local Plan 2006.

31. The following details in respect of the new pedestrian and cycle through route shall be submitted to and approved in writing prior to surfacing works commencing on the of the route:

- details of all surfacing materials (to be to an adoptable standard)
- Street furniture (including but not limited to bins, lights, benches, planters etc)

Works shall then be completed in accordance with the approved plans prior to the first occupation of the development and shall thereafter be retained as such.

Reason: to ensure that the development has a satisfactory visual appearance and to ensure that the street can be completed to an adoptable standard in accordance with Policies 3/7, 3/4, 3/11 and 8/4.

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

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

33. 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)

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

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

35. The Construction Management Plan should be submitted and agreed prior to commencement of development and should include, travel plan measures for construction workers.

Reason: In the interests of Highway safety and neighbour amenity (Cambridge Local Plan Policies 3/4, 3/7, 8/3)

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

INFORMATIVE: No consent is granted or implied for the advertisement shown on the submitted plans, for which a separate application may be necessary.

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 at the City Council's website on <http://www.cambridge.gov.uk/ccm/content/environment-and-recycling/pollution-noise-and-nuisance/land-pollution.en>. Hard copies can also be provided upon request.

INFORMATIVE: The applicant is encouraged to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.

- 2) **Delegated Authority to negotiate and complete S106 requirements as detailed above.**
- 3) **In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development**