

<b>Application Number</b>	19/1159/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	21st August 2019	<b>Officer</b>	Ganesh Gnanamoorthy
<b>Target Date</b>	20th November 2019		
<b>Ward</b>	Market		
<b>Site</b>	Park Street Multistorey Car Park		Park Street
<b>Proposal</b>	Demolition of existing multi-storey car park and erection of an aparthotel (Use Class C1) alongside an underground public car park, public cycle store and associated works		
<b>Applicant</b>	Marick Management Ltd & CIP LLP c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed aparthotel would provide a high standard of visitor accommodation, is of high-quality design and will successfully integrate in the context of surrounding buildings and enhance the character and appearance of the Central Conservation Area, and not cause harm to nearby heritage assets;</li> <li>- The proposed development would re-provide public car and cycle parking facilities whilst encouraging a modal switch to more sustainable transport methods;</li> <li>- The proposed development meets high standards of sustainability with efficient construction materials, Mechanical Ventilation Heat Recovery, Air Source Heat Pumps, biodiverse roofs, EV charging points, and solar panels.</li> </ul>
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RECOMMENDATION	APPROVAL
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## **0.0 BACKGROUND**

- 0.1 This application has been submitted jointly by Marick Management Ltd and Cambridge Investment Partnership (CIP). CIP are a joint venture between Hill Investment Partnership and Cambridge City Council. CIP was set up with a view to helping ensure that the Council's assets were operating as effectively and efficiently as possible. Marick have significant expertise in the hotel industry.
- 0.2 With the above in mind, the application is made under Regulation 3 of the Town and Country Planning General Regulations (1992).
- 0.3 This site had been identified some years ago as a potential site for regeneration. Given the pressing need for housing, the notion of utilising the site for a replacement car park (underground), with housing and a cycle park above, with the potential for ground floor commercial units was approved at a Strategy and Resources Committee in early 2016. In March of the same year, a Planning Guidance Note (entitled 'Park Street Car Park Planning Guidance Note') was produced by the City Council, on the basis of the brief described.
- 0.4 Subsequently, the Council found that a residential scheme would be unviable to achieve, and as such, alternative options for the site have been considered by the Council. This approach was approved by the Council at a Scrutiny Committee in November 2017.
- 0.5 Since the publishing of the guidance note, a new Local Plan has been adopted (2018). Like the previous iteration, this site is not allocated for a particular use.

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 This report relates to a full planning application at the site of the Park Street Car Park, which is located at the junction of Round Church Street and Park Street.
- 1.2 The existing car park was constructed in the 1960's and is in the ownership of the City Council. The car park was seen at the time

as a forward-thinking solution to address congestion in the City. The City Council, to this day, manage the car park.

- 1.3 The application site is, broadly speaking, an irregular quadrilateral shaped plot situated with Park Street to the east and at the junction with Round Church Street to the south. To the north of the site are the rear gardens of properties situated on Portugal Place and the beer garden of the Maypole PH, and to the west are properties along Bridge Street, as well as the truncated Jordan's Yard. To the south lies Round Church Street and the Trinity Union Society (currently a construction site). To the immediate east of the site is Park Street which is lined on the other side with residential properties mainly associated with Jesus College.
- 1.4 The application site has an area of approximately 0.30ha and falls completely within Cambridge City Council jurisdiction. The site is located within the Central Conservation Area which was designated in February 1969 and covers the historic core of Cambridge. The Historic Core Appraisal states that the bulk of the car park intrudes into most aspects of the streetscape.
- 1.5 Although in a conservation area, the car park is not a listed building. In close proximity of the site are a number of listed buildings (Grade I, Grade II and Grade II\*) and Buildings of Local Interest (BLI's). These are as follows:
  - 5-10 Park Street
  - 19-44 Lower Park Street
  - Little Trinity & Garden Walls, Gates and Railings
  - Cambridge Union Society Building
  - Church of the Holy Sepulchre (The Round Church)
  - 8, 9-14, 16-18, 28-29, 23-27 Portugal Place
  - Church of St Clement
  - The Baron of Beef PH, The Mitre PH and 15-16 Bridge Street
  - 10-14 Bridge Street and 16 Round Church Street
  - The Chapel at St John's College
- 1.6 The existing car park was constructed in the 1960's and was the first multi-storey car park in Cambridge. The building extends to five storeys in height and is constructed of a variety of materials including brickwork, pre-cast panels, and stone. The existing car park has a height of approximately 15m at its highest point, which

is a staircase tower. The majority of the building sits at 12m in height with no set back at the upper levels.

- 1.7 The current site comprises 390 car parking spaces, 249 cycle parking spaces, public toilets, and a cycle repair shop.
- 1.8 The proposal has been discussed with officers as part of comprehensive pre-application work, as well as presentations to the Design and Conservation Panel and the Disability Panel.

## **2.0 THE PROPOSAL**

- 2.1 The application proposal seeks permission for the demolition of the existing multi-storey car park and erection of a 227-bed aparthotel (Use Class C1) alongside a 225-space underground public car park, public cycle store and associated works.

### Aparthotel:

- 2.2 A part four, part five-storey building would provide the aparthotel accommodation, with a four-storey element fronting Park Street and a five-storey section along Round Church Street. The ground floor would host a reception lobby, café/lounge, gym, and some back of house services such as a refuse/recycling store, offices and laundry room. The gym and café would be ancillary to the aparthotel and not function separately as independent uses.
- 2.3 The upper floors would accommodate 227 guest rooms. The guest rooms would all have non-opening windows, would all be en-suite and would have limited kitchenette facilities.
- 2.4 The aparthotel is estimated to create 35 FTE jobs.
- 2.5 The building has been designed to create a new courtyard, linking Park Street to Jordan's Yard, which has been truncated over time. The courtyard, referred to as 'New Jordan's Yard', would be publicly accessible and would be landscaped and provide seating to encourage activation of the space. The yard would be well surveyed by guests and staff of the aparthotel.

### Public car park:

- 2.6 Three levels of underground parking are proposed, which would accommodate room for 225 cars.

- 2.7 The car park would provide 209 standard car parking spaces and 16 disabled bays.
- 2.8 The car park would be operated, and managed, by the Council, as per the existing facility. The Council has provided a design specification which the applicants have included in their submission.
- 2.9 The car park would be equipped to provide 100% passive electric charging, with 26 spaces being live at the point of the car park first opening.
- 2.10 Access and exit to the car park would continue to be from Park Street

Public cycle store:

- 2.11 The development would provide a publicly accessible cycle store at ground floor level. The store would provide room to accommodate 270 cycles, including 18 off-gauge cycles. It would be accessed from ...
- 2.12 Provision is also made for 20 motorcycles.
- 2.13 The cycle store would be managed and operated by the Council.
- 2.14 The full planning application is accompanied by the following documents:
  - 1. Planning Statement.
  - 2. Design and Access Statement.
  - 3. Air Quality Assessment.
  - 4. Arboricultural Impact Assessment.
  - 5. Archaeological Evaluation.
  - 6. Construction Management Plan.
  - 7. Car Park Specification.
  - 8. Daylight/sunlight report.
  - 9. Demolition Method Statement.
  - 10. Drainage Statement.
  - 11. Ecological Appraisal.
  - 12. Heritage Impact Assessment.
  - 13. Landscape Statement.
  - 14. Noise Assessment.
  - 15. Statement of Community Involvement.

16. Geo technical and Contaminated Land Investigation.
17. Sustainability Statement.
18. Transport Statement.
19. Travel Plan.
20. Economic Benefit Analysis.
21. Note on hotel Supply and Demand in Cambridge.
22. Verified View Document.
23. Existing and proposed plans and elevations.

### **3.0 SITE HISTORY**

3.1 The most relevant planning history for this site is listed below.

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
09/1112/FUL	Replace 3no existing H3G antennas with 3 no shared 02/Vodafone antennas on existing support poles. Replace 1no existing H3G equipment cabinet with 1no Vodafone equipment cabinet and install 1no additional equipment cabinet for 02.	Approved
11/0585/FUL	Conversion of existing dis-used cash office (sui generis use) into retail space (Class A1 use) for purpose of bicycle repair and sales.	Approved
18/0043/FUL	Crime prevention measures to Jordan's Yard including timber cladding, mesh to existing fencing and railings to recesses.	Approved

### **4.0 PUBLICITY**

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

## 5.0 POLICY

- 5.1 Planning law requires that the application is determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.2 The presumption in favour of sustainable development in the NPPF does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not be granted unless material considerations indicate otherwise.
- 5.3 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.
- 5.4 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1, 8, 10, 28, 29, 31, 32, 33, 34 35, 36, 55, 56, 57, 59, 61, 62, 70, 71, 73, 77, 80, 81, 82, 85

- 5.5 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework February 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 (as amended) Circular 11/95 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management

	Design Guide Supplementary Planning Document (February 2012)
	Planning Obligation Strategy (March 2010)
Other Material Planning Considerations	<u>City Wide Guidance</u> Public Art SPD 2010
	<u>Area Guidelines</u> Park Street Car Park Planning Guidance Note (2016)

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 The Highways Officer has raised no concerns regarding the proposal.
- 6.2 He has recommended a condition be attached in the event of permission being granted to secure a traffic management plan which will ensure that the development is carried out without prejudicing highway safety.

### **Urban Design Officer**

- 6.3 The Council's Urban Design Officer commented that she was involved in pre-application discussions on this scheme, and she is content with the proposal.
- 6.4 A number of conditions have been suggested in order to secure more detailed design information in order to ensure a high quality appearance is achieved.

### **Historic England**

- 6.5 Historic England has raised no objection to the proposal, stating that the requirements of the NPPF are met by the proposal.



### **Conservation Officer**

- 6.6 The Council's Conservation Officer supports the demolition of the existing car park and acknowledges that the proposed elevations would be a significant improvement. He has concerns over the roof level plant, and potential views of this – highlighting the rooftop bar at the Varsity Hotel, and a specific view along Bridge Street where he considers views of the proposed plant would be achievable.
- 6.7 Conditions have been suggested in order to secure more detailed design information and to ensure a high quality appearance is achieved in the event of permission being granted.

### **Sustainability Officer**

- 6.8 The Council's Sustainability Officer has confirmed that the scheme is acceptable from a sustainability point of view subject to the imposition of conditions securing compliance with the submitted statement and BREEAM standards.

### **Landscape Officer**

- 6.9 The Council's Landscape Officer has expressed disappointment with regard to the loss of three trees although has, in principle, supported the provision of three replacement trees along Park Street.
- 6.10 The Officer has suggested a number of conditions be attached in the event of permission being granted.

### **Tree Officer**

- 6.11 The Council's Tree Officer has voiced concerns with regard to the loss of three trees.
- 6.12 The Officer states that these trees offer a significant contribution to the character of the area and contribute to the citywide canopy cover.

### **Drainage Officer**

- 6.13 The Council's Drainage Officer has been consulted on the proposal and has raised no objections.

### **Environmental Health Officer**

- 6.14 The Council's Environmental Health Officer has been consulted on the proposal. No objections have been raised subject to the imposition of conditions.

### **Environment Agency**

- 6.15 The Environment Agency has raised no objections to the proposal subject to conditions relating to contamination and groundwater.

### **Local Lead Flood Authority (LLFA)**

- 6.16 An objection was raised by the LLFA as it was considered that the information provided failed to demonstrate that the proposal complied with policy 32 of the Local Plan.
- 6.17 The applicant has provided additional information, and the LLFA were duly reconsulted. A further response is awaited and will be reported on the amendment sheet.

### **Developer Contributions Monitoring Officer**

- 6.18 The relevant Officer has confirmed that contributions are not required to mitigate the impact of the development.

### **Enabling (Affordable Housing) Officer**

- 6.19 No objection raised. The site is not allocated for housing and so there is no expectation of housing provision of any nature on this site.

### **Ecology Officer**

- 6.20 This Officer welcomed the proposal, noting that it would have a positive ecological impact on the site when compared to the existing. He has recommended conditions be attached in the event of permission being granted so as to ensure further details are provided.

### **Public Art Officer**

- 6.21 No comment received.

## **Fire and Rescue**

6.22 No comment received.

## **Anglian Water**

6.23 No comment received.

## **Designing Out Crime Officer**

6.24 No objection raised. Confirms support for the scheme.

## **Cadent Gas**

6.25 No objection raised

## **7.0 REPRESENTATIONS**

7.1 Letters have been sent to the owners/occupiers of nearby properties informing them of the proposed development. In addition, site notices were erected around the site and an advertisement placed in the local press.

7.2 143 letters of representation have been received as a result of this process – 116 in support, and 27 objecting. The following properties have made representations:

165 Thoday Street  
140 Beresford Road Ely  
8 Trumpington Place Addenbrookes Road  
29 Mulberry Close  
5 St Thomas street Wells  
17 Lilywhite Drive  
Flat 3-4, Honey Yard East Street  
35 Pearl Close  
26 Highworth Avenue  
The Punter 3 Pound Hill  
603 Newmarket Road  
50 Ancient meadows  
Milton Brewery Pegasus House, Pembroke Ave, Waterbeach  
11 Albemarle road  
6 Slades Hill Enfield  
69 Yeomans Way Littleport

1 St Georges Way Impington  
95 Kelsey Crescent  
57 Chartfield Road  
15 The Crescent  
15 Church Road  
4B Unity Court Mill Road  
68 High street  
Trinity College  
Lake Farmhouse Rougham Green  
29 Shepreth Road Barrington  
1 Mere Way  
90A flat one Kingswood road London  
71a High Street Teversham  
1 Green End Road  
Flat 11 35 Parkside  
Magdalene College Magdalene Street  
30 Kingfisher Way Cottenham  
130 High Street  
55 Rampton Road Willingham  
45 kings road  
9 Icen Way  
9 Portugal Place  
32 Kimberley Road  
26 Highworth Avenue  
31 Gladeside  
St. Clements Hill Norwich  
1 St Georges Way Impington  
63 The Green Weston Colville  
26 Orchard Avenue  
603 Newmarket Road  
46 Eaton Road Eaton Road  
9 Hatherdene Close  
13 Hardwick Street  
St Johns College St Johns Street  
Trinity Old Field Grange Road  
30 Highworth Avenue  
10 Pheasant Rise Bar Hill  
7 Springfield Terrace  
4 Watsons Lane Little Thetford  
17 Beechmere Rise Mochdre  
3 Pleasant Valley Saffron Walden  
8 Glisson Road  
20A Bridge Street  
14 Park Parade

11 Park Parade  
24 Portugal Place  
27 Portugal Place  
23 Portugal Place  
19 Portugal Place  
9 Portugal Place  
15 Portugal Street  
8 Park Parade  
18 Park Parade  
12 Park Parade  
13 Portugal Place  
1 Park Parade  
Flat 1 15 Park Parade  
12 Beechwood Avenue Bottisham  
52 Fen Road Milton  
40 Stevenson Rd Longstanton  
17 Romsey Road  
1 Green End Road  
Corfield Court First Floor Flat Staircase G St Johns College  
21 Beaufort Place Thompsons Lane  
Lode House Cambridge  
St Johns College St Johns Street  
14 Audric Close  
12 Great Eastern Street  
9 Covent Garden  
9A Thrifts Walk  
16 Main Street Hardwick  
73 Pelham way Cottenham  
24 Highworth Avenue  
52 Royal Way Trumpington  
107A Milton Road  
4 Chancellors Walk  
29 Mulberry Close  
St Andrews House St Andrews Road  
12 Villa Court  
23 Elfleda Road  
53 Enniskillen Road  
44 Downham Road Ely  
1 Nursery Walk  
70 Perne Road  
Foster Farm, Whittlesford  
4 Claremont Park Street  
Copperfield, 9A Hinton Way Great Shelford  
37 Barrow Road

5 Middle Street Thriplow  
2 Hedgerley Close  
49 Leete Road  
28 Gilbert Road  
1 Sladwell Close  
17 Cambridge Road  
The Old Vicarage Thompsons Lane  
Jesus College Jesus Lane  
Flat 1 15 Park Parade  
43 Raeburn House Lapwing Avenue  
30 Magdalene Street  
16A Bridge Street  
31 Magdalene Street  
79 Fulbourn Road  
34 Trinity Street  
26-27 Magdalene Street  
29 Bridge Street  
29 Magdalene Street  
90 Windsor Road  
15 Newman Avenue Royston  
88 Milton Road  
80 Hartington Grove  
92 Stanley Road  
45 Ventress Farm Court  
102 Hills Road  
19-20 Market Street  
10 Market Hill  
18 Rose Crescent  
114 Ditton Fields  
35 Atkins Close  
126 Ditton Fields  
73 Godwin Way  
20 Charles Lane  
Catherine Jones Jewellery, 9 Bridge Street  
8 Portugal Place  
18 Madingley Road  
The Glassworks, Thompsons Lane  
33 Bridge Street  
Neil Curry Hairdressing, Thompsons Lane

- 7.3 The table below summarises the issues raised, and the relevant section(s) of the report where these are discussed.

<b>Comment made</b>	<b>Officer comment</b>
The impact on local businesses	Please see 8.90
Insufficient consultation by Council	Please see 7.1 and 8.130-8.133
Insufficient consultation by Developer	Please see 8.134-8.136
Highways safety	Please see 8.81-8.84
Car parking provision – too much	Please see 8.89-8.95
Car parking provision – not enough	Please see 8.89-8.95
Loss of on-street disability parking bays	Please see 8.94
Proposal will encourage rough sleeping	Please see 8.74-8.76
Loss of public toilets	8.137-8.141
Contrary to Planning Guidance Note	0.3-0.5 and 8.16
Only minimum sustainability requirements met	8.115-8.119
Insufficient number of electric charging points	8.92-8.93
Possible misleading information by Council Members about the condition of the car park	8.142
Surface water and flood risk	8.103-8.106
Overprovision of hotels	8.2-8.7

- 7.4 Full details of the third-party responses can be found on the Council's website. A petition has been received which triggered the requirement for a Development Control Forum. The address of the lead petitioner is 8 Portugal Place. The minutes of the DCF Can be found at <https://democracy.cambridge.gov.uk/documents/g3660/Printed%20minutes%2031st-Oct-2019%2010.00%20Development%20Control%20Forum.pdf?T=1>

## **Camcycle**

- 7.5 Camcycle responded to the proposal and raised concerns with regard to whether it was necessary to provide any car parking at all – with the exception of disabled parking bays.
- 7.6 Concerns were also raised with regard to the type of cycle parking, access to the cycle store and access to the car park causing a conflict between vehicles and pedestrians.
- 7.7 The applicant has provided a response to the concerns raised, noting that the design is compliant with Council policy. No additional comments have been received from Camcycle.

## **Disability Panel**

- 7.8 Proposals for the site have been before the Disability Panel on 24<sup>th</sup> September 2019. The Panel felt that more information was required regarding routes through the hotel, as well as the design of the reception area. Concerns were expressed about the loss of the existing public toilet facilities.
- 7.9 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

## **8.0 ASSESSMENT**

- 8.1 From the consultation responses and representations received and from an inspection of the site and the surroundings, the main issues are considered to be:
  - 1. Principle of development
  - 2. Context of site, design and external spaces
  - 3. Impact on heritage assets
  - 4. Residential amenity
  - 5. Refuse and servicing arrangements
  - 6. Highway safety
  - 7. Car and cycle parking
  - 8. Contaminated Land
  - 9. Integrated Water Management and Flood Risk
  - 10. Trees and ecology
  - 11. Energy and Sustainability
  - 12. Public art



13. S106 contributions
14. Third party representations

### **Principle of Development**

- 8.2 Cambridge Local Plan 2018 policy 77 (Development and expansion of visitor accommodation) states that proposals for high quality visitor accommodation will be supported as part of mixed-use schemes at:
  - a. Old Press/Mill Lane;
  - b. key sites around Parker's Piece;
  - c. land around Cambridge station and the proposed new station serving North East Cambridge; and
  - d. any large windfall sites that come forward in the city centre during the plan period.
- 8.3 The application site is not designated within the current Local Plan, and as such, can be considered to be a windfall site under criterion 'd' above, therefore complying with the desired location for this type of development.
- 8.4 The same policy sets out in the supporting text at para 8.46 that there is a projected requirement for 'around 1,500 new bedrooms over the next 20 years', and this is predicated on a study undertaken in 2012 entitled 'Cambridge Hotel Futures'. It is worthy of note that the figure of 1,500 is not a cap, neither is it a definitive figure. The above-mentioned study explores a number of growth possibilities with the figure of 'around 1500' derived from a medium growth scenario. Indeed, the same study projects a need for in excess of 2000 bedrooms in the event of high growth. The study acknowledges the potential need for a range of type of visitor accommodation and particular reference is made to the need for a 4-star aparthotel.
- 8.5 The NPPF sets out that policies for assessed need should be as a minimum, and this is supported by the Local Plan policy which encourages visitor accommodation on windfall sites such as this. The approach of assessed need being set at a minimum is also confirmed by the use of a figure assuming medium growth, as opposed to high growth.
- 8.6 The applicant has submitted a document produced by Jones Lang LaSalle entitled 'Note on hotel supply and demand in

Cambridge' as part of their submission and this concludes that average occupancy rates in Cambridge during 2017 and 2018 sat at 76%, and that there is demand for more visitor accommodation in Cambridge. Officers have no reason to disagree with the findings of the report submitted by the applicant.

- 8.7 In any event, and as stated above, the policy does not set a ceiling on provision of new visitor accommodation, and with this in mind the principle of development, being located in a highly sustainable city centre location with good public transport links and within walking distance of shops, services and attractions in the city centre, is considered acceptable subject to the material considerations discussed below being satisfactorily met.

### **Context of site, design and external spaces**

- 8.8 The proposal sits in a sensitive location – within the Central Conservation Area and in close proximity of a number of listed buildings and buildings of local interest.
- 8.9 The existing car park is considered to be a negative contributor to the conservation area, and the applicant has worked with Officers to design a proposal which has a significantly improved appearance upon that existing, and integrates well into the wider context. This has included a number of pre-application meetings with Urban Design and Conservation Officers, and pre-application presentations to the Design and Conservation Panel. The design has evolved to a point where Officers are satisfied with the quality of design, and the proposal is considered a significant improvement on the existing situation.
- 8.10 The building would have two very different street elevations - a four storey frontage addressing Park Street, and a five-storey element fronting Round Church Street. The Park Street element has been designed to respond to the residential properties opposite, with design conversations at pre-application stage resulting in a lower scale and a residential quality to the scheme reflecting the domestic scale properties opposite. This is evidenced by the choice of materials and the more residential approach to the roofscape with smaller dormers evident.
- 8.11 The Round Church Street elevation is a storey taller and has a more commercial feel – with wider bays and a less domestic

material palette. This approach responds well to Round Church Street and the transition from residential to commercial character.

- 8.12 The elevational approach has been informed by a number of pre-application discussions with the Council's Urban Design and Conservation Officers, as well as the Design and Conservation Panel. These discussions have resulted in a scheme which provides Officers with sufficient comfort. It is worthy of note that Historic England has raised no objection to the proposal, while the Council's Urban Design and Conservation Officers are in agreement that the scheme represents a significant improvement on the existing situation.
- 8.13 With regard to the setting of the proposed building in its wider context, Officers have considered key views where verified views of the proposal should be provided so as to demonstrate the impact of the proposal within the wider street-scene, and these were requested of the Developer at pre-application stage.
- 8.14 Such a study has been undertaken and the requested views have been submitted as part of this submission. The document details the methodology used to produce the views and it is considered that this is both sound and reasonable. The verified views show existing and proposed views, and it is evident that the proposal is not visible from many of the sensitive locations, and in those where the development would be visible, the views are considered to be a significant improvement on the existing situation. It is worthy of note that the plant at roof level being set back means that this has extremely limited visibility from the public realm, and would not be visible from the sensitive verified views.
- 8.15 The creation of 'New Jordan's Yard' would reintroduce a 'lost' element of the local historic fabric. Jordan's Yard, as existing, has been truncated by virtue of development, and the proposal would reinstate this historic feature.
- 8.16 It is noted that concerns have been raised about the non-compliance of the proposal with the Park Street Car Pak Planning Guidance Note. In particular, scale and mass has been cited as a reason for this application to be refused. It must be noted that the Guidance Note is purely for guidance purposes only, and whilst it is a material planning consideration it holds less weight

than a Supplementary Planning Document (SPD) or Supplementary Planning Guidance (SPG). It is also important to note that the guidance was predicated on the premise of a residential led development, and not a hotel. In addition to this, the surrounding context has changed with the Cambridge Union Society site on the opposite corner of Round Church street gaining permission for a building with a similar overall height. This is now under construction.

- 8.17 The scale and mass of the building has been carefully considered, and there is a greater relief provided to the Maypole Public House with a significant set back of 4 metres provided from first floor level upwards, which is not currently afforded. In addition, the building line steps in on the upper floors facing towards properties on Portugal Place, providing greater relief than the existing building.
- 8.18 Concerns have been raised about the lack of information regarding the detailed design of the reception area and other internal spaces. These details would be subject to detailed design and the level of control planning have over the internal spaces is significantly less in a development of this ilk than in the provision of residential accommodation, where prescribed space standards exist.
- 8.19 It is considered appropriate to attach conditions recommended by the Urban Design and Conservation Officers to secure further details of materials and construction detailing so as to ensure the development is of a sufficiently high quality and responds well to the surrounding context.
- 8.20 It is considered that the form, height and layout of the proposed development is appropriate to the surrounding pattern of development, and is, in officers' opinion compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59, 61 and 62.

### **Impact on Heritage Assets**

- 8.21 The statutory considerations as set out in section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, are matters to which the determining authority must give great weight to when considering schemes which have the potential to impact on heritage assets.

- 8.22 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the legislative context for development that affects the setting of listed buildings:
- 8.23 'In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess.'
- 8.24 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty for a local planning authority, in the exercise of its planning powers with respect to any buildings or other land within a Conservation Area, to:
- 8.25 'Pay special attention to the desirability of preserving or enhancing the character or appearance of that area'
- 8.26 The Court of Appeal has determined that, in order to give effect to the statutory duties under section 72 (1) and section 66 (1), in respect of development proposed to be carried out within the setting of, or which may impact upon a listed building, or in a conservation area, a decision-maker must a) in respect of listed buildings accord considerable importance and weight to the 'desirability of preserving the listed building, or its setting' and b) in respect of a conservation area give a high priority to the objective of 'preserving or enhancing the character or appearance of the area', when weighing this factor in the balance with other 'material considerations' which have not been given this special statutory status.
- 8.27 Officers have had regard to the statutory duties set out in section 66(1) and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in considering this application have given considerable weight and importance to the desirability of preserving the setting of the affected listed buildings and to preserving or enhancing the character and appearance of the affected conservation areas, both sets of which have been detailed below.
- 8.28 Furthermore, officers have taken into account, as a material consideration, the policy guidance in paragraphs 193-196 of the NPPF 2019. Para. 193 of the NPPF states that when considering

the impact of a proposal on the significance of a designated heritage asset, “great weight” should be given to the asset’s conservation (meaning the more important the asset, the greater the weight should be). Para. 194 makes it clear that any harm to, or loss of significance of a heritage asset should require clear and convincing justification. Para. 196 of the NPPF states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use.

- 8.29 Para. 200 makes it clear that local planning authorities need to look for opportunities for new development within Conservation Areas, World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals which make a positive contribution to the asset or better reveals its significance should be treated favourably.
- 8.30 In respect of non-designated heritage assets para. 197 of the NPPF states that the effect that a proposal will have on such an asset should be taken into account in determining the application, and in considering such applications a balanced judgment is required having regards to the scale of any harm or loss and the significance of the heritage asset.
- 8.31 The Council’s Local Plan policies 60 and 61 seek to ensure that new development proposals give due consideration to the impact on heritage assets, including local heritage assets.
- 8.32 The Council’s Conservation Officer has been consulted on the proposal, as well as Historic England. No objections have been received, subject to the imposition of conditions.
- 8.33 The heritage assets will be looked at in turn now.

#### The Central Conservation Area

- 8.34 The existing car park at the application site is noted in the conservation area appraisal as being a ‘poor quality feature’. The conservation area is significant for a number of reasons including its layout, historic architecture, and in the particular case of Park Street its residential character.

- 8.35 The demolition of the existing car park is considered to be a positive for the conservation area given the current negative contribution it has on the area. The proposed replacement building, although not residential in use, has been designed with a plot-based approach fronting Park Street to ensure that the residential character of Park Street is both respected and enhanced.
- 8.36 With respect to Round Church Street, a more commercial feel is afforded to the proposed development, and this is also considered appropriate given the transition from the more residential scale of Park Street towards the City Centre. The conservation area appraisal describes the dominance of the five storey nature of the existing car park along Round Church Street. Whilst the proposed building would also be five storeys in height, the top storey would be set back to provide significant relief to views along this street.
- 8.37 The creation of New Jordan's Yard would see a historic route through from Bridge Street to Park Street reinstated, improving the legibility of the historic layout.
- 8.38 It is noted that the Council's Heritage Officer has rightly pointed out that the rooftop plant would be visible from some vantage points – in particular he notes the Varsity Hotel rooftop bar as well as possible views from particular locations at street level. Whilst these are valid points, the harm from these limited vantage points is significantly outweighed by the improved appearance of the site within a far greater number of locations within the street-scene. The view from the Varsity is a private view and not a public view and the impact on this view has less weight as other public views which are improved from around the site.
- 8.39 With the above in mind, the proposal is considered to enhance the character and appearance of the Central Conservation Area, and its significance.

#### 5-10 Park Street

- 8.40 This is a terrace of two storey (with roof accommodation) Grade II Listed townhouses, which have a harmonious appearance due to their uniform appearance. The properties are listed by virtue of their repetitive architectural style and execution, and this is a key part of their significance, along with their siting and layout.

- 8.41 The application site is visible from these properties and can be seen in the same view from various places along Park Street and Round Church Street. The proposed development, by virtue of its improved aesthetic, and set back top storey, would improve the setting and significance of this terrace of properties

#### 19-44 Lower Park Street

- 8.42 This is a terrace of two storey properties running along Lower Park Street from Park Street to Jesus Green. They are Grade II Listed.
- 8.43 The uniform appearance and architectural detailing of these properties, along with their sweeping form are key contributors to the significance of this terrace.
- 8.44 The car park is currently viewed in the same plane as these properties when looking down Lower Park Street from Jesus Green and the proposal would result in an improvement on these views. This is considered to improve how these listed buildings are experienced, and significantly improves their setting.

#### Little Trinity & Garden Walls, Gates and Railings

- 8.45 This three storey property dates back to the early 18th century and sits on the corner of Jesus Lane and Park Street. The property fronts Jesus Lane and has a rear elevation facing towards the application site. The property stands taller than those immediately surrounding it which adds to its prominence. The property is Grade II Listed and benefits from rich architectural detailing including strong gable ends with prominent chimneys, varied brickwork and large sash windows.
- 8.46 Although taller than its immediate surrounding buildings, Little Trinity is shorter in height than the existing car park. The proposal would alter views from Little Trinity, and while the proposed building would maintain a greater height than Little Trinity, the architectural improvements of the proposed elevations against those existing seen in the context of Little Trinity would ensure that the setting of this building would be improved.



### Cambridge Union Society Building

- 8.47 This is another Grade II Listed building, and is sited on Round Church Street, opposite the application site. The site is currently undergoing redevelopment which involves the demolition of residential properties along Round Church Street. The significance of the building lies with its architectural merit, although some of this has been lost overtime with additions and alterations. The facades of the original building are being retained and these can be viewed together with the car park from Round Church Street. The proposed development would remove a building of negative architectural merit and would significantly improve the setting of this building from Round Church Street, looking eastwards.

### Church of the Holy Sepulchre (The Round Church)

- 8.48 This Grade I Listed church dates back to 1130 and takes its design approach from the rotunda in the Church of the Holy Sepulchre in Jerusalem. The unusual design and stone construction of this building are key parts of its significance. Also adding to its significance is its prominent location. The conservation area appraisal identifies a key view past the church and down Round Church Street which takes in views of the existing car park.
- 8.49 The proposal would enhance this view and the setting of the Round Church by removing the car park and replacing it with a better designed replacement building.
- 8.50 Overall, it is considered that the proposal would have a positive impact on the setting of the Round Church.

### 8, 9-14, 16-18, 28-29, 23-27 Portugal Place

- 8.51 These properties sit to the north west of the application site and the south eastern properties are described as having a 'sensitive' boundary with the application site in the Planning Guidance Note. These properties date back to as early as the 17th century. Some of the properties are Grade II Listed while others are non-designated heritage assets.
- 8.52 The properties have significance as a group, both visually and as a result of their historic layout including narrow street access,

which was at one time common in Cambridge but has been eroded across a lot of the City.

- 8.53 The narrowness of Portugal Place means that the carpark can only really be experienced from the rear of the properties on the south eastern aspect of Portugal Place. At present, views from these properties are of a large brick mass and core with occasional brick banding.
- 8.54 The proposal would provide a less visually obtrusive appearance from these properties than as existing, with several set back levels providing greater relief and spaciousness, and varied elevational treatments broken up through the arrangement of materials, privacy screens, and planting.
- 8.55 It is considered that the proposal would improve the setting of these heritage assets.

#### Church of St Clement

- 8.56 This Grade II\* church is a prominent feature along Bridge Street and sits to the west of the application site. Its significance is due largely to its historic 'layering' of change, as well as its architectural merit and prominent siting.
- 8.57 Although within the siting of this church, the proposal has been demonstrated by verified views as not being visible from views from the north west. The proposal is considered to cause no harm to the historic significance and importance of this building.

#### The Baron of Beef PH, The Mitre PH and 15-16 Bridge Street

- 8.58 These buildings sit in a row along Bridge Street and are all Grade II Listed. They date back to between the sixteenth and nineteenth centuries and are have significance due to their surviving built form, while the Mitre PH retains its historic rear yard area. The setting of these properties is most appreciable and more highly valued from Bridge Street. Development to the rear of the properties has eroded the setting of the assets, and the existing car park is considered to have contributed to this.
- 8.59 The proposal would have a neutral impact on the rear setting of these properties and would not cause any harm.

### 10-14 Bridge Street and 16 Round Church Street

- 8.60 These properties are considered together as they are attached and are sited on the corner of Round Church Street and Bridge Street, directly opposite the Round Church. 10-14 Bridge Street are Grade II Listed. Much of the significance of these properties is due to their prominent siting and proximity to the Round Church. They also have significant architectural merit.
- 8.61 These properties can be experienced in the same views as the application site and the existing car park is considered to be of detriment to these views. The proposal would improve these views and the setting of the buildings by introducing a more appropriate built form and higher quality design.

### The Chapel at St John's College

- 8.62 The Chapel sits further to the southwest of the car park than any of the previously discussed heritage assets. This nineteenth century Grade I Listed building has significant value as a result of its design, survival of original fabric and its significant tower.
- 8.63 Although within the setting of this building, the application site and the Chapel are cannot readily be appreciated together, and the proposal would not change the existing spatial relationship. The proposal is not, therefore, considered to affect the setting of this building.

### Overall

- 8.64 The development of the site provides for the opportunity to remove an existing negative building and improve upon this by introducing a higher quality modern design within a tight knit historical context. The proposal would, in the round, improve the setting of several nearby listed buildings and improve the character and appearance of the conservation area. The special interest and significance of the nearby heritage assets would be preserved and the development is respectful of their setting. These are significant factors which weigh in favour of granting planning permission.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.65 The development has been designed with the context of neighbouring properties in mind. The nearest residential properties are located on Portugal Place and Park Street. The rear of the properties on Portugal Place currently look onto a sheer brick wall and an external ventilation duct of the car park, broken up by intermittent concrete banding. The proposed building would provide increased separation distances from properties on Portugal Place by virtue of a stepped building line. The properties on Park Street would have an altered view, with the concrete façade of the car park replaced with a better designed and articulated frontage.
- 8.66 The applicant has submitted a sunlight and daylight study with respect to the nearby residential properties, and the report identifies a robust approach to conducting the study. The study concludes that in most instances properties would receive benefits with regard to daylight receipt, with only a small number of properties receiving a minor, and likely unnoticeable negative impact in this regard.
- 8.67 The scale and mass of the buildings proposed, along with their proximity to neighbouring properties, ensures that the proposal does not adversely impact upon their sunlight and daylight, nor does it cause significant overshadowing. This view is supported by the daylight/sunlight and overshadowing assessment provided by the applicant in support of this application. With regard to sunlight, the proposed scheme would comply with the BRE levels required in relation to adjoining properties windows.
- 8.68 The new building would appear less overbearing than the existing car park when viewed from both Portugal Place and Park Street, partly due to the stepped building line, and partly due to the improved elevational appearance.
- 8.69 With regard to overlooking, the properties on Portugal Place would have windows introduced on the elevation facing them. These are all to be non-openable and have translucent angled privacy screens fitted over them so as to ensure that there is no overlooking. It is acknowledged that the properties on Park Street will have windows introduced directly opposite them although the

distance between the properties, including the street running between the properties and their setback from the street, ensures that any overlooking would not be harmful. It is recommended that a condition be attached in the event of permission being granted to secure further details of the screens, including cross sections with the windows, to ensure that overlooking is prevented.

- 8.70 It is noted that the application confirms that the aparthotel would not generate worse background noise than the existing condition, however, in order to mitigate the impact of noise from adjoining businesses on hotel guests, the applicant has incorporated non-openable windows and this will ensure that noise from neighbouring properties would have minimal impact upon the guest rooms, and vice versa. With regard to the plant on the rooftop, it is considered appropriate to attach a condition requesting more information regarding the detailed design and equipment type, so as to ensure that the amount of noise generated is of an acceptable level so as to not create noise nuisance.
- 8.71 Officers have assessed the potential impact on the residential amenity of the surrounding occupiers in terms of sunlight, daylight, overlooking, overbearing, noise disturbance, and sense of enclosure. Officers are satisfied that the proposal, due to its design, siting, layout and distance from existing dwellings and boundaries, would not have a significant adverse impact on the residential amenity of the neighbouring occupiers such that it would warrant refusal.

#### Wider area

- 8.72 As with any development of this nature, there could be some adverse impact during the construction phase with regard to noise and dust. The Environmental Health Team have recommended various construction related conditions in order to protect the residential amenity of occupiers of properties in the wider area during construction. These include, but are not limited to, noise and dust during construction and construction hours. Officers have no reason to deviate from the advice given and have recommended these conditions accordingly.
- 8.73 In addition to noise and dust, specific concern has been raised regarding the potential for structural disturbance to properties

during the construction phase. As part of the application submission, a demolition management plan, and geotechnical & contaminated land investigation report have been submitted. These have been scrutinised by both the Environment Agency and the Council's Environmental Health Officers. It is considered that the proposed works can be carried out in a way which does not adversely impact upon neighbouring properties, and it has been recommended that conditions be attached to secure further information, as well as monitoring of works during the construction phase.

- 8.74 The creation of New Jordan's Yard has raised concerns from some residents about potential for increased rough sleeping opportunities, resulting in potential for anti-social behaviour which could adversely impact on neighbouring amenity. The Designing Out Crime Officer at the Police and the Council's rough sleeping team and Housing Officers have been consulted on the proposal and welcome the proposal, considering the proposal to actually have the opposite effect.
- 8.75 The new yard would be well overlooked with activated frontages provided by the hotel café and gym, whilst hotel rooms would also discourage misuse of this space. It is also considered that reintroducing a full route through from Park Street to Bridge Street would also encourage greater use of the space, and potentially reduce anti-social behaviour. The yard would be managed by the hotel and so there would also be active management of the space.
- 8.76 It is considered that the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and that it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

### **Refuse and Servicing Arrangements**

- 8.77 The proposed refuse storage arrangements are shown to be of a logical layout, with close proximity to the highway, and in close proximity of the loading bays. The plans show that refuse and servicing vehicles would be able to safely operate.
- 8.78 The Council's Refuse and Recycling Officer has been consulted on the application and no response has been received.

- 8.79 Drag distance would be comfortably within ten metres and this would comply with the RECAP Waste Design Guide (2012).
- 8.80 It is considered that the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

### **Highway Safety**

- 8.81 The application is supported by a number of plans and documents demonstrating how the development would be able to operate safely with respect to the highway. Relocated disabled parking bays, widened areas of pavement and dedicated loading and guest drop off bays on Round Church Street are all proposed to ensure efficient and safe highway function as a result of the development. In the event of planning permission being granted, a condition could be attached to ensure that the applicant enters into a section 278 agreement with the Highways Authority to deliver the improvements necessary for the highway.
- 8.82 The Highway Authority has been consulted as part of the application and no objections have been raised. They have suggested that conditions be attached in the event of permission being granted to secure a Traffic Management Plan.
- 8.83 Concerns have been raised from third parties regarding whether the proposal was to include alterations to traffic management measures including the removal of bollards at the junction of Park Street and Lower Park Street. This does not form part of the application and is not proposed to be altered.
- 8.84 It is considered that the proposal is compliant with Cambridge Local Plan (2018) policy 81.

### **Car and Cycle Parking**

- 8.85 The Cambridge Local Plan (2018) seeks to support developments that incorporate sustainable forms of transport, including walking, cycling and public transport. This, however, does not negate the requirement for schemes to provide an appropriate level of car parking within a scheme.

## Car Parking

- 8.86 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L of the same document. There is no standard for public car parking provision.
- 8.87 The site is located within a highly sustainable location in the heart of the City Centre.
- 8.88 The application proposes a replacement public car park over three levels - all underground. The car park would be able to accommodate 225 vehicles, which is a reduction of 165 spaces in relation to the existing number.
- 8.89 A number of representations have been received on the point of car parking – some suggesting that no parking should be provided at all and others suggesting that a re-provision of the existing amount should be made.
- 8.90 It is acknowledged that the Local Plan seeks to encourage sustainable modes of transport, and a shift away from car reliance. However, there is still a demand for car parking within the City and so the transition to sustainable methods of transport needs to be bought about in a managed way which still allows for choice. The provision of a reduced number of parking spaces will ensure that car parking is still available for those visiting the City Centre and using local businesses and services, whilst also reducing the level of provision that was deemed appropriate when the car park was constructed in the 1960's.
- 8.91 Visitors to the hotel could make use of the public car parking provision, but there are no plans for them to benefit from preferential rates for using this and there would not be any exclusive spaces for hotel use. However, the hotel operator has confirmed that their guests are generally more reliant on public transport methods, and this would support the proposed location of the hotel in the City Centre. A management strategy for the car park and cycle store has been provided, and this includes details of security measures including safety, lighting among other issues. This can be listed as an approved document to ensure compliance with this is achieved.



- 8.92 The car park would have passive provision for all parking spaces to have electric charging points, with 26 spaces having active provision upon the opening of the car park. This is a further attempt at encouraging greener forms of transport, and an approach that is supported by Local Plan policy 82.
- 8.93 The Council's Environmental Health Officer has requested a condition securing the electric charging provision and this is generally supported. However, one part of the condition proposed seeks to have allocated spaces exclusively for electric vehicles with dedicated electric charge points, which is considered to be more of a management issue. This is not a requirement of policy 82 and is not, therefore, required to make the development acceptable, and therefore fails to pass the 'necessary' test set out in Circular 11/95 which conditions need to meet. Officers have, therefore, omitted this element of the condition but have added an informative suggesting that adequate signage should be implemented to ensure that spaces are used appropriately by members of the public.
- 8.94 Concerns have been raised regarding the loss of three on-street blue badge disabled parking bays along Round Church Street. This is unfortunate although a far greater provision of such spaces (sixteen) are being proposed within the car park. In addition, it is noted that there are other grade level disabled parking bays in close proximity, including a row of bays on Jesus Lane which can comfortably accommodate eight cars.
- 8.95 With the above in mind, Officers are content that the level of car parking provision is sufficient to meet the demands of the development proposed, with due consideration for equality, whilst encouraging the use of more sustainable forms of transport.

#### Cycle Parking

- 8.96 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L of the same document. As with the car parking standards, there is no requirement for a public cycle store.
- 8.97 The proposal provides a modern facility at ground floor level (it is currently in the basement of the existing car park) and provision

for off-gauge bicycles as well as the more traditional forms. The existing facility accommodates 249 cycles, whilst the proposed would provide 270, an increase of 21 spaces.

- 8.98 The store would be at ground floor level and would have active frontages along New Jordan's Yard, providing a sense of natural surveillance that would act as a deterrent to miscreants.
- 8.99 Officers are satisfied that the proposal promotes the prevalence of sustainable transport methods and provides an acceptable balance between car and cycle parking. The proposal is considered to be compliant with Cambridge Local Plan (2018) policy 82.

### **Contaminated Land**

- 8.100A Geotechnical and Contaminated Land assessment has been submitted as part of the application. This describes both desktop and intrusive studies.
- 8.101The Council's Environmental Health Officer has reviewed the information provided and is content with the findings. Conditions have been recommended with regard to unexpected contamination and management of materials.
- 8.102Officers are content that the information provided adequately demonstrates compliance with policy 33 of the Cambridge Local Plan (2018).

### **Integrated water management and flood risk**

- 8.103The application has been supported by a Flood Risk and Drainage strategy.
- 8.104The Council's Drainage Officer and the Local Lead Flood Authority have been consulted on the proposal.
- 8.105The Council's drainage Officer has raised no objection to the proposal.
- 8.106The Local Lead Authority originally raised concerns regarding the compliance of the scheme with Local Plan policies. Additional information has been submitted. At the time of writing this report, conversations had taken place between the applicant and the

Council's Drainage Officer to satisfy the LLFA, and an update on the outcome of these will be reported prior to committee.

## **Trees & Ecology**

### Trees

8.107 The application is accompanied by an arboricultural impact assessment.

8.108 The site, by virtue of its significant built form, currently has very few trees. The proposal would result in the loss of all three trees on the site. The Council's Tree Officer has been consulted on the proposal and has raised an objection to the proposal for this reason.

8.109 The loss of the trees, whilst unfortunate, is required in order to facilitate the excavation of the basement car park, which would not be possible to provide without suffering this loss. The applicant has proposed the planting of replacement trees which would be within the highway, adjacent to the site, rather than within it.

8.110 As well as replacement trees, the proposal seeks to introduce landscaping within New Jordan's Yard and to the Portugal Place elevation and these will more than help to mitigate the loss of the existing trees. Additionally, officers are of the opinion that the scheme could potentially provide more planting within the courtyard and on the building elevations and this could be secured by way of the landscaping condition.

8.111 Subject to condition, the proposal is considered to be compliant with Cambridge Local Plan (2018) policy 71.

### Ecology

8.112 An Ecology Appraisal was submitted with the application and details the ecological improvement measures proposed within the scheme. These include biodiverse roofs, green walls, a bee hotel and landscaping.

8.113 The Ecology officer has been consulted as part of the application. He has commented that he is content with the submitted Ecology Appraisal and welcomes the proposed ecological enhancement

features within the built and landscaped environment, which he notes have the potential to create a net gain for biodiversity on the existing site. He has recommended a condition be attached in the event of planning permission being granted to ensure that details of the biodiverse green roof are provided to the Local Planning Authority for approval, in order to ensure that the roof has maximum biodiversity benefits. Additional conditions relating to securing details of the bee hotel and provision of bird and bat boxes are also suggested.

8.114 The proposal would, subject to the condition suggested, be in accordance with Policy 70 of the Cambridge Local Plan (2018).

### **Energy and Sustainability**

8.115 The proposed development includes a series of renewable energy and sustainability measures to reduce carbon emissions and to save energy in accordance with Policy 28. These include the following:

- Green biodiverse/sedum roof
- Use of water harvested from the green roofs for toilet flushing in the hotel
- A predominantly electric-led strategy for the site using Air Source Heat Pumps
- High performance construction materials
- Mechanical Ventilation with Heat Recovery (MVHR)
- Electric vehicle charging points – provision made for potential for all spaces to be fitted with chargers in the future
- Photovoltaic (PV) panels

8.116 The Energy report demonstrates that the approach chosen would achieve a 19% improvement on current Building Regulations reduction in relation to carbon dioxide emissions. A comprehensive approach has been taken to sustainability and the measures proposed combine to form a sustainable development. BREEAM excellent is targeted by the development.

8.117 The Council's Sustainability Officer has been consulted on the proposal and has raised no objections subject to the imposition of conditions relating to complying with the energy statement submitted and water efficiency.

8.118 It is noted that concerns have been raised about the development not significantly surpassing the criterion set out within policy 28. From a planning perspective, the scheme satisfies the policy requirement, and requiring anything above and beyond this would not be something that can be enforced.

8.119 Officers have no reason to consider the information submitted differently to the Sustainability Officer and with the above in mind the proposal complies with policy 28 and Officers have recommended the suggested conditions accordingly.

### **Public Art**

8.120 The application proposal as a full planning application triggers the requirement for on-site public art. The delivery of public artwork is often influenced by local context and the process of construction can often inform appropriate artwork. A Public Art Delivery Plan can be satisfactorily secured through the imposition of a planning condition. Subject to the imposition of a planning condition, the proposal is compliant with Cambridge Local Plan (2018) policy 56 and the Public Art SPD 2010.

### **S106 Contributions**

8.121 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.

8.122 In bringing forward recommendations in relation to the Planning Obligation for this development these requirements have been considered. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. There are no S106 planning obligations required by this development.

8.123 Officers are satisfied that the proposal accords with Cambridge Local Plan (2018) policy 45 and the Planning Obligation Strategy 2010.

### **Third Party Representations**

8.124 This section addresses issues raised in the representations that have not been covered in the commentary above.

#### Impact on local businesses

8.125 Concerns have been raised about the impact of the proposal on local businesses, both with regard to during construction, and ongoing due to the reduction car parking spaces in the public car park.

8.126 It is acknowledged that there will be some impact on local businesses in the short term – in particular while there is no car park available. However, given the city centre location of the site, along with the availability of car parking in nearby car parks such as the Grand Arcade and accessible modes of transport into the centre such as park and ride bus services, patrons of local businesses will still be able to frequent the commercial premises in the immediate vicinity. It is also worthy of note that the Council manages other City Centre public car parks and can assist the process by coordinating and directing traffic to other locations – thus minimising disruption and inconvenience.

8.127 The Maypole public house will likely be the business most impacted by the construction works as there will likely be the need to undertake some works from their property, in particular the external courtyard. This will require the agreement of the property in question, and this is not a matter for determination by the planning process.

8.128 Concerns have been raised that the reduced capacity in the new car park would result in a loss of trade to local businesses in the longer term, although it is considered that any impact would be minimal as there will be parking provision, as well as the other parking and transport routes in to the area as described above. It is considered that the addition of a new hotel would result in an audience for local businesses that do not exist with the existing car park. This will likely have a positive impact for the local economy, especially given that guests of the hotel are likely to

stay for two or three nights at a time, rather than a single night.

- 8.129 It is acknowledged that there may be a short-term impact to local businesses of the proposed development, but it is considered that the proposal will have a longer term benefit for local businesses and the wider Cambridge economy.

#### Insufficient consultation by Council

- 8.130 Concerns have been raised with regard to the consultation process carried out by the Local Planning Authority with respect to this planning application.

- 8.131 The Local Planning Authority have sent letters to properties in the local area, as well as advertising in the local press and erecting site notices in various locations around the site.

- 8.132 The concerns have noted very specific properties which do not appear on the list of properties who had letters sent directly to them, and this is the reason why a range of methods of advertising are undertaken. Representations have been received from a number of the addresses provided in the letters of representation and this indicates that these properties have not been prejudiced in any way.

- 8.133 It is considered that the LPA has adequately undertaken its statutory obligations in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

#### Insufficient consultation from the applicants

- 8.134 It has been raised that the applicant has not adequately engaged with the public on the proposals.

- 8.135 It is noted that a number of public events have been held to give members of the public an opportunity to provide their thoughts and feedback on the proposals. The scheme has been altered as a result of some of these events and it was acknowledged by the lead petitioner at the Development Control Forum that they had been engaged by the applicants.

- 8.136 Planning legislation does not require an applicant to undertake consultation with the public on development proposals, and this

cannot form a reason for refusal. However, it is contended that the developer has undertaken significant public engagement and consultation both prior to and during the application.

#### Loss of public toilets

8.137 The proposal involves the loss of some public toilets which are an integral part of the existing car park. A number of representations have expressed disappointment regarding this.

8.138 Policy 73 of the Development Plan seeks to ensure that community facilities are not lost, unless they can be re-provided either within the new development or elsewhere,

8.139 The existing toilets are in a poor condition and are often closed due to vandalism. The proposal does not propose new public toilets on site.

8.140 There are, however, plans to provide improved public toilet provisions in other locations across the city including at Silver Street for which a planning application is currently with the Local Planning Authority for consideration. In addition, there are alternative facilities in close proximity – both Jesus Green and Quayside are within 400 metres of the application site.

8.141 Given the close proximity to the City Centre where a number of public convenience facilities exist and the proposed strategy of re-providing new public toilets elsewhere, the loss of the public toilets in this location is acceptable, and whilst there is conflict with policy 73 of the Local Plan, significant harm from the loss of this amenity would not arise and the extent of conflict is therefore limited.

#### Misleading information from Council regarding car park condition

8.142 The structural condition of the existing car park is not a significant or determining material factor in the consideration of this proposal. This point is not, therefore, considered any further.

## **9.0 CONCLUSION**

9.1 The proposal is for the comprehensive redevelopment of the site involving the demolition of existing multi-storey car park and erection of an aparthotel (Use Class C1) alongside an



underground public car park, public cycle store and associated works

- 9.2 The proposed development has had extensive pre-application consultation with a variety of consultees and members of the public prior to its submission. The scheme has been amended significantly to address issues raised during the pre-application stage.
- 9.3 The proposal has been assessed carefully, taking into account the National Planning Policy Framework (NPPF), the Planning Practice Guidance, the statutory requirements of Sections 66(1) and 72(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990, the Cambridge Local Plan (2018), the views of statutory consultees and wider stakeholders as well as all other material planning considerations.
- 9.4 The application has been considered against the relevant policies, and upon assessment, Officers consider that the application complies with national and local policies, and the proposed development be recommended for approval subject to appropriate planning conditions.

## **10.0 RECOMMENDATION**

**APPROVE PLANNING PERMISSION** subject to the following conditions:

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

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

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

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

- 3 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 2018, Policy 35).

- 4 Prior to the commencement of the superstructure hereby approved, with the exception of demolition and below ground works, full details including samples of all the materials to be used in the construction of the external surfaces of buildings, which includes external features such as non-masonry walling systems, entrance doors, porch and canopies, windows, recessed brick panels, roof cladding, external metal work, balustrades, rain water goods, edge junction and coping details, colours, surface finishes and relationships to glazing and roofing, shall be submitted to and approved in writing by the local planning authority. This may consist of a materials schedule, large-scale drawings and/or samples. Development shall be carried out in accordance with the approved details. Sample panels for both Park Street and Round Church Street elevations (minimum of 1.5x1.5m) of the facing materials to be used shall be erected on site or provided off site and made available for inspection to establish the detailing of bonding, coursing, colour and type of jointing and any special brick patterning/articulation detailing (e.g. soldier coursing, rusticated brickwork detail) shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panels, which shall not be demolished prior to completion of development unless with the consent of the Local Planning Authority, and shall be maintained throughout the development.

Reason: In the interests of the visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development (Cambridge Local Plan 2018, Policies 55 and 57).

- 5 No rooftop plant shall be constructed on the building hereby approved until such time as full details, to a large scale, of any rooftop plant screening systems to be installed, where relevant, have been submitted to and approved in writing by the local planning authority. This may include the submission of samples of mesh/louvre types and the colour(s) of the components. Colour samples should be identified by the RAL or BS systems. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (Cambridge Local Plan 2018 policies 55 and 57).

- 6 Full details of proposed signage 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 2018 policies 55 and 57).

- 7 Notwithstanding the plans hereby approved, full details of the privacy screens facing Portugal Place properties, including samples of glazing and drawings showing their relationship with the windows behind as well as method of attachment to the wall, shall be submitted to and approved in writing by the Local Planning Authority. The approved privacy screens shall be implemented in accordance with the approved details prior to the occupation of the aparthotel rooms facing Portugal Place and shall be retained in situ in the approved form.

Reason: Reason: To protect the amenity of the occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

## **HIGHWAYS**

- 8 No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority and the development shall not be implemented otherwise than in accordance with the traffic management plan as approved by the Planning Authority. The principle areas of concern that should be addressed are: i. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway) ii. Contractor parking; provide details and quantum of the proposed car parking and methods of preventing on street car parking. iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway) iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway. The TMP should be a standalone document separate and distinct from any Environmental Construction Management Plan. While the two elements are closely aligned the TMP deals with how the contractor/developer will interact with the adopted public highway an area over which they have limited control.

Reason: in the interests of highway safety (Cambridge Local Plan 2018, Policy 81).

## **SUSTAINABILITY**

- 9 Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met, with maximum credits for Wat 01 (water consumption) and 3 credits for Hea 04 (thermal comfort). Where the interim certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall be submitted identifying how the shortfall will be addressed. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28).

- 10 Within 6 months of occupation, a BRE issued post Construction Certificate shall be submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28).

- 11 The proposed on-site renewable and low carbon technologies set out in the Sustainability Statement (Hoare Lee, Revision R01 12 July 2019) shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any alterations to the energy strategy and sustainability statement that can deliver greater carbon dioxide emissions reductions or a reduction or elimination of gas usage shall be submitted to and approved in writing by the Council. The details submitted should outline how the altered energy strategy can further reduce carbon dioxide emissions or gas usage from the approved Energy Strategy and Sustainability Statement. The renewable and low carbon energy technologies shall remain fully operational in accordance with the approved maintenance programme, unless otherwise 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 2018, policy 28).

## **LANDSCAPING**

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

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2018; policies 55, 57 and 59).

- 13 Prior to first occupation or the bringing into use of the development, hereby permitted, 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. 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 2018; Policies 55, 57 and 59).

- 14 No development above ground level, other than demolition, shall commence until full details of green 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 for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable.

Reason: In the interests of responding suitably to climate change and water management (Cambridge Local Plan 2018; Policy 31).

- 15 Details of the irrigation system for the roof gardens and trough/planter planting should be submitted prior to occupation. Details should include water delivery system to planting beds, water source, automatic control system, times and amounts of water to planting beds, system maintenance details (to be included within the Management Plan).

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 2018; Policies 55, 57 and 59).

## **ENV HEALTH/ENV AGENCY**

- 16 There shall 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 2018 policy 35).

- 17 Prior to the installation of relevant plant, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the said plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

The plant noise criteria limits specified within the Applied Acoustic Design Proposed Aparthotel, Park Street, Cambridge Noise Assessment dated 11th July 2019 (Ref: 19132/001/js) at the use hereby approved shall not be exceeded.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

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

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

- 19 All service collections / dispatches from and deliveries to the approved development including refuse / recycling collections shall only be permitted between the hours of 07:00 to 23:00 Monday to Friday, 08:00 to 13:00 on Saturday. Service collections / dispatches and deliveries are not permitted at any time on Sundays or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

- 20 If unexpected land contamination is encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and the contamination has been fully assessed and a remediation strategy has been submitted to, and approved by, the Local Planning Authority. Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.



Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety and to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements which can be found here: <https://www.gov.uk/government/publications/groundwater-protection-position-statements> and to ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety (Cambridge Local Plan 2018 Policy 33).

- 21 Prior to importation or reuse of material for the creation of a piling mat and for use within the landscaping scheme 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 2018 Policy 33.

- 22 No development shall commence (including any pre-construction, demolition, enabling works or piling), until a written report, regarding the demolition / construction noise and vibration impact associated with this development, has been submitted to and approved in writing by the Local Planning 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. The development shall be carried out in accordance with the approved details only.

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 2018 policy 35)

- 23 Prior to the installation of any electrical services, an electric vehicle charge point scheme as shown in drawing A100 098 Rev PO 'Proposed Basement Level – 1 (Produced by Dexter Moren Associates and dated 15th July 2019), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Four slow electric vehicle charge points with a minimum power rating output of 7kW.
2. Twenty two Fast electric vehicle charge point with a minimum power rating of 22kW.
3. The electric vehicle charge points shall be designed and installed in accordance with BS EN 61851 or as superseded.
4. Remaining car parking spaces with infrastructure for the future provision of electric vehicles charge points.

The electric vehicle charge point scheme as approved shall be fully installed prior to the first occupation and maintained and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF) paragraph 105, 110, 170 and 181, Policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan (2018) and with Cambridge City Council's adopted Air Quality Action Plan (2018).

- 24 Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements which can be found here: <https://www.gov.uk/government/publications/groundwater-protection-position-statements> (Cambridge Local Plan 2018 Policy 33).

- 25 Prior to the installation of any combustion appliances, technical details and information demonstrating the use of low Nitrogen Oxide (NOx) combustion boilers, i.e., individual boilers that meet a dry NOx emission rating of  $\leq 40\text{mg/kWh}$ , to minimise emissions from the development that may impact on air quality, shall be submitted to and approved in writing by the local planning authority. The details shall include a manufacturers Nitrogen Oxides (NOx) emission test certificate or other evidence to demonstrate that every boiler installed meets the emissions standard above.

The scheme details as approved shall be fully installed and operational before first occupation and shall be maintained and retained thereafter.

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 in accordance with the requirements of the National Planning Policy Framework (NPPF, 2019) paragraphs 170 and 181, policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan 2018 and Cambridge City Councils adopted Air Quality Action Plan (2018).

- 26 The proposed dust mitigation and monitoring shall be carried out as specified and fully in accordance within the following documents:
- John F Hunt – Dust Risk Assessment – revision 01 – 12th July 2019
  - John F Hunt – Park Street, Cambridge project environmental monitoring report – report reference 001 – 17th October 2019
  - John F Hunt – Construction Environmental Management Plan (CEMP) – Managing the site environment – 15th October 2019 second issue – 20th November 2019.

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 in accordance with the requirements of the National Planning Policy Framework (NPPF, 2019) paragraphs 170 and 181, policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan 2018 and Cambridge City Councils adopted Air Quality Action Plan (2018).

## **NATURE CONSERVATION**

- 27 No occupation shall commence until details of the 'bee hotel' have been submitted to and approved in writing by the Local Planning Authority. Details should include target species, proposed scale, number, locations, orientation, materials, fixings, hole sizes, and maintenance requirements. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reason: To ensure that proposed ecological enhancement maximize potential biodiversity benefits (Cambridge Local Plan 2018 policy 69).

- 28 Bird and Bat Boxes. No occupation shall commence until a plan has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird and bat boxes on the new building. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reason: to provide ecological enhancements for protected species (Cambridge Local Plan 2018 policy 69).

## **OTHER**

- 29 The maximum cumulative stay in the serviced apartments by any individual occupier shall be 90 days in any twelve months period.

Reason: To ensure that the serviced apartments are not used as permanent residential accommodation or student accommodation, which would give rise to substantially different impacts and because the scheme may otherwise require the need for affordable housing, or a formal agreement to occupy with an educational institution. (Cambridge Local Plan 2018 policies 45, 46, 50, 51, 77 and 78).

- 30 The proposed aparthotel shall keep records of the lengths of stay of all guests and shall retain them for 24 months. The said records shall be made available to the local planning authority on request, within seven days.

Reason: To ensure that use of the proposed building only as visitor accommodation can be satisfactorily monitored. (Cambridge Local Plan 2018 policy 77).

- 31 No part of the development hereby approved, with the exception of demolition, shall commence until a scheme and programme for modifications to the public highway along Round Church Street and Park Street, has been submitted to, and approved, by the Local Planning Authority as part of a Section 278 agreement, under the Highways Act 1980.

The highway works shall be implemented in accordance with the approved details prior to the first use of the development, and retained thereafter.

Reason: in the interests of highway safety (Cambridge Local Plan 2018, Policy 81).

- 32 No development above ground level, other than demolition, shall commence (or in accordance with a timetable agreed in writing by the Local Planning Authority), until a Public Art Delivery Plan (PADP) has been submitted to and approved in writing by the Local Planning Authority. The PADP shall include the following:

- a) Details of the public art and artist commission;
- b) Details of how the public art will be delivered, including a timetable for delivery;
- c) Details of the location of the proposed public art on the application site;
- d) The proposed consultation to be undertaken;
- e) Details of how the public art will be maintained;
- f) How the public art would be decommissioned if not permanent;
- g) How repairs would be carried out;
- h) How the public art would be replaced in the event that it is destroyed;

The approved PADP shall be fully implemented in accordance with the approved details and timetabling. Once in place, the public art shall not be moved or removed otherwise than in accordance with the approved maintenance arrangements.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 55 and 56 of the Cambridge Local Plan 2018.

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

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

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

**INFORMATIVE:** It is recommended that adequate signage is included in the car park to encourage non-electric car drivers to, where possible, not occupy spaces with electric charge points.

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

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

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

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

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

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

**INFORMATIVE:** Any material imported into the site for use within a piling mat shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. This material is expected to be tested at a frequency of 1 sample every 100m<sup>3</sup> or one per lorry load, whichever is greater. If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

**INFORMATIVE:** For the avoidance of doubt, following implementation of any Permission issued by the Planning Authority in regard to this proposal the hotel hereby approved will not qualify for Residents' Permits within the existing Residents' Parking Schemes operating on surrounding streets.

**INFORMATIVE:** When writing a Traffic Management Plan (TMP) the applicant should consider the following elements and provide the information as requested. This will make discharging the condition much simpler, faster and more efficient. As will be seen from the details below a TMP need not be a lengthy document however, clarity is key.

#### 1. Site Plan

i. The applicant should provide a site plan at a true scale of 1:200 for smaller sites and 1:500 for larger sites showing the following areas with written dimensions:

- a. Proposed material storage area
- b. Proposed site offices



- c. Proposed car parking area
- d. Proposed manoeuvring space
- e. Proposed access location
- f. Proposed location of any gates
- g. Proposed location of any wheel washing facility or similar.
- h. If the site is to be multi-phased then a plan for each phase should be provided.

## 2. Movement and control of muck away and delivery vehicles

- i. The proposed manoeuvring area for delivery/muck away vehicles, this should include a swept path analysis for the largest vehicle to deliver to the site to demonstrate that this can enter and leave in a forward gear.
- ii. If it is not possible to deliver on site or turn within the same, then details of how such deliveries will be controlled will need to be included, for example if delivering to the site while parked on the adopted public highway how will pedestrian, cycle and motor vehicle traffic be controlled?
- iii. Delivery times. If the site is served off a main route though the county (and this does not necessarily need to be a A or B class road), or other areas of particular traffic sensitivity (a list of traffic sensitive streets can be requested from the Street Works Team at [Streetworks@Cambridgeshire.gov.uk](mailto:Streetworks@Cambridgeshire.gov.uk)) then delivery and muck away times will need to be restricted to 09.30-16.00hrs Monday to Friday.
- iv. If the site is in the vicinity of a school then the applicant should ascertain from the school when their opening/closing times are and tailor the delivery/muck away movements to avoid these. The Highway Authority would suggest that allowing at least 30 minutes either side of the open/closing times will generally ensure that the conflicts between school traffic and site traffic are kept to the minimum.
- v. The Highway Authority would seek that any access used by vehicles associated with the site be paved with a bound material (for at least 15m for larger sites) into the site from the boundary of the adopted public highway (please note this is not generally the edge of carriageway), to reduce the likelihood of debris entering the public highway.
- vi. Any temporary gates used for site security must be set back at least 15m from the boundary of the adopted public highway to enable a delivery/muck away vehicle to wait wholly off the adopted public highway while the gates are opened and closed, or they must remain open throughout the entire working day.

vii. Normally access to the site should be 5m in width for smaller sites and 6.5m for larger sites, though it is recognised that this may not be practical for small scale developments of one or two units.

### 3. Contractor parking

- i. If possible all parking associated with the proposed development should be off the adopted public highway.
- ii. Within the area designated for contractor/staff parking each individual bay must be at least 2.5m x 5m, with a 6m reversing space. However, given the nature of the construction industry i.e. that staff tend to arrive and leave site at approximately the same time spaces may be doubled up, i.e. 10m in length, 2.5 wide with a reversing space. A list of number of operatives, staff and trades that will be on site at any one time should be provided to ascertain if the number of spaces being proposed will be acceptable.
- iii. If the site has no potential to provided off street car parking and or only limited numbers the applicant must provide details of how on-street parking will be controlled.

### 4. Control of dust, mud and debris, in relationship to the operation of the adopted public highway

- i. If it is likely that debris may be dragged on to the adopted public highway the applicant should provide details of how this will be prevented. If a wheel wash or similar is proposed, the details of how the slurry generated by this will be dealt with must be provided, please note it will not be acceptable to drain such slurry onto to over the adopted public highway.
- ii. The Highway Authority would seek that the developer include the following words in any submitted document: The adopted public highway within the vicinity of the site will be swept within an agreed time frame as and when reasonably requested by any officer of the Highway Authority.
- iii. It is recognised that construction traffic occasionally damage the adopted public highway and the developer should include a note stating that such damage will be repaired in a timely manner at no expense to the Highway Authority.

The Traffic Management Plan must relate solely to how the operation of the site will affect the adopted public highway, other information for example noise levels is not a highway matter and should not be included within the plan.