

Application Number	17/2037/FUL	Agenda Item	
Date Received	27th November 2017	Officer	Michael Hammond
Target Date	26th February 2018		
Ward	Petersfield		
Site	87 East Road Cambridge CB1 1BX		
Proposal	Demolition of existing workshop and erection of 34 no. student studios above an A1 (65sqm) and an A1/A2/A3 unit (110sqm) with associated cycle and bin storage.		
Applicant	Mr Robert Corcoran C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The principle of student studio units is considered acceptable; <input type="checkbox"/> The proposed development would be in keeping with the character of the area. Computer generated images have been produced to demonstrate the additional height above the '4 + 1' suggested height in the Eastern Gate SPD (2011) would not appear overly dominant within the street scene; <input type="checkbox"/> The proposed development would not harm the amenity of surrounding occupiers; and <input type="checkbox"/> The proposal would provide an acceptable living environment for its future occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is formed of a single-storey building and large area of hardstanding as a car showroom known as Motor Ace Sales. The existing building is painted brick with a flat roof. There is a vehicular access into the site from East Road.
- 1.2 Immediately to the north of the site is the recently completed student development at nos.91 – 93 East Road, known as Mallory House, which is a five storey building accommodating 33 student studios. To the east of the site is the Mackays metalwork workshop building. To the south-east there are the two-storey terraced properties of Parkers Terrace. To the south is the Mackays Power Tool Centre.
- 1.3 East Road is situated to the west of the site and beyond the road to the north-west is Compass House and further to the south-west is the Grafton Centre. The large roundabout and underpass between Newmarket Road, East Road and Elizabeth Way Bridge is positioned to the north of the site.
- 1.4 The site is not within but is close to the Central Conservation Area. The north-east corner of the application site is approximately 41m away from the edge of the Central Conservation Area where it wraps around the Elizabeth Way roundabout at its nearest point.
- 1.5 The site falls within the New Street/ Newmarket Road Site Allocation (7.01) area. The site also falls within the Air Quality Management Area. The site falls within the Eastern Gate Development Framework Supplementary Planning Document (2011) area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the demolition of the existing workshop and erection of 34 student studios above commercial units (retail/ professional services and/or restaurant/ café) with associated cycle and bin storage.
- 2.2 The proposed building would be a total of six storeys, with the upper-storey set back from the frontage of the building. This is commonly referred to as '5 +1' in terms of defining the scale. The proposed building would occupy the full footprint of the plot

and would be constructed predominantly in brick with a zinc flat roof.

- 2.3 The ground-floor would be occupied by a retail (A1) unit measuring approximately 65m² in floor area and a retail/professional service and/or restaurant/ café (in the alternative) unit measuring approximately 110m². There would be a secure cycle store at ground-floor level.
- 2.4 The upper-floors of the proposed development would be occupied by the 33 student studios, as well as a laundry and common room. There would be a communal roof top terrace on the fifth floor. The smallest studio units measure 22.8m² and the largest studio unit measures 33.6m².
- 2.5 The application has been the subject of pre-application discussions. The overall height of the proposed development is approximately 0.75m lower than that of the previously permitted development (12/1321/FUL) on this site. The form, massing and design of the proposed development differ from that of the previous approval, particularly at eaves level where it is now higher.
- 2.6 The application is accompanied by the following information:
1. Drawings
 2. Design and access statement
 3. Planning statement
 4. Acoustic assessment
 5. Ecology report
 6. Flood risk assessment and drainage strategy
 7. Ground investigation report and phase one desk study
 8. Transport statement
 9. Travel plan
 10. Sustainability Statement
 11. Energy Statement
 12. Air quality statement

3.0 SITE HISTORY

Reference	Description	Outcome
12/1321/FUL	The erection of 11 no. two bed flats, 206 sq m of food and drink (A3) together with associated	Approved (see paragraph

	cycle parking and bin storage following demolition of existing single storey workshop.	3.1)
12/0758/FUL	Erection of 11no. 2 bed flats over 206sqm commercial floorspace (A3) with associated cycle parking and bin storage following demolition of existing single storey workshop	Withdrawn
09/1152/EXP	Extension of time for implementation of C/04/0440/FP (erection of 3 one bedroom flats and 7 two bedroom flats over ground floor restaurant)	Refused 10/03/10
C/04/0440/FUL	Erection of 3no. 1 bed flats and 7no. 2 bed flats over ground floor restaurant.	Approved 20/10/04
C/03/1183	Erection of 3no. 1bed flats and 7no. 2bed flats over ground floor restaurant	Withdrawn

3.1 Planning application reference 12/1321/FUL was recommended by officers for refusal to the Planning Committee meeting of 09/01/2013. The originally recommended reasons for refusals were as follows:

1. The proposed development, by virtue of the height, massing and proximity of the building to the boundary with 1 Parker Terrace and adjoining houses, would be likely to result in a significant degree of enclosure and dominance of building form to the gardens of those properties. As such, it would have a detrimental impact on the residential amenity of the occupiers of Parker Terrace and given that these properties are already hemmed-in by existing development, the proposal would exacerbate the existing poor outlook by virtue of its overbearing impact. The development will therefore not be well connected to and integrated with the immediate locality and will not have a positive effect on its setting or respond successfully to existing constraints. The development is therefore contrary to policies 3/4 and 3/12 of the Cambridge Local Plan 2006.

2. The site forms part of Cambridge Local Plan (2006) proposal site 7.01. Policy 3/6 of the Cambridge Local Plan (2006) requires that the development of a site or part of a site will only be permitted where it can be demonstrated that due consideration has been given to safeguarding appropriate future developments on the remainder of the site or adjacent sites. In the absence of either an approved comprehensive scheme for the proposal site or an approved scheme for the remainder of the proposal site, it has not been demonstrated that due consideration or safeguarding of the successful development of the remaining proposal site, which surrounds the application site, has been adequately taken into account. On this basis, and in light of the criteria for development of the proposal site as set out in the Eastern Gate SPD (2011), it is the view of the local planning authority, because of the constrained size of the site and its close proximity to Parkers Terrace, that the development of the site on a piecemeal basis without an approved comprehensive scheme could prejudice the co-ordinated and successful development of the proposal site 7.01 and for this reason the proposal fails to comply with policy 3/6 of the Cambridge Local Plan (2006).

3. The proposed development does not make appropriate provision for public open space, education, community development facilities, waste facilities, transport, public art and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010 and the Open Space Standards Guidance for Interpretation and Implementation 2010.

3.2 Members of the Planning Committee decided to overturn the officer recommendation and approve the application. The reasoning for this, as taken from the minutes, was as follows:

“The Committee took the view that the development would not have an unacceptable adverse impact on the residential amenity of the occupants of Parkers Terrace and the development takes appropriate consideration of the need to ensure coordinated development, and would not sufficiently

prejudice the co-ordinated and successful redevelopment of the proposal site 7.01.”

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 3/6 3/7 3/11 3/12 3/13 3/15
		4/11 4/13 4/14
		5/1 5/5 5/7 5/13 5/14 5/15
		6/8 6/10
		8/2 8/4 8/6 8/9 8/10

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

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</p> <p>The Community Infrastructure Levy Regulations 2010</p>
Supplementary Planning	Sustainable Design and Construction (May

Guidance	<p>2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Affordable Housing (January 2008)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Eastern Gate Supplementary Planning Document (October 2011)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</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>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><u>Area Guidelines</u></p> <p>Mill Road Area Conservation Area Appraisal (2011)</p> <p>Riverside and Stourbridge Common Conservation Area Appraisal (2012)</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, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 It is unclear whether residents of the site will be subject to Proctorial Control.
- 6.2 No additional off-street car parking provision is made for the additional residential accommodation. The streets in the vicinity provide uncontrolled parking and so any generated demand from this proposal is likely to appear on-street in competition with existing residential uses.
- 6.3 The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.
- 6.4 In the event that officers are minded to approve the application, the following conditions are recommended:

- ☐ Returning of redundant vehicle cross over to normal footway;
- ☐ Traffic management plan; and
- ☐ Traffic management plan and highways informatives

Environmental Health

Original Comments (19/12/2017)

- 6.5 There is ambiguity concerning potential noise impacts causing significant adverse harm to the quality of life / amenity of future occupants of the proposed residential development.
- 6.6 An internal layout reconfiguration is recommended due to commercial noise concerns.
- 6.7 These are fundamental material considerations that should be addressed prior to determination and should not be conditioned. There needs to be a reasonable degree of certainty that they can be mitigated to an acceptable level and to secure a high quality design and a good standard of amenity for all future occupants of the land and buildings of the application site.

Comments on Additional Information (09/03/2018)

- 6.8 The applicant has presented upgraded glazing, mechanical ventilation and non-opening windows as mitigation measures to overcome noise impacts from Mackays Workshop.
- 6.9 If an internal layout reconfiguration cannot be achieved, it will become a planning officer decision as to whether or not the proposed mitigation and explanation of that mitigation is acceptable in terms of planning requirements to protect the amenity and quality of life for future residents.
- 6.10 If officers are minded to approve the application, the following conditions are recommended:
- ☐ Odour filtration
 - ☐ Construction hours
 - ☐ Collection during construction
 - ☐ Construction/demolition noise/vibration & piling
 - ☐ Dust condition
 - ☐ Contaminated land conditions
 - ☐ Low NOx boilers

- ☐ Noise insulation scheme
- ☐ Ventilation scheme
- ☐ Hours of use
- ☐ Delivery hours
- ☐ Plant noise condition
- ☐ Kitchen extraction discharge
- ☐ Informatives

Refuse and Recycling

6.11 No comments received.

Urban Design and Conservation Team

Original Comments (22/12/2017)

- 6.12 The application is accompanied by a Design and Access Statement (DAS) that demonstrates how the design has responded to the guidance set out in the Eastern Gate Development Framework Supplementary Planning Document (SPD). Through a mixed use approach, the proposal repairs the street frontage along East Road, with other facades carefully considering and striking the right balance between responding to the existing and future context of the site.
- 6.13 The two proposed commercial units along the primary frontage of East Road meet the SPD requirement of 'active frontages' and is therefore supported. Appropriate back of house facilities for these units, such as stores have been included and the future flexibility of the larger commercial unit well considered. Should this unit require ventilation for the kitchen there is the potential for this to be integrated within the building itself, by utilising the full height service riser.

Layout, Access and movement

- 6.14 The overall approach to the layout is supported. The ground floor frontage is activated with commercial uses and the entrance courtyard for the student use. Unit 2 wraps around the corner of the building with ground floor windows, which will provide a degree of surveillance onto Parkers Terrace. Entrances for both uses are clearly identifiable and will add to the vitality of the street. The slightly recessed student entrance with brick planter provides a good threshold between the public

realm and the private access point for the student use. The treatment of this arrival space, which accommodates bin and bike movement, needs to be robust in order to prevent damage to floor and wall finishes. This can be secured by way of condition.

- 6.15 The scheme has been designed to reduce the impact of one use on the amenity of the other, with a clear separation between the functional design requirements for the commercial and student uses. Bike and bin requirements for both uses are separate and internalised within the footprint of the building.
- 6.16 There appears to be a shortfall in the number of bike spaces for the student uses, with only 29 spaces provided instead of 34. To resolve this, some of the Sheffield stands propose within the student cycle store could be replaced with high capacity stands. Guidance regarding dimensions can be found in the Cycle Parking Guide.
- 6.17 Whilst we recognise this is an internal matter, we question the practicalities of the shared common rooms to also operate as laundry rooms. The laundry facilities could cause disturbance for adjacent rooms.

Scale and massing

- 6.18 The Eastern Gate Development Framework identifies that the site could allow buildings up to 4+1 storeys (the +1 either being accommodation in the roofscape or a setback upper floor) along the East Road frontage. Whilst the scheme exceeds the SPD guidance by 1 storey, this was discussed at pre-application stage with officers, in which Computer Generate Images (CGI's) were considered, as well as the scale and mass of the previously approved scheme.
- 6.19 The DAS provides a series of CGI's to show how the scheme sits within the existing and emerging context. These images demonstrate the proposal does not overly dominate views or compete with the height of the Crown Court. Whilst the scale relates to the neighbouring Mallory House scheme, the change in the height on the on the site, will in our view create a positive addition the streetscene and will help to create a more varied roofscape. Furthermore, the proposed elevation drawings which include the line of the previously approved scheme on the

site (12/1321/FUL), demonstrates that the overall increase in height along the East Road frontage is marginal. The overall scale and massing is therefore supported.

- 6.20 The sedum roof is supported, and it appears that the rooftop plant and PV's are contained behind an enclosure. The final materiality and details of the rooftop plant elements will be important and should be conditioned.

Elevation and materials

- 6.21 The overall approach to the elevations is supported. There is a clear order to the building and the recessed central element helps to break down the façade into two vertically proportioned volumes. The base is clearly expressed through commercial uses and decorative brickwork, which also helps to 'ground' the building. Double height fenestration at upper floors expresses the 'middle' of the building and reinforces the vertical grain. The top of the building appears recessive and proportionate to the scale of the building. Recessed brick panels and decorative brickwork add interest.
- 6.22 The proposed materials illustrated in the submitted DAS on page 23 and identified on the submitted planning elevations have the potential to work well with the immediate context.
- 6.23 With regards to the shop fronts, we suggest stall risers should be introduced and a signage zone identified on the elevation drawings.

Conclusion

- 6.24 In conclusion, subject to the above amendments relating to cycle parking and shop fronts, the application is supported in urban design terms.

Comments on Amendments (12/02/2018)

- 6.25 We are satisfied that the cycle parking for the scheme meets Policy 8/6 of the Local Plan (2006). Stall risers and a signage zone for the shop fronts have been identified on the elevations drawings. These are supported in design terms. The following conditions are recommended:

- ☐ Materials;
- ☐ Secure entrance courtyard;
- ☐ Details of all roof top plant and solar panels; and
- ☐ Shopfront signage

Planning Policy Team

Retail Use

- 6.26 The provision of a retail unit is not considered in-line with the uses specified for the allocation. B1 employment is an acceptable use as an alternative to retail. However, the surrounding area has been significantly redeveloped in recent years and consideration should be given to the proposal including, the advantages and disadvantages of retail in the area e.g. increased footfall, need and amenity. It is also noted that a previous application on this site which included a commercial element (12/1321/FUL) has been historically approved.

Student Accommodation

- 6.27 The principle of student accommodation on the site is acceptable. Since the submission of this application Counsel advice was received (on 18 May 2017) regarding the Romsey Labour Club, its relationship to Policy 7/10 of the Cambridge Local Plan 2006 and the status of Policy 46: Development of Student Housing (from the emerging Local Plan). It is suggested that this advice is used as a basis for consideration in the determination of this application also.

Senior Sustainability Officer (Design and Construction)

- 6.28 No objection subject to renewable energy condition.

Access Officer

- 6.29 As there are 34 units, 15% need to be built to code 2 or 3.

Head of Streets and Open Spaces (Landscape Team)

Original Comments (06/12/2017)

- 6.30 We do not have enough information on the proposals for the roof gardens and are therefore not confident that they can be correctly delivered. Technical details of the various planters and roof gardens are needed prior to decision. We note the commentary about provision of a Maintenance and Management plan for these areas which we accept and support; however, the type of roof systems, planters, soils, irrigation systems and drainage methods are required prior to accepting the concept of roof gardens and planters. This is due to the misunderstood nature of the complexities of establishing and maintaining planting above ground level in green roofs or planters. Indications of species types to be used should also be included.

Comments on Additional Information (09/02/2018)

- 6.31 No objection subject to the following conditions:

- ☐ Hard and soft landscaping;
- ☐ Landscape management and maintenance plan;
- ☐ Roof planters; and
- ☐ Green Roof details

Cambridgeshire County Council (Flood and Water Management)

Original Comments (18/12/2017)

- 6.32 Please note that for a full application the following information is required:
1. Existing & proposed impermeable area (ha)
 2. Existing & proposed site drainage arrangements
 3. Existing & proposed site runoff rates
 4. Total required volume of attenuation
 5. SuDS proposals
 6. Drainage layout drawing
- 6.33 If the applicant provides the above details we will look to review our objection.

Comments on Additional Information (13/02/2018)

6.34 No objection subject to surface water drainage condition.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.35 No comment received.

Head of Streets and Open Spaces (Nature Conservation Officer)

6.36 No objection subject to protected species informative.

Environment Agency

6.37 No objection subject to the following conditions:

- ☐ Contaminated land remediation strategy;
- ☐ Unexpected contamination;
- ☐ Surface water disposal;
- ☐ Piling and boreholes; and
- ☐ Informatives

Designing Out Crime Officer

6.38 No objection.

Developer Contributions Monitoring Unit

6.39 Indoor sports, outdoor sports and informal open space contributions recommended.

Cambridge Airport

6.40 No objection.

6.41 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 owner/occupier of the following address has made a representation:

- ☐ 39B Abbey Walk

7.2 The representation can be summarised as follows:

- ☐ Opposed to the further erosion of the commercial/business spaces in Cambridge;
- ☐ Increase in traffic;
- ☐ Commercial/ industrial spaces needed in City Centre;
- ☐ Question whether these student studios will be changed to private dwellings.
- ☐ Where is the additional infrastructure to support the increasing density in the area?
- ☐ Greater demand on local services.
- ☐ There is already a high amount of student apartments in the area who are not engaged or invested in the neighbourhood.

7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.

8.0 ASSESSMENT

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

1. Principle of development
2. Affordable Housing
3. Context of site, design and external spaces (and impact on heritage assets)
4. Renewable energy and sustainability
5. Disabled access
6. Residential amenity
7. Refuse arrangements
8. Highway safety
9. Car and cycle parking
10. Drainage
11. Third party representations
12. Planning Obligations (s106 Agreement)

Principle of Development

Student Use

- 8.2 The application proposes the creation of 34 one-bed self-contained student studio flats. The site is allocated as part of Proposal Site 7.01 in the Cambridge Local Plan (2006) for 'Employment, B1, Housing and Student hostels'. The proposal has come forward at a period in time when existing and emerging student accommodation policies are in a state of flux. The Council has procured a Student Housing Demand and Supply Study (the Study) (January 2017) to form an evidence base for the emerging local plan. Emerging policy 46 has recently been amended to take account of the Study. The Study is a material consideration but has little weight in decision-making because it has not been subject to public consultation. Emerging policy 46 has little weight in decision making because it is subject to significant objection.
- 8.3 The key principle issues that arise from the application are that the applicants do not specify an end user for the student accommodation, such as Anglian Ruskin University (ARU) or the University of Cambridge; that they question whether it is necessary to enter into a S106 agreement to restrict occupation to either ARU or the University; and that they are seeking studio accommodation as opposed to hostel accommodation. The applicants state that no end user is in place and as a result the application is speculative. It is also evident that the proposal is in direct conflict with emerging policy 46 (as modified) which seeks that:

'Proposals for new student accommodation will be permitted if they meet identified needs of an existing educational institution within the city of Cambridge in providing housing for students attending full-time courses of one academic year or more. Schemes should demonstrate that they have entered into a formal agreement with the University of Cambridge or Anglia Ruskin University or other existing educational establishments within Cambridge providing full-time courses of one academic year or more. This formal agreement will confirm that the proposed accommodation is suitable in type, layout, affordability and maintenance regime for the relevant institution. The council will seek appropriate controls to ensure that approved schemes

are occupied solely as student accommodation for an identified institution and managed effectively....'

8.4 It is pertinent to note that the Council has taken Counsel advice on these matters under an application for 40 speculative student studios at the Romsey Labour Club site (16/0821/FUL). In summary, the outcome of Counsel advice on this other application was such that:

- Criteria a) of policy 7/10 in seeking to restrict speculative student hostel accommodation to full time students attending Anglia Ruskin University or the University of Cambridge is out of date and cannot be relied upon as a reason for refusal. 7/10 is discriminatory and is inconsistent with the NPPF and emerging policy in this respect.
- Policy 7/10 should not be applied to studio units, only hostel accommodation i.e. those with shared communal facilities. The policy does not reflect more recent trends in student accommodation provision for studios and is out of date in this respect. The proposed scheme cannot be reasonably considered to be hostel accommodation as no communal facility to any material extent within the building is provided.
- The Study as an evidence base suggests that there is a need for studio accommodation. Weight can be given to the objective assessment of student studio need but no weight can be attributed to the policy proposal contained therein as they have not been subject to public consultation. Studio accommodation for students cannot be resisted on the basis of the Study.
- Criteria b), c) and d) in relation to management arrangements regarding the keeping of cars, the proximity of the accommodation to the educational institution and appropriate provision for students who are disabled remain relevant for decision making when 7/10 is engaged.
- For decision making purposes, emerging policy 46 can only be given limited weight.

- In respect of the proposal, there is no conflict with the development plan and no objection to the principle or type of student accommodation (studios) can be sustained.

8.5 Whilst this similar application at the Romsey Labour Club (16/0821/FUL) was refused by the Planning Committee on 5 July 2017, it was only refused on matters of loss of daylight to neighbours and poor external amenity spaces for existing and future occupiers. The principle of development was not cited as a reason for refusal. In addition, a revised application (18/0002/FUL) at the Romsey Labour Club, again, for speculative student studio accommodation, is likely to be presented at this Planning Committee meeting (28 March 2018).

8.6 The question therefore arises as to whether it is reasonable to seek to control issues of car parking management, proximity to the education institution and provision for disabled students in so far as other policies of the local plan may be relevant. I deal with each of these matters in turn below.

Car Parking, Management and Proximity

8.7 In relation to car parking management, there are no car parking spaces provided on site for students. The proposal is located outside the controlled parking zone although the majority of streets to the south and west of the site fall within the controlled parking zone. The site is located in a sustainable location and I do not think students would be dependent on private car travel as their primary means of travel to local shops, amenities and services. The City Centre boundary falls on the opposite side of East Road approximately 30m to the west. The Grafton Centre and surrounding shopping streets are just over a 5 minute walk from the site. The Anglia Ruskin University main campus is also approximately a 5 minute walk from the site. There are also good cycle, pedestrian and bus links into the City Centre where other College and University institutions are located.

8.8 It is acknowledged however that without any form of control over student ownership of cars at this site that students may own and park cars within the surrounding residential streets. From my site visit, the nearest street that would be likely to be affected would be Occupation Road to the east of the site which experiences high levels of on-street car parking at present.

Whilst parking on Occupation Road is high at present, I do not consider it likely that the impact of the proposed development on on-street parking would be significant enough to have an adverse impact on residential amenity. This is because of the highly sustainable location of the site and the lack of need for students to own and use cars to access student facilities and general shops and services. In addition, the development of the 33 student studios at Mallory House (14/0764/FUL) next to the site did not include any restrictions on car parking through the S106 agreement. As such, I do not consider a S106 agreement to prevent students from keeping a car in Cambridge necessary.

- 8.9 With regard to the overall management of the student accommodation, the planning statement submitted by the applicant states that the site is likely to be managed by a management company. The key management principles outlined in the planning statement are the promotion of sustainable travel, traffic management at the beginning and end of both term-time and academic year, and, bin collection. In my opinion, the key management principles outlined are acceptable but I have recommended a condition for a more detailed student management plan to be agreed by way of condition.
- 8.10 As explained in paragraph 8.6 of this report, the site is well located to be served by educational institutions within Cambridge. On this basis, I do not consider it necessary for any permission to restrict, by name, the educational institution to which students could attend.
- 8.11 It is reasonable, however, to ensure that any students residing at the building are attending an educational institution on a full time course of at least an academic year within the City of Cambridge. Occupation by students attending educational institutions outside of Cambridge would not be meeting the needs identified in the existing local plan and as evidenced in the Student Study to support the emerging local plan of Cambridge's education sector. It is reasonable to conclude also that such occupation would not necessarily be a sustainable use of the building. Likewise, it is still necessary to ensure that occupation is by students who are enrolled on full time courses of at least an academic year. The reason for this is two-fold. Firstly, any shorter term occupation – say for example by language school students or crammer students– over the

course of the year would be likely to attract a higher turn-over of use of the property and could cause considerably more noise and disturbance to the local neighbourhood than full time students. These students are typically younger, gather in larger groups and due to their shorter time in Cambridge, can be less respectful of the established amenity of an area if not properly managed.

- 8.12 The S106 will have to ensure that a clause is required to ensure the City Council is able to request the names of any occupiers, the length of associated tenancy periods, the educational institution to which they attend and the title of the occupier's course and its length. This is to ensure that the Council can be satisfied that the building accommodates students and student only on full time courses for the minimum tenancy period as set out by the applicant.
- 8.13 It would, however, be reasonable to allow a more flexible use of the building during the summer recess when it is no longer required for its primary purpose and may be vacant. Any such temporary use would have to be agreed first with the Council to ensure that adequate management arrangements are in place to protect residential amenity. This use would be consistent with planning policy.
- 8.14 On this basis and with these controls in place, I consider the occupation of the building by full time students of a Cambridge educational institution would be sustainable and that the impact on residential amenity would be mitigated in accordance with adopted policies 3/1 and 3/7.

Provision for Disabled Students

- 8.15 Policies 3/11 and 3/12 seek for new buildings to be convenient, safe and accessible to all users and visitors. It is acknowledged that the access officer has requested that 15% of the units need to be built to code 2 or 3. However, there is no policy basis on which to require units to be built to a specific code standard. The applicant's Design and Access Statement states that all rooms are designed to be DDA compliant. The applicants confirm that:

- ☐ External surfaces and parking areas will be paved in a smooth hard material suitable for use by wheelchairs.

- ☐ All doors are to have level thresholds.
- ☐ An internal lift is to be provided of sufficient size for use by a wheelchair user and attendant. Control buttons are to be at a height suitable for wheelchair users and will include tactile indications and visual and audible indication of the floor reached.
- ☐ WC accommodation within each unit has been designed for use by the visiting disabled.
- ☐ Light switches, electrical socket outlets and intercom door entry systems are to be located at a height suitable for disabled use.
- ☐ A total of three units throughout the scheme are to be made fully accessible for disabled use.
- ☐ Fire alarm systems are to be suitable for the hearing impaired.

8.16 Notwithstanding that policy 7/10 is not engaged with regard to criterion d), policies 3/11 and 3/12 are still applicable. My view is that the applicants have suitably addressed this issue.

Affordable Housing

8.17 The Council's adopted and emerging policies regarding student accommodation together with the Council's draft Affordable Housing SPD (2014) do not require student schemes to contribute towards the supply of affordable housing. As the proposal is for studio units which are a C3 use, without a S106 to ensure the units would remain in student use, adopted policy 5/5 would be engaged and the scheme would be required to provide 40% or more of the units or an equivalent site area as affordable housing.

Studio Units

8.18 The Study evidence base suggests that the Colleges of the University predict an increasing demand for self-contained studio flats, that expansion of the post-graduate population is predicted and there is a lack of studio style accommodation for

this sector (see paras 4.25, 4.27, 4.32, 4.42 and 4.57 of the Study). Provision for this sector could release existing housing stock (a position taken by the Inspector in the Mill Road appeal 14/1496/FUL and put forward by the applicants) albeit the Council policy position is that there is no evidence to support this. The Council's QC under the Romsey Labour Club application (16/0821/FUL) considered it 'doubtful that the 2017 Assessment [the Student Study], when assessed as a whole, can properly be relied upon by the Council to oppose that element of the applicant's proposed development which seeks to provide self-contained student accommodation'.

- 8.19 As such, my conclusion is that the Study demonstrates an objectively assessed need for studio accommodation for students and there are no grounds to resist the application on this basis.

Summary of Principle of Student Use

- 8.20 Policy 7/10 is not engaged by the proposal and no conflict therefore arises. The site is allocated for a mix of uses which includes student hostel use. Although the proposed development is not strictly a student hostel, it is nonetheless a student use and the Planning Policy Team has not objected to the principle of development. This is a mixed use area where there are other student studios in close proximity and student accommodation is capable of being provided in principle on this site. As such, the principle of student accommodation on this site raises no conflict with the development plan and the proposal would help to meet the identified student accommodation need within Cambridge. Whilst the proposed development is in conflict with emerging policy 46, only limited weight can be attached to this because substantial objection has been raised to it. There is no sustained basis for objection arising from the Student Study in relation to the studios. The site is located in a sustainable location. Measures can be put in place and secured through a S106 for the management of the accommodation in terms of full-time student occupation.

A S106 could secure the following:

- ☐ Occupation only by full time students attending an educational institution within Cambridge.

- Requirement for minimum tenancy period of 48 weeks for all student occupants
- Allowance for out of term time use subject to submission of management information to the satisfaction of the LPA regarding the protection of residential amenity.

Principle of Commercial Uses (A1, A2 and A3 uses)

- 8.21 The site is not allocated specifically for retail, financial and professional services or restaurant/ café uses. Policy 6/8 of the Cambridge Local Plan (2006) states that convenience shopping will be permitted in mixed use areas and policy 6/10 states that restaurant/ café uses are acceptable in mixed use areas, provided they do not give rise to unacceptable environmental problems or nuisance. An assessment of the environmental problems and nuisance of the proposed restaurant/ café use has been assessed in the residential amenity section of this report. The Eastern Gate Development Framework (SPD) (2011) identifies the site as a primary frontage where active uses at ground-floor should be targeted.
- 8.22 The previous permission (12/1321/FUL) on this site included a restaurant/ café use. This use was considered acceptable on the grounds that paragraph 24 of the National Planning Policy Framework (2012) states *“When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre”*. As the site is less than 30m away from the City Centre boundary the restaurant/ café use was deemed acceptable.
- 8.23 Since the granting of the previous permission, I do not consider there has been a material change in policy to justify coming to an alternative assessment of the ground-floor commercial units proposed. The site lends itself well for commercial uses given the proximity of the site to the City Centre.

Context of site, design and external spaces (and impact on heritage assets)

Context of Site and Surroundings

- 8.24 The application site occupies a prominent site situated along the busy arterial route of East Road which connects the

Elizabeth Way Roundabout to the cross-road junction adjacent to Parkers Piece. The existing single-storey flat roof building and associated hardstanding does not have any architectural merit and does not contribute as a positive aspect of the character and appearance in my view. I therefore have no objection to the demolition of the car showroom.

8.25 The application site forms part of the wide site allocation (7.01) in the current Local Plan (2006) and the Eastern Gate Development Framework SPD (2011) identifies the site as a potential development site and encourages primary frontages onto East Road in this location. The Eastern Gate SPD indicates that the storey height on this site should be '4 + 1'. The two figures which are referred to within the SPD in respect to heights are shoulder height and overall height. The building shoulder height is the height of a building at the back of the footway up to the eaves or parapet height. It is recognised that many buildings have additional storeys as a set back or within the roof space. Overall height refers to the height of the building measured from the level of the pavement to the ridge of the roof or the top of any flat roof, including set back floors (indicated as +1).

8.26 There are examples of modern developments in the Eastern Gate area, such as the Travel Lodge and Beacon Rise developments on Newmarket Road and Mallory House on East Road. Mallory House is a five storey building with the fifth storey recessed.

Layout, Access and Movement

8.27 The proposed development occupies the entire footprint of the building. However, the context of the site and surroundings is one where buildings typically take up the majority of their respective plots and external spaces are limited, particularly on the East Road frontage. In my opinion, given the dense urban context that the site falls within, I do not consider the building footprint would appear out of character with the area in terms of the urban grain and layout of the surrounding area.

8.28 The provision of ground-floor commercial frontages facing out onto East Road would have a positive impact on the character and appearance of the area as active frontages are supported within the design principles set out in the Eastern Gate SPD

(2011). The Eastern Gate SPD (2011) encourages incorporating residential use above retail enables activity to be extended beyond daytime office and shopping hours. The inclusion of student rooms above the commercial units would benefit this active frontage also.

- 8.29 Entrances for both uses are clearly identifiable and will add to the vitality of the street. The slightly recessed student entrance with brick planter provides a good threshold between the public realm and the private access point for the student use. The treatment of this arrival space, which accommodates bin and bike movement, needs to be robust in order to prevent damage to floor and wall finishes. This can be secured by way of condition.
- 8.30 The scheme has been designed to reduce the impact of one use on the amenity of the other, with a clear separation between the functional design requirements for the commercial and student uses. Bike and bin requirements for both uses are separate and internalised within the footprint of the building.

Scale and Massing

- 8.31 The Eastern Gate Development Framework SPD (2011) identifies that the site could allow buildings up to 4+1 storeys (the +1 either being accommodation in the roofscape or a setback upper floor) along the East Road frontage. Whilst the scheme exceeds the SPD (2011) guidance by one storey, this was discussed at pre-application stage with officers, in which Computer Generated Images (CGI's) were considered, as well as the scale and mass of the previously approved scheme.
- 8.32 The design and access statement provides a series of CGI's to show how the scheme sits within the existing and emerging context of the site and surroundings. In my opinion, these images demonstrate that the proposal does not overly dominate views or compete with the height of the Crown Court. The scale is similar to that of the adjacent Mallory House and the change in the height on the site would provide a degree of diversity and interest in the roof scape of the area. Furthermore, the proposed elevation drawings which include the line of the previously approved scheme on the site (12/1321/FUL), demonstrates that the overall increase in height along the East Road frontage is marginal.

- 8.33 In my opinion, the accompanying CGI's provide sufficient justification for the increase in scale above the suggested 4 + 1 building height in the Eastern Gate SPD (2011). I do not consider the additional storey would appear unduly prominent in the street scene or appear out of character with the area. The additional storey would preserve the character and appearance of views from the nearby Central Conservation Area.

Elevations and Materials

- 8.34 The appearance of the frontage would be one with commercial frontages at ground-floor level and then a series of vertically emphasised, although varied in size, windows above. The massing of the front elevation is effectively broken into three distinct elements; a centrally recessed element with front facing balconies with two larger blocks flanking this.
- 8.35 There is a clear order to the building and the recessed central element helps to break down the façade into two vertically proportioned volumes. The base is clearly expressed through commercial uses and decorative brickwork, which also helps to 'ground' the building. Double height fenestration at upper floors expresses the 'middle' of the building and reinforces the vertical grain. The top of the building appears recessive and proportionate to the scale of the building. Recessed brick panels and decorative brickwork also add interest to the appearance of the building. The use of predominantly buff brickwork with elements of timber and zinc would complement the vernacular of the surrounding area in my view. The shopfront has been amended to provide stallrisers and a signage zone. The advertisement of the commercial units would be controlled through advertisement consent if necessary.
- 8.36 Overall, I consider that the elevation and treatment of the building would make a positive contribution to the character and appearance of the area. The proposed building would have an interesting and unique fenestration that allows the building to be read as a unique stand-alone building without appearing alien within the context of its surroundings. Conditions relating to rooftop plant, solar panels, courtyard details and materials have been recommended to ensure the finishing of the proposed scheme is of a high quality.

- 8.37 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 3/13 and 4/11.

Renewable energy and sustainability

- 8.38 Policy 8/16 of the Local Plan (2006) requires major developments to meet at least 10% of their predicated energy requirements through the use of on-site renewable energy, with the policy measured in terms of carbon reduction. A renewable energy statement supports this application. It identifies that the installation of photovoltaic panels on the top of the building, will provide the 10% reduction in carbon dioxide. The Sustainability Officer has assessed the proposals and considers the proposed approach to sustainability and renewable energy acceptable subject to condition.
- 8.39 In my opinion, subject to conditions, 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 neighbouring occupiers

- 8.40 The main consideration is the impact of the proposed development on Mallory House to the north-east and nos. 1 – 5 Parkers Terrace to the south-east.

Impact on Mallory House

- 8.41 There are no windows on the south-west (side) elevation of Mallory House. The nearest windows on Mallory House to the proposed development are situated on the south-east (rear) elevation. However, these are obscure glazed and serve the communal staircase.
- 8.42 There is an external terrace and window on the south-east corner of Mallory House at ground-floor level which serves one of the accessible rooms. The footprint of the proposed development has been designed in such a way that the upper-floor levels of the building are set back away from the corner of

the adjacent accessible unit. Whilst the ground-floor extends opposite the window and terrace of this adjacent unit, I do not consider the single-storey element would be perceived as visually overbearing or lead to a significant loss of light due to its limited height. The proposed development does not include any direct windows over Mallory House and I am confident no harmful loss of privacy would be experienced at neighbouring units.

Impact on nos.1 – 5 Parkers Terrace

8.43 Nos.1 – 5 Parkers Terrace are a row of terraced properties that are orientated perpendicularly to the application site. The side (north-west) facing gable end of No.1 does not have any windows.

8.44 It should be acknowledged that officers had recommended that the former application (12/1321/FUL) on this site be refused for the following reason:

“The proposed development, by virtue of the height, massing and proximity of the building to the boundary with 1 Parker Terrace and adjoining houses, would be likely to result in a significant degree of enclosure and dominance of building form to the gardens of those properties. As such, it would have a detrimental impact on the residential amenity of the occupiers of Parker Terrace and given that these properties are already hemmed-in by existing development, the proposal would exacerbate the existing poor outlook by virtue of its overbearing impact. The development will therefore not be well connected to and integrated with the immediate locality and will not have a positive effect on its setting or respond successfully to existing constraints. The development is therefore contrary to policies 3/4 and 3/12 of the Cambridge Local Plan 2006.”

8.45 However, at the planning committee meeting of 9 January 2013 members of the committee overturned this recommendation and elected to grant planning permission for the development. The minutes of the planning committee meeting states the reasoning for this was on the basis that; *“the development would not have an unacceptable adverse impact on the residential amenity of the occupants of Parkers Terrace, thereby complying with planning policies 3/4 and 3/12 of the Cambridge Local Plan 2006.”*

- 8.46 Therefore, in my opinion, the key consideration is whether the proposed development has been amended significantly in any way to introduce any additional residential amenity concerns compared to the previous permission.
- 8.47 Under the current application, the rear elevation of the proposed building, at upper-floor level, has been pushed further away from the boundary of the nearest property at no.1 Parkers Terrace. The previous permission (12/1321/FUL) was sited approximately 3.5m away from the boundary of no.1 whereas the proposed development under this application is positioned approximately 4.6m at the upper-floor level. This change in distance is predominantly due to the change from a staggered rear elevation to a flush rear elevation.
- 8.48 There has also been a material change to the surroundings since the previous permission. When the previous application was assessed, the Parkers Terrace properties all had rear gardens. However, at some point since this previous permission, the gardens of all these properties have been removed and replaced with further car parking. It is understood that these properties are all owned by Mackays and used by their staff which most likely explains the rationale for why these gardens have been removed. Nevertheless, this is a material change in the layout of the Parkers Terrace properties that needs to be accounted for when assessing the impact on neighbouring amenity.
- 8.49 The previous permission included windows at upper-floor levels that overlooked the rear garden area of these properties. Given that this relationship was previously deemed acceptable, I do not consider the proposed upper-floor windows under the current application to compromise the privacy of neighbours. The proposed external communal roof terrace and upper-floor corner balconies would be situated on the southern and south-eastern elevation of the building respectively and the views from these external amenity spaces would not overlook the private windows or amenity spaces of any surrounding residential properties.
- 8.50 In my opinion, in light of the fact that the gardens of Parkers Terrace have been removed and that the proposed development is situated further away from these properties at the upper-floor levels than previously approved, I consider the

proposed development would not have an adverse impact on the amenity of these neighbours.

Impact from commercial uses

- 8.51 The proposed larger commercial unit has been proposed as a flexible A1, A2 or A3 use which has the potential to be used as a restaurant/ café. If used in this way, it needs to be confirmed that any kitchen extraction equipment, odour filtration and plant noise would not give rise to unacceptable impacts on surrounding occupiers, as well as future occupiers of the student studios. The Environmental Health Team is satisfied that given the levels of background noise levels already experienced on the site from traffic noise along East Road and nearby commercial units, there is scope to accommodate the relevant ancillary equipment for the proposed commercial uses. However, to ensure that the amenity of all proposed and surrounding occupiers are protected, conditions have been recommended to control these matters.
- 8.52 The Environmental Health Team has recommended that the proposed retail and restaurant/ café functions have restricted hours of opening of 07:00 – 23:00. In addition, all of the proposed commercial uses would have delivery hours restricted to 07:00 – 23:00 Monday to Friday, 08:00 – 13:00hrs on Saturdays and no deliveries shall take place on Sundays or public holidays. In my opinion, given the levels of background noise from East Road and the adjoining commercial uses, I consider the suggested hours of use and delivery hours to be reasonable.
- 8.53 The main entrances of the proposed commercial units face out onto East Road and I do not anticipate the comings and goings of customers to raise any residential amenity issues. The proposed commercial bin store is situated within the envelope of the building on the southern gable end and the moving of these large bins out onto East Road on collection days would take place a considerable distance from any neighbouring residential properties. There would be entrances to the plant room, cycle store, kitchen and office of the commercial store on the rear elevation of the building. However, the entrances to these rooms would be positioned opposite the blank gable end of no.1 Parkers Terrace and I therefore do not consider the

comings and goings would significantly disturb this neighbour's amenity.

Impact from student use

- 8.54 All of the movements between the student studios, bin storage and cycle parking would take place either internally or through the front of the site from East Road. As such, I do not considercomings and goings from these activities would give rise to neighbour disturbance. As explained in paragraph 8.9 of this report, a student management plan condition has been recommended to ensure that pick up and drop off times at the beginning and end of academic terms are organised and managed appropriately.
- 8.55 The proposed communal roof terrace would be situated on the fifth floor of the building. At this height and in the context of the surrounding traffic and commercial noises already present in the area, I do not consider the proposed use of this roof terrace would adversely impact on the amenity of neighbours.
- 8.56 In my opinion, subject to conditions, 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, 3/7 and 6/10.

Amenity for future occupiers of the site

- 8.57 The proposed student studio units would range in internal floor area from 22.8m² to 33.6m². It is acknowledged that a recent appeal decision at 34 Mill Road (16/0163/FUL) had referenced the technical housing standards as a relevant material consideration in determining applications for new dwellings. However, as this proposal seeks permission for student studio units, I do not consider it reasonable to give these standards any weight as they are only applicable to new residential units. Emerging Local Plan (2014) policy 50 (residential space standards) does not reference these standards as applicable to student units. In any case, the smallest units on the adjacent development at Mallory House (14/0764/FUL) were approximately 22m² in size and thus the proposed development is comparable to other schemes in the area.

- 8.58 It would be preferable to have no habitable windows on the rear elevation of the proposed building due to the proximity of the rear windows to the commercial workshop of Mackays and noise that is emitted from this nearby workshop. This was raised initially by the Environmental Health Team. The applicant has explored the option of redesigning the internal layout to remove windows on the rear elevation but this is not practical due to the number of student rooms proposed. An acoustic assessment has been undertaken which demonstrates that it would be possible to mitigate noise from Mackays by way of upgraded glazing and a mechanical ventilation heat recovery system which would remove the need to open windows in summer months for ventilation purposes. In my opinion, the provision of non-opening windows would provide an acceptable living environment for future occupiers of the rear-facing student studio units. This is an arrangement that was considered acceptable on other developments in noise sensitive areas such as the CB1 student accommodation. The future occupants would have access to the large communal roof terrace and the rooms would have appropriate ventilation. Conditions regarding the noise insulation and ventilation of the building have been recommended in accordance with Environmental Health advice.
- 8.59 In addition to the above, the external terraces have been positioned as far away from Mackays as possible. The option of adding winter balconies to these terraces was discussed at pre-application stage but because of the sensitive nature of the scale and massing of the building this was not seen as a viable solution from a design perspective. As winter balconies are not an option, the Environmental Health Team is satisfied that the amenity areas have been designed to minimize noise as far as practicable.
- 8.60 The proposed accessible rooms would all have corner (south-east) facing balconies and there would be a large communal terrace at the fifth floor for use by all future occupants of the development. Midsummer Common and St Matthew's Piece are both within walking distance of the site and it is likely that future student occupants would have access to the facilities attached to their educational institution. In terms of the quantity of the external spaces available, I am of the opinion that the proposed development is acceptable.

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

Refuse Arrangements

- 8.62 The proposal includes dedicated commercial and student refuse storage with straightforward means of access out onto East Road for collection. The management of the student refuse arrangements would be controlled through the student management plan condition.
- 8.63 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.64 The Highway Authority has raised no objection to the proposed development on the grounds of highway safety, subject to conditions.
- 8.65 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.66 Car parking for the proposed student studio units has been addressed in paragraphs 8.7 – 8.8 of this report.
- 8.67 The proposed commercial units would have a combined internal floor area of approximately 175m² and I do not consider the parking demands for units of this size would be significant. The proposed commercial uses would be situated in a sustainable location and within walking distance of the City Centre. The City Council has maximum car parking standards and I am of the opinion that the proposal would not give rise to harmful levels of on-street parking in the surrounding streets.
- 8.68 The proposal includes an internal cycle store for the commercial units which provide secure cycle parking for eight members of staff which accords with the minimum cycle parking standards.

8.69 The proposed development includes an internal cycle store which provides 29 cycle parking spaces in a secure environment. The minimum cycle parking standards require 30 spaces for student use. However, a further 10 spaces are proposed on the pavement outside the building although this must be agreed with the Highway Authority separately. The cycle parking standards set out that 23 of the 30 spaces for this level of student accommodation should be for students of the site whilst the remaining seven are for visitors. In my opinion, as 29 spaces would be provided in the internal secure cycle store, I consider the proposal to be acceptable. I have recommended a condition for details of the cycle parking to be provided prior to occupation to determine whether the 10 cycle parking spaces on the highway will be provided or not.

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

Drainage

8.71 The Lead Local Flood Authority is satisfied that the proposed development is acceptable subject to condition.

8.72 In my opinion, subject to condition, the proposal is compliant with National Planning Policy Framework (2012) paragraph 103.

Third Party Representations

8.73 The third party representations have been addressed in the table below:

<u>Comment</u>	<u>Response</u>
<ul style="list-style-type: none">• Opposed to the further erosion of the commercial/business spaces in Cambridge;• Commercial/ industrial spaces needed in City Centre;	There is no in principle objection to the loss of the car showroom workshop. The application site forms part of a site allocation (7.01) in the Local Plan (2006) for student use and is identified as a potential development site in the Eastern Gate SPD (2011). The loss of the commercial/ industrial use was approved under the previous permission

	(12/1321/FUL)
Increase in traffic	This has been addressed in the main body of this report.
Question whether these student studios will be changed to private dwellings.	This has been addressed in paragraph 8.17 of this report and the S106 agreement would prevent non-student use.
Where is the additional infrastructure to support the increasing density in the area? • Greater demand on local services.	Contributions towards indoor sports, outdoor sports and informal open space have been sought through the S106 agreement. These contributions are set out in the Planning Obligations section of this report.
There is already a high amount of student apartments in the area who are not engaged or invested in the neighbourhood.	Student accommodation is defined as an acceptable use under the Site Allocation (7.01) and the impact of the student use has been assessed in the Principle of Development section of this report.

Planning Obligations (s106 Agreement)

8.74 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.

8.75 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.

Indoor Sports

- 8.76 The Developer Contribution Monitoring Team (DCMU) has recommended that contributions be made to the following project:
- 8.77 The proposed development is within 800m of the Parkside Pool sporting facility, which is on the Council's 2016/17 target list of indoor sports facilities for which specific S106 contributions may be sought in order to mitigate the impact of development. This target list was agreed by the City Council's Executive Councillor for Communities in June 2016.
- 8.78 Given the scale of the proposed development on this site, and in line with the funding formula set out in the Council's Planning Obligations Strategy 2010, a specific S106 contribution of £9,146 (plus indexation) is requested towards the provision of additional gym and exercise facilities at Parkside Pool in Cambridge.
- 8.79 Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far, the council agreed two other specific contributions for this project (Cheddars Lane (15/0398/FUL), and 213 Mill Road (17/1527/FUL).
- 8.80 I agree with the reasoning set out by the DCMU above that contributions towards this project meet the requirements of the CIL regulations. 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 3/8 and 10/1 and the Planning Obligation Strategy 2010.

Outdoor Sports

- 8.81 The Developer Contribution Monitoring Team (DCMU) has recommended that contributions be made to the following project:

- 8.82 This proposed development is within 200m of St Matthews Piece.
- 8.83 Given the scale of the proposed development on this site, and in line with the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £8,092 (plus indexation) for the provision of and / or improvements to outdoor fitness kit (e.g. dip stations, pull up bars and surfacing) at St Matthews Piece, Cambridge.
- 8.84 Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far the council has not entered into any further contributions for this project so there is scope for this and four further contributions to be agreed.
- 8.85 I agree with the reasoning set out by the DCMU above that contributions towards this project meet the requirements of the CIL regulations. 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 3/8 and 10/1 and the Planning Obligation Strategy 2010.

Informal Open Space

- 8.86 The Developer Contribution Monitoring Team (DCMU) has recommended that contributions be made to the following project:
- 8.87 This proposed development is within 200m of St Matthews Piece.
- 8.88 Based on the funding formula set out in the council's Planning Obligations Strategy 2010, it is proposed that the council requests £8,228 (plus indexation) for the provision of and/or improvement of access to the Informal Open Space (for example landscaping improvements) at St Matthews Piece.
- 8.89 Under the S106 pooling constraint regulations, no more than five specific S106 contributions can be agreed for the same project. So far the council has not entered into any further contributions for this project so there is scope for this and four further contributions to be agreed.

- 8.90 I agree with the reasoning set out by the DCMU above that contributions towards this project meet the requirements of the CIL regulations. 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 3/8 and 10/1 and the Planning Obligation Strategy 2010.

Planning Obligations Conclusion

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

9.0 CONCLUSION

- 9.1 The principle of student studio units is acceptable and would not compromise the wider site allocation. Appropriate controls relating to the student use of the accommodation would be imposed through conditions and the S106 agreement. The proposed commercial units would be situated in a central location within close proximity to the City Centre and the principle of this use would be acceptable.
- 9.2 The proposed development would assimilate successfully into its context and surroundings. Sufficient computer generated images and accompanying information has been submitted to demonstrate that the additional storey above the suggested height in the Eastern Gate SPD (2011) would not appear out of character with the area. The appearance of the proposed building would be of a high quality and enhance the street scene of the area.
- 9.3 The proposed development would not give rise to harmful impacts on adjoining occupiers and would not adversely increase on-street parking in the surrounding area by virtue of its sustainable location. The scheme has been designed to mitigate noise levels experienced in the student accommodation as far as practicable and would provide an acceptable living environment for future occupiers. Approval is recommended.

10.0 RECOMMENDATION

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

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

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

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

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

3. 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 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 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 collections from 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 occupation/use of the development, details of equipment for the purpose of extraction and filtration of odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such..

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

12. 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)

13. 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 policy 4/13

14. The development hereby approved shall utilise low NO_x boilers, i.e., boilers that meet a dry NO_x emission rating of 40mg/kWh, to minimise emissions from the development that may impact on air quality. Details of the boilers shall be submitted to the local planning authority for approval prior to installation. A manufacturers NO_x emission test certificate or other evidence to demonstrate that every installed boiler meets the approved emissions standard shall be submitted to and approved by the local planning authority. The details shall demonstrate compliance with the agreed emissions limits. The scheme as approved shall be fully carried out in accordance with the approved details before first occupation and shall be thereafter retained.

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives and accords with the requirements of the National Planning Policy Framework (NPPF) and policies 4/13 & 4/14 of the Cambridge Local Plan 2006.

15. Prior to the commencement of development/construction, a noise insulation / attenuation scheme as appropriate, shall be submitted to and approved in writing by the local planning authority. The scheme shall detail the acoustic / noise insulation performance specification of the external building envelope of the student studio units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced externally and internally at the student studio units as a result of high ambient noise levels in the area. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of future occupants (Cambridge Local Plan 2006 policies 3/12 and 4/13)

16. Prior to the commencement of development/construction, details of an alternative ventilation scheme for habitable rooms within the development to negate / replace the need to open windows, in order to protect future occupiers from external noise 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 East road. The ventilation scheme shall achieve at least 2 air changes per hour. Full details are also required of the operating noise level of the alternative ventilation system. The scheme shall be installed before the use hereby permitted is commenced and shall be fully retained thereafter.

Reason: To protect the amenity of future occupants (Cambridge Local Plan 2006 policies 3/12 and 4/13)

17. The permitted A1 & A3 uses hereby approved shall not operate / open outside the hours of 07:00 and 23:00 hrs.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policies 4/13 and 6/10)

18. Deliveries to or dispatches from the site to the A1, A2 and A3 uses shall not be made outside the hours of 07:00 - 23:00hrs on Monday to Friday, 08:00 - 13:00hrs on Saturday or at any time on Sundays or public holidays.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policies 4/13 and 6/10)

19. The combined rating level of sound emitted from all fixed plant and/or machinery associated with the development at the A1, A2 and A3 use hereby approved shall not exceed the plant rating level emission limits as detailed at the application site boundary within the Cass Allen Addendum to Cass Allen report RP01-17575 relating to 87 East road, Cambridge (planning reference 17/2037/FUL) - planning consultation response dated 23rd January 2018 (LR01-17535 Rev 1).

Prior to use, an acoustic insulation scheme commissioning / completion report shall be submitted in writing for approval by the local planning authority to verify that the installed fixed plant and/or machinery complies with the plant rating level emission limits specified within the Cass Allen Addendum to Cass Allen report RP01-17575 relating to 87 East road, Cambridge (planning reference 17/2037/FUL) - planning consultation response dated 23rd January 2018 (LR01-17535 Rev 1). The approved equipment and acoustic insulation scheme shall be fully retained thereafter.

Reason: To protect the amenity of nearby properties and the amenity of the student studio units. (Cambridge Local Plan 2006 policies 3/12 , 4/13 and 6/10)

20. Before the development hereby permitted is commenced, details of the location of associated duct work, for the purpose of extraction and/or filtration of fumes and odours shall be submitted to and approved in writing by the local planning authority. The approved ductwork shall be installed before the use hereby permitted is commenced.

Reason: To protect the amenity of nearby properties and the amenity of the student studio units. (Cambridge Local Plan 2006 policies 3/12, 4/13 and 6/10)

21. The student studio units hereby approved shall not be occupied until an operational management plan for the site, which provides details of site management, security, delivery handling, promotion of sustainable travel modes, waste collection management 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 student studio units shall take place only in accordance with the approved management plan.

Reason: to ensure the buildings are appropriately serviced, managed and controlled (Cambridge Local Plan 2006 policies 3/7 and 8/9)

22. Prior to occupation of the student studio units hereby permitted, details of the cycle parking of the student studio units shall be submitted to and agreed in writing by the local planning authority. The cycle parking for the student studio units shall be provided in accordance with the approved details and retained thereafter.

Reason: To provide acceptable cycle parking arrangements (Cambridge Local Plan 2006 policies 3/12 and 8/6).

23. The redundant vehicle crossover of the footway must be returned to normal footway and kerb.

Reason: For the safe and efficient operation of the public highway (Cambridge Local Plan 2006 policy 8/2).

24. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority. Development shall be carried out in accordance with the approved details.

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

25. Before starting the construction of external surfaces, full details and samples of the materials to be used in the construction of the external surfaces, which includes external features such as roofing, windows and reveals, dormers, doors, balconies, rain water goods and coping and shall be 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, 3/13 and 4/11)

26. Prior to the commencement of installation of any roof mounted equipment, full details of all roof top plant and solar panels and/or photovoltaic cells, including type, dimensions, materials, location and fixing shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the roof top plant and solar/ photovoltaic panels is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12, 3/13 and 4/11)

27. The approved renewable energy technologies shall be fully installed and operational prior to the first occupation of the development and shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority.

No review of this requirement on the basis of grid capacity issues can take place unless written evidence from the District Network Operator confirming the detail of grid capacity and its implications has been submitted to, and accepted in writing by, the local planning authority. Any subsequent amendment to the level of renewable/low carbon technologies provided on the site shall be in accordance with a revised scheme submitted to and approved in writing by, the local planning authority

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16 and the Cambridge Sustainable Design and Construction Supplementary Planning Document).

28. 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; vehicle and pedestrian access and circulation areas (including the secure entrance courtyard); hard surfacing materials; minor artefacts and structures (eg furniture, 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). 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, an implementation programme, construction of roof planters, make up of soils and/or planting mediums, irrigation details and drainage details wherever applicable

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)

29. A landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved. 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.

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)

30. No development shall take place until full details of green and/or brown roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include details of build-ups, make up of substrates, planting plans, methodologies for translocation strategy (where applicable) and drainage details.

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

31. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy shall demonstrate the surface water run-off generated up to and including the 1% Annual Exceedance Probability (AEP) rainfall event will not exceed the run-off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site (National Planning Policy Framework (2012) paragraph 103).

32. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any building. The submitted details should identify control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of un-adopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework (2012).

INFORMATIVE: There potential for protected species (including breeding birds) to be present and the approval of this planning permission does not confer any defence, should an offence under the Wildlife & Countryside Act be committed during the development.

INFORMATIVE: Surface Water Drainage:

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used. Surface Water Drainage and Infiltration Sustainable Drainage Systems (SuDS). Drainage systems must not be constructed in ground affected by contamination and if the use of deep bore soakaways is proposed, we would wish to be re-consulted. The proposals will need to comply with our Groundwater protection position statements G1 and G9 to G13. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

INFORMATIVE: Foul Water Drainage:

An acceptable method of foul drainage disposal would be connection to the public foul sewer. Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either of the sewers, the Agency must be re-consulted with alternative methods of disposal. The applicant must ensure that there is no discharge of effluent from the site to any watercourse or surface water drain or sewer.

INFORMATIVE: Pollution Prevention:

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor. Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001 and Control of Pollution (Oil Storage) Regulations 2001. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

INFORMATIVE: Traffic Management Plan informative: The principle areas of concern that should be addressed are:

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

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

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

INFORMATIVE: 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

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.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%208%20July%202014_0.pdf

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 <https://www.cambridge.gov.uk/land-pollution>. Hard copies can also be provided upon request.