

Application Number	16/1088/S73	Agenda Item	
Date Received	14th June 2016	Officer	Mr Sav Patel
Target Date	13th September 2016		
Ward	Abbey		
Site	West's Garage 217 Newmarket Road Cambridge Cambridgeshire CB5 8HD		
Proposal	Section 73 application to vary condition 2 (approved plans) of permission 14/1154/FUL, allowed under appeal APP/Q0505/W/15/3137454, to permit a minor material amendment to the approved scheme to include the reconfiguration of the internal layout to create 7 additional study bedrooms (209 study bedrooms in total), reduction in the buildings footprint and cluster sizes, alterations to the substation enclosure and cycle parking arrangement, together with minor external alterations.		
Applicant	N/A C/O Agent		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed amendments to the approved scheme are considered to be acceptable in design and would result in a reduction in the overall massing of the development in the site; - The proposed amendments would not have any adverse impact on the residential amenity of the surrounding neighbours compared to the approved scheme; - The proposed amendments would improve the living environment for
-----------------------	--

	future occupiers.
RECOMMENDATION	APPROVAL

- 1.1 The site is a roughly rectangular site of 0.36 ha at the corner of Newmarket Road and River Lane. It has been occupied since the 1950's by a motor vehicle business. Vehicle repair operations on this site have gradually diminished in favour of vehicle sales. The desire to create additional vehicle sales space lies behind the present site owners' wish to relocate.
- 1.2 The site is not allocated in the Cambridge Local Plan (2006), nor in the Cambridge Development Plan 2014 Draft Submission. It lies within the area of the Eastern Gate SPD, and within the Eastern Gate Opportunity Area in the Draft Submission. The site is surrounded on three sides by residential development to the north, east and west. The site fronts onto Newmarket Road which is an arterial route into and out of Cambridge and is characterised by a mix of commercial buildings of various sizes. Directly opposite the site is a Premier Inn hotel and Travelodge hotel which are six and five storeys, respectively.
- 1.3 The site falls outside any conservation area, but the boundary of the Riverside section of City of Cambridge Conservation Area No.1 (Central) runs along the western and northern boundaries of the site. There are three rowan trees just outside the northeast boundary of the site (within land owned by the City Council) which are protected by their position within the conservation area.
- 1.4 The site falls within the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The application seeks to vary condition 2 (approved plans) of planning permission ref: 14/1154/FUL. This planning permission was approved at appeal for a development which is known as the HUB scheme. I have attached a copy of the Inspector's decision notice in appendix 1 for reference. The Inspector allowed the appeal for the erection of new student housing (202 study bedrooms) and associated communal facilities, cycle parking, and external landscaping following demolition of the existing buildings.

2.2 The proposal is to vary the approved plans condition (2) to allow minor material amendments to the approved scheme. The proposed amendments consist of the following:

- Reconfiguration of the internal layout to create 7 additional study bedrooms (209 in total);
- Reduction in the building footprint and cluster sizes;
- Alterations to the substation enclosure;
- Alterations to the cycle parking arrangements;
- External alterations to the fenestration elevations facing Newmarket Road

2.3 The applicant is seeking to make these proposed amendments as they feel it would improve the HUB scheme which was designed by a different architect. However, if consent is not granted for the proposed amendments then the HUB scheme is their fall back option. However there is another application that is running concurrently with this application which is a hybrid scheme (16/1030/FUL). Both applications will be considered at the same time at Planning Committee. The hybrid scheme is a combination of the HUB scheme and a new proposal. The new proposal was considered by Officer in planning application 15/2316/FUL before it was withdrawn prior to it being presented to Planning Committee. The current hybrid scheme consists of some alterations to the withdrawn scheme which was supported by Officers.

2.4 The application was originally accompanied by the following supporting information:

1. Cover letter
2. Design and Access Statement
3. Plans

2.5 On 29 July 2016, the applicant, in response to third party representations, provided additional plans to clarify concerns about the ground level and height of the development.

2.6 More recently, concerns have been raised regarding the detail of the north western and comparative building heights from the rear gardens of Godesdone Road. With regards to the north-west boundary issue, concerns have been raised regarding the accuracy of the boundary wall between 20 and 20a Godesdone

Road, the existing historic school wall and garage block. The applicant's topographical survey lacks detail in this location. Whilst this issue does not prevent me from assessing the proposed development and its impact on the surrounding environment, I made the applicant of this issue. They have advised me that they will be carrying out a survey of this specific boundary and submit it for clarification. To date, I have not received this, so I will either update the amendment sheet or present the survey plan in my presentation.

3.0 SITE HISTORY

3.1 There is extensive history on this site in connection with the garage use, stretching back from 2006 to the 1960's, but the only relevant previous application is shown below.

Reference	Description	Outcome
13/1780	The erection of new student housing (257 study bedrooms) and associated communal facilities, cycle parking, and external landscaping following demolition of the existing buildings.	Withdrawn
14/1154/FUL	The erection of new student housing (202 study bedrooms) and associated communal facilities, cycle parking, and external landscaping following demolition of the existing buildings.	Refused – Appeal allowed
15/2316/FUL	Erection of student accommodation with 195 student rooms (following the demolition of existing buildings), together with ancillary accommodation comprising common/study rooms, laundry room, management office, plant room, bin and bicycle enclosures,	Withdrawn

landscaping and associated infrastructure including a sub-station.

16/1030/FUL Erection of student accommodation with 219 student rooms (following demolition of existing buildings), together with ancillary accommodation comprising common / study rooms, laundry room, management office, plant room, bin and bicycle enclosures, landscaping and associated infrastructure including a sub-station. Pending

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, 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 3/4 3/7 3/8 3/11 3/12 3/13 4/4 4/11 4/13 4/14 7/10 8/2 8/3 8/6 8/9 8/10 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>CIL</p>
<p>Supplementary Planning Guidance</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</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>Arboricultural Strategy (2004)</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>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>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
	<p><u>Area Guidelines</u></p> <p>Cambridge City Council (2002)–Eastern Corridor Area Transport Plan</p> <p>Riverside and Stourbridge Common Conservation Area Appraisal (2012)</p> <p>Newmarket Road Suburbs and Approaches Study (October 2011)</p>

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, the following policies in the emerging Local Plan are of relevance:

22 Eastern Gate Opportunity Area

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 No objections to the proposal in terms of impact upon highway network.

Environmental Health

6.2 Raise no objection to the scheme subject to the imposition of conditions and informatives:

Conditions/informatives:

- Construction hours;
- Collection during construction;
- Construction/demolition noise/vibration & piling;
- Dust;
- Contaminated land;
- Plant noise insulation;
- Noise insulation;
- Ventilation;
- Artificial lighting;
- CHP boiler;
- Concrete crusher informative;
- Substation informative;
- Housing informative;
- Furnace/boiler informative.

Urban Design and Conservation Team

6.3 The proposal is acceptable subject to conditions as set in planning application 14/1154/FUL and the following detailed comments:

Internal layout changes to create 7 additional study bedrooms

6.4 The changes are acceptable in design terms.

Reduction in building footprint and cluster sizes

6.5 The reduction to the building footprint results in a minor increase to the size of the courtyard which is acceptable in design terms.

6.6 The footprint reduction will also result in a minor reduction to the overall scale and massing of the proposals from within the courtyards although it will be imperceptible given the overall form of the proposals and will not impact on the external street elevations.

Alterations to the substation enclosure and cycle parking arrangements

6.7 The reduction in the sub-station footprint and reconfiguration of the cycle parking which results in the minor increase in the courtyard area is acceptable in design terms. The extension of the Common Room along the Newmarket Road elevation improves the potential for activity and surveillance of the street. Care needs to be taken how to manage this aspect and ensure the privacy of Common Room users.

6.8 The City Council Cycling & Walking Officer may well have comments regarding the acceptability of the cycle parking.

Minor external alterations

6.9 The reduction in the footprint and the cluster sizes results in minor changes to the positioning of the recesses along River Lane.

6.10 The pairing of windows on the northern section of the 2 and 3 storey blocks has been changed to single windows with a corresponding increase in the proportion of brick wall at the southern end. Windows to the setback upper storey on Newmarket Road have also reduced in number from 7 to 6. Overall the changes to the elevations are considered to be acceptable in design terms.

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

7.0 REPRESENTATIONS

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

- 12 Godesdone Road;
- 18 Godesdone Road;

7.2 The representations can be summarised as follows:

- The proposal to reconfigure the plant and substation may render the noise impact assessment associated with the consented scheme inapplicable – this is of concern to local residents;
- The rear elevation suggests the height of the buildings that back onto Godesdone Road has increased relative to other structures;
- The proposal is not compliant with local guidelines on multiple counts;
- This scheme is marginally less unacceptable than the full application (16/1030/FUL);

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

8.0 ASSESSMENT

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

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

10. Planning Obligations (s106 Agreement)

Context of site, design and external spaces

- 8.2 This application seeks to vary condition 2 (Approved Plans) of the HUB scheme (14/1154/FUL) which was approved at appeal subject to conditions. I set out below my assessment of the proposed amendments.

Reduction in building footprint

- 8.3 The proposed footprint of the building has been reduced in width on three sides by 2 metres. This would only be noticeable from within the internal Courtyard which would be increased. The approved development consists of two elements, a 'U' shape element which is the main building which fronts Newmarket Road to the south, extends north along River Lane before turning into the site adjacent to the access for the garages and properties on River Lane. The second element is a smaller block which is located adjacent to the middle of the western boundary and behind the gardens of the properties (4 to 16) in Godesdone Road. This smaller block has also been reduced in width by 1.4 metres from its original width.
- 8.4 In my view the reduction in the width of the footprint from that approved is acceptable as it would not be noticeable from the public realm and would increase the amount of internal courtyard space for future occupiers.

Creation of 7 additional student rooms and reduction in cluster sizes

- 8.5 The creation of seven additional student rooms is acceptable. The uplift in units would not appear noticeable from the public realm or significantly affect the external appearance of the approved building.
- 8.6 The reduction in cluster size from 7 and 8 bedrooms to 4, 5 and 6 bedrooms is acceptable as it is comparable with other similar schemes that have been approved in the City. The rooms have been reduced in size from 14sqm to 13-13.5sqm. Whilst the rooms have been reduced in overall size, they are proposed to be wider than the rooms in the HUB scheme; 2.6 metres wide instead of 2.3 metres wide. As part of the HUB scheme, ARU

confirmed in a letter, their support for rooms which are of a similar size to that proposed. Therefore, the smaller cluster size and better proportioned rooms are acceptable alterations to the approved scheme and would not have a material adverse impact on the external appearance of the building. In any event the Council does not have any planning policies that set out a minimum size for student units.

Alterations to the Newmarket Road elevation

- 8.7 The Newmarket Road elevation has been increased in width by 1 metre. The increase in width would bring the building closer to the adjoining furniture store at 193 to 213 Newmarket Road. This is acceptable in terms of design and impact on the street scene. The additional increase would not in my view be materially noticeable.
- 8.8 The internal layout of the Newmarket Road section of the scheme is also proposed to be revised, mainly at ground floor level. In the Hub scheme, the ground floor consists of a common room (which dominated the main floor space), a separate office/reception facing the corner of Newmarket Road and River Lane, cycle parking for 67 bikes, four study rooms with communal kitchen, dining and living room, and a substation. The Hub scheme contained three louvre sections which served the substation and cycle store.
- 8.8 The proposal seeks to replace the study rooms and communal room with a plant room and reconfigured cycle store. The substation would also be reduced in size. These internal revisions would increase the amount of clear opening along the ground floor facing Newmarket Road from three to one louvre section serving the substation. This would increase the active frontage which would result in a better relationship with Newmarket Road.
- 8.9 The following amendments are proposed for the Newmarket Road elevation:
- Removal windows in the first and second floor closet to west boundary;
 - Reduce windows in the set back section from 7 to 6 windows;

- Increased in the size of glazed sections serving the common room;
- Two clear glazed panels serving the cycle store;
- Reduced width of third floor set back section compared to HUB scheme.

8.10 Having assessed each amendment, I am satisfied that this is acceptable as it would in my view improve the overall appearance of the scheme. The Urban Design and Conservation Team has also raised no issues with the revisions.

Alterations to the River Lane elevation

8.11 The proposed alterations consist of widening the recessed windows on the ground floor which serve study rooms and replacing the double stack windows with single stack windows in the three storey section furthest from Newmarket Road and at the end of the two storey section.

8.12 These amendments are acceptable in design terms.

Alterations to the courtyard elevation facing River Lane

8.13 The only alterations to this relate to the pattern of glazing to a more consistent arrangement, increasing the size of the windows serving communal rooms and reduction in the encroachment of the retaining wall. These are alterations which would not be visible from the public realm. Nevertheless, they are acceptable as they make the fenestration of the courtyard elevation more consistent in terms of its arrangement and improve of the communal rooms. The pulling back of the retaining wall for the lower ground floor element would result in the removal the plant room and bin store. This leftover space would be given over to additional courtyard space. This is an improvement.

Alterations to the Godesdone Road facing elevation

8.14 The only alteration to the west elevation relates the pavilion block. The proposal is to reduce the size of the zinc panel between the two pairs of pitched roofs in order to suit the revised internal arrangements. The panel in the HUB scheme is much wider and the proposal is to reduce its width. This would

result in the pavilion block reducing in width. These amendments are acceptable as they would not have a detrimental impact on the external appearance of the development.

Alterations to the Rowlinson Way facing elevation

- 8.15 The proposed alterations consist of the removal of the first floor window on the flat roof section adjacent to the pitched roof block and installation of double louvre panels in three of the four gable bays. The louvre panels would serve the cycle and bin store. The proposal alteration also includes the new wall that would run parallel with Rowlinson Way and contain a double door which would provide access to the cycle and bin store from off River Lane. The wall would be between 1.2 metres and 2 metres in height. The lowest part of the wall would be that section nearest River Lane. The wall would be set back from the main building by 1.1 metre.
- 8.16 The proposed alterations to the fenestration of the Rowlinson Way elevation is considered to be acceptable and would in my view result in an improvement on the HUB scheme. The proposal to wall and gate is also considered to be acceptable as it would provide a dedicated access to the cycle and bin storage area.
- 8.17 Overall, the proposed alterations are acceptable and would improve the external appearance of the HUB scheme. The proposal does not include any alterations to the heights of the HUB scheme. In my opinion therefore, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and the Eastern Gate Development Framework SPD (2011).

Public Art

- 8.18 The Inspector for the HUB scheme agreed for public art to be conditioned (see conditions 26 and 27) so that it can be provided on site. I have therefore recommended an identical condition.
- 8.19 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

- 8.20 The renewable energy strategy is not affected by the proposed amendments and the applicant has satisfied policy 8/16 in terms of the provision for renewable energy through the use of photovoltaics, combined heat and power and air source heat pumps.
- 8.21 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.22 The arrangements for access for disabled people are unchanged by the amended plans.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.24 The proposed alterations would not result in any adverse impact on the residential amenity of the surrounding occupiers over and above that which they would experience from the HUB scheme. The proposed alterations would not increase the levels of overlooking, overshadowing (including the levels daylight and sunlights) or overbearing on surrounding occupiers. I am therefore satisfied the proposed alterations are acceptable in this regard.
- 8.25 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.26 The proposed alterations would result in the study rooms becoming slightly smaller. However, the overall proportions of the rooms would be an improvement. The future occupiers

would also have access to more communal space within the centre of the site and a larger common room.

- 8.27 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12 (or 3/14).

Refuse Arrangements

- 8.28 The arrangements for storage and consequent impact on frequency of collections of refuse are not changed by the amendments. I have recommended the same conditions as were applied to the HUB scheme (reference 14/1154/FUL).
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.30 The Highways Engineer has not raised any concerns about highway safety in relation to the amendments. I have recommended the same informatives as were applied to the HUB scheme (reference 13/1461/FUL).
- 8.31 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.32 There has been no change to the car parking. The HUB scheme did not provide any car parking on site. Parking spaces for use by disabled people are to be provided on River Lane.

Cycle parking

- 8.33 The cycle parking provision in the HUB scheme was acceptable. Whilst the proposal does seek to alter the layout of cycle parking within the development, the overall amount of cycle parking has not changed. The revised layout of the cycle parking results in two main cycle storage areas which combined

would accommodate 194 (110 + 84) spaces. The Cycle Officer has not commented on this application. I will add the Officers comments onto the amendment sheet or orally at the Committee meeting.

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

Third Party Representations

8.35 I have listed the issues raised below and indicate my assessment of them.

Representation	Response
The proposal to reconfigure the plant and substation may render the noise impact assessment associated with the consented scheme inapplicable – this is of concern to local residents;	I have recommended a plant noise condition to ensure details of the type of plant and noise levels are submitted for consideration. The same condition was imposed by the Inspector for the HUB scheme and is an appropriate way to mitigate any potential impact. (Sav please check)
The rear elevation suggests the height of the buildings that back onto Godesdone Road has increased relative to other structures;	There is a noticeable difference in the height but the applicant has confirmed that the proposed amendment do not include any changes to the heights of the HUB scheme. The explanation of this is that the architect for the HUB scheme is different to the architect for the current application. This has resulted in a slight variation in appearance of the plans. However, I am satisfied that the applicant is not seeking to increase the heights of the buildings.
The proposal is not compliant with local guidelines on multiple counts;	The proposed amendments do not conflict with any of the adopted Local Plan policies

	and SPD.
This scheme is marginally less unacceptable than the full application (16/1030/FUL);	In my view the scheme is a slight improvement on the HUB scheme.

Planning Obligations (s106 Agreement)

8.36 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is

- (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.

8.37 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.

8.38 As the proposal is to vary the extant planning permission (14/1154/FUL) which included planning obligations for 202 student rooms, the applicant has agreed to enter into a new s106 agreement which takes into account the uplift of seven additional rooms (209 room). The identified projects are the same as those agreed in the HUB application. I have therefore amended the figures to reflect the uplift in room numbers in the below tables.

Table 1 Open Space

1	Is any on-site facility proposed to mitigate the development?	No
2	Could the extra demands created by the new development be mitigated by the existing capacity of nearby facilities?	<p>It is likely that there will be an Increased demand for informal games and recreation including basketball, 5 aside football. The current nearby facilities operate as follows:</p> <p>AGS 04 Ditton Fields 53% Quality P&G 22 Coldhams Common 59% Quality P&G 20 St Matthew's Piece 59% Quality CEM 13 Abbey Church 53%</p>
3	Is a mitigation project is proposed at a specific nearby location?	<p>Coldham's Common demonstrates a well-placed site 81% but with a low offer of 49%. Any collected S106 would be used to enhance the sites offer.</p> <p>Access improvements to include new benches, bins, noticeboards, interpretation boards, footpath surfaces signs.</p> <p>Tree planting and new boundary treatments ie hedges</p> <p>Fencing to segregate cattle to create new areas for recreation.</p>
4	How much S106 funding is requested from the developer?	£50,578 Calculated as 209 no 1 person rooms @ £242 per unit = £50,578.

5	Have any contributions for this specific project been agreed since 6 April 2015?	TBC
---	--	-----

Table 2 Indoor Sports Facilities

1	Is any on-site facility proposed to mitigate the development?	No
2	Could the extra demands created by the new development be mitigated by the existing capacity of nearby facilities?	It is anticipated that students would be attending more activities at Abbey Sports Centre & Gym, Cambridge Parkside Pools and Kelsey Kerridge. Therefore the demand on the centres will be growing especially for sports hall team games at Kelsey Kerridge, along with gym and exercise class based activities at all three sites.
3	Is a mitigation project is proposed at a specific nearby location?	Kelsey Kerridge – all prices currently estimated <ul style="list-style-type: none"> <input type="checkbox"/> Studio conversion & more gym equipment - £55,000 <input type="checkbox"/> Contribution towards Projectile room conversion - £120,000
4	How much S106 funding is requested from the developer?	£56,221 (Approved figure £54,338) Calculated as 202 no 1 person units @ £269 per person = £54,338 (7 x £269 = £1,883 + £54,338) £56,221
5	Have any contributions for this specific project been agreed since 6 April 2015?	TBC

Table 3 Outdoor Sports Facilities

1	Is any on-site facility proposed to mitigate the development?	No
2	Could the extra demands created by the new development be mitigated by the existing capacity of nearby facilities?	<p>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</p> <p>Logans Meadow As a site this is very near to the development accessed by the new foot and cycle bridge. The pitch is currently designated as a colts pitch but it is highly likely the playing area would be used by students from the accommodations as a local training ground for any teams, and for recreational games which could impact on the wear and tear and reduce the quality of the playing surface for junior games, therefore better pitch drainage and works to improve the pitch even an artificial surface could be considered. There is limited space to add any pavilion facilities on the meadow which may be prohibitive as it is on a flood plain, but the contribution could be used to create changing facilities in the nearby Scouting building.</p>
3	Is a mitigation project is proposed at a specific	Logans Meadow - contribution towards:

	nearby location?	<input type="checkbox"/> Artificial Training pitch - £50,000 <input type="checkbox"/> Training pitch improvements and drainage - £35,000 <input type="checkbox"/> Changing rooms at Scout facility - £80,000
4	How much S106 funding is requested from the developer?	£49,742 Calculated as 202 no 1 person units @ £238 per person = (7 x £238 = £1,666 + £48,076) £49,742.
5	Have any contributions for this specific project been agreed since 6 April 2015?	TBC

8.39 In the event that the identified specific projects, for which S106 contributions are agreed and received, are not delivered the Council will be required to re-pay the commuted sum payments.

8.40 The following table is a summary of the s106 contributions that will be requested in relation to this development:

Table 6 Summary

Open Space	£50,578
Play Space	N/A – cannot seek contributions for schemes providing student accommodation
Indoor Sports	£56,221
Outdoor Sports	£49,742
Community Facilities	N/A – cannot seek contributions for schemes providing student accommodation

8.41 Subject to the completion of a S106 planning obligation I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8, 5/14 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Transport

8.42 The County Council has recommended that a contribution of £120,000 should be made for the installation and maintenance of a crossing facility on Newmarket Road to be located between Abbey Walk and Cheddars Lane to facilitate movements to and from the development to the south side of Newmarket Road including the retail park and Anglia Ruskin.

8.43 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Other Planning Obligations

8.44 The following will also need to be secured via a S106 agreement as set out in the report and consultee responses:

- Travel Plan
- Student Management Plan
- Management/monitoring of student car ownership
- Occupancy restriction

Planning Obligations Conclusion

8.45 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. The appeal Inspector also accepted the S106 requirements in relation to the refused scheme (14/1154/FUL) which were very similar to those requested for this application and as such the nature of the requests are considered appropriate.

9.0 CONCLUSION

- 9.1 The proposed alterations to the extant planning permission (14/1154/FUL) which was for 202 unit student accommodation development, are considered to be acceptable. The additional 7 room uplift would not be significantly noticeable as it would not affect the scale or massing of the approved HUB scheme. The proposed external alterations are acceptable in design terms and would not have a detrimental impact on the residential amenity of the surrounding neighbours. The amendments would in my view improve the appearance of the approved HUB scheme.

10.0 RECOMMENDATION

APPROVE subject to completion of the s106 Agreement and the following conditions:

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
1. The development hereby permitted shall be begun before the expiration of three years from the date when 14/1154/FUL was approved by the Inspector (18 March 2016).

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 set 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. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

10. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

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

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

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

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

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy4/13

13. Before the development/use hereby permitted is occupied, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced and retained thereafter.

14. 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 and a completion report submitted prior to the occupation of the residential or other noise sensitive development. The approved scheme shall remain unaltered in accordance with the approved details.

15. Prior to the commencement of development/construction, details of an alternate ventilation scheme to open windows for the student accommodation shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall source air from the rear of the development away from the road. The ventilation scheme shall achieve at least 2 air changes per hour.

The scheme shall be installed before the use hereby permitted is commenced and shall not be altered.

Reason: To protect human health in accordance with policy 4/13 and 4/14 of the Cambridge Local Plan (2006).

16. Prior to the installation of any lighting an external artificial lighting assessment and scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken (horizontal / vertical isolux contour light levels and calculated glare levels) . Artificial lighting on and off site shall meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals - Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

The artificial lighting scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

17. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

18. 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 are to be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to any variation in writing.

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

19. 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 local planning authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to any variation in writing.

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

20. 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).

21. 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)

22. The development shall not be occupied until a plan for the future management of the proposed street trees has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to thereafter.

Reason: To secure adequate replacement trees (Cambridge Local Plan 2006 policies 3/7 and 4/4)

23. The development shall not be occupied until a programme for the planting of the proposed street trees in River Lane and Rowlinson Way has been agreed with the local planning authority. Tree planting shall be implemented in accordance with the agreed plan.

Reason: To ensure the provision of suitable replacement trees. (Cambridge Local Plan 2006 policy 4/4)

24. Prior to the commencement of the development, full details and plans for the on-site storage facilities for waste and recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. Details should include the on-site storage facilities for waste, including waste for recycling, the storage facilities for the separation of waste for recycling and composting within the individual student flats/clusters, and the arrangements for the disposal of waste detailed; these arrangements shall subsequently be 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 ensure appropriate arrangements for waste storage and collection. (Cambridge Local Plan 2006 policy 3/12)

25. The development hereby approved shall not be occupied until an operational management plan for the site, which provides details of site management, security, delivery handling, waste collection management, litter control and term end pick-up and drop-off arrangements has been submitted to and approved in writing by, the local planning authority. Occupation of the site shall take place only in accordance with the approved management plan.

Reason: To protect the amenity of neighbouring occupiers and highway users, and to ensure efficient operation of the highway network and protect highway safety. (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/12 and 8/2)

26. 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.

27. 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

INFORMATIVE: Demolition/Construction noise/vibration report

The noise and vibration report should include:

a) An assessment of the significance of the noise impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 1 Annex E - Significance of noise effects. It is recommended that the ABC method detailed in E.3.2 be used unless works are likely to continue longer than a month then the 2-5 dB (A) change method should be used.

b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 2 Annex B - Significance of vibration effects.

If piling is to be undertaken then full details of the proposed method to be used is required and this should be included in the noise and vibration reports detailed above.

Following the production of the above reports a monitoring protocol should be proposed for agreement with the Local Planning Authority. It will be expected that as a minimum spot checks to be undertaken on a regular basis at site boundaries nearest noise sensitive premises and longer term monitoring to be undertaken when:-

- Agreed target levels are likely to exceeded
- Upon the receipt of substantiated complaints

-At the request of the Local Planning Authority / Environmental Health following any justified complaints.

Guidance on noise monitoring is given in BS 5228:2009 Part 1 Section 8.4 - Noise Control Targets and in Annex G - noise monitoring.

A procedure for seeking approval from the Local Planning Authority (LPA) in circumstances when demolition/construction works need to be carried out at time outside the permitted hours. This should incorporate a minimum notice period of 10 working days to the Local Planning Authority and 5 working days to neighbours to allow the Local Planning Authority to consider the application as necessary. For emergencies the Local Planning Authority should be notified but where this is not possible the Council's Out of Hours Noise service should be notified on 0300 303 3839.

Contact details for monitoring personnel, site manager including out of hours emergency telephone number should be provided.

INFORMATIVE: To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 2014 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into a noise assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%2008%20July%202014_0.pdf

INFORMATIVE: Notification to the Environmental Growth and Quality team will be required under the Environmental Permitting Regulations if an on-site concrete crusher will be used during the demolition stage.

INFORMATIVE: Electricity substations are known to emit electromagnetic fields. The Radiation Protection Agency has set standards for the release of such fields in relation to the nearest premises. The applicant should contact The National Grid EMF unit on 0845 702 3270 for advice regarding the electric/magnetic fields that are associated with electric substations.

INFORMATIVE: The site investigation, including relevant soil, soil gas, surface and groundwater sampling should be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling, analysis methodology and relevant guidance. The Council has produced a guidance document to provide information to developers on how to deal with contaminated land. The document, 'Contaminated Land in Cambridge- Developers Guide' can be downloaded from the City Council website on <https://www.cambridge.gov.uk/land-pollution>. Hard copies can also be provided upon request

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

INFORMATIVE: Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m³ or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

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 Housing Act 2004 introduces the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

The applicant/agent is advised to contact housing standards at Mandela House, 4 Regent Street, Cambridge and Building Control concerning fire precautions, means of escape and the HHSRS

INFORMATIVE: It is a requirement of the Clean Air Act 1993 that no furnace shall be installed in a building or in any fixed boiler or industrial plant unless notice of the proposal to install it has been given to the local authority. Details of any plant to be installed should be provided using the Chimney Height Calculation form (available here: <https://www.cambridge.gov.uk/chimney-height-approval>)