

<b>Application Number</b>	21/03620/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	2nd August 2021	<b>Officer</b>	Steve Fraser-Lim
<b>Target Date</b>	1st November 2021		
<b>Ward</b>	Petersfield		
<b>Site</b>	Devonshire Gardens Devonshire Road Cambridge Cambridgeshire CB1 2BJ		
<b>Proposal</b>	Demolition of existing depot building and redevelopment of site to provide two new buildings comprising Class E (g)(i) / E (g) (ii) floorspace with associated plant and cycle parking, three new residential buildings comprising 100 units with associated plant and cycle parking, one new building comprising flexible commercial space (Class E) to include a creche with associated cycle parking, flexible community space (Class F.1/F.2), hard and soft landscaping and associated access.		
<b>Applicant</b>	c/o Agent		
<b>Applicant</b>	First Base, C/O Agent		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <p>Scale and massing unduly large and dominant, detracting from appearance of surrounding area, and heritage assets.</p>
---------	--

	The quality of some of the proposed residential units is unduly poor, due to number of single aspect units, long double loaded corridors with no natural light or ventilation, excessive numbers of units per core / floor, low levels of sunlight to some units. As such they would provide a poor standard of amenity for future occupiers.
RECOMMENDATION	REFUSAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site comprises a Travis Perkins builders merchants situated on the east side of Devonshire Road. A single storey warehouse building is situated within the centre of the site, with most of the remaining area of the site comprising hard standing for storage, vehicle parking and manoeuvring. Railway lines adjoin the site to the east and building materials are stored along the sites eastern boundary adjacent to the railway line. A line of trees and understorey shrubs are situated within the site along its western boundary with Devonshire Road. The trees within this group are subject to a Tree Preservation Order (TPO Number 30/1990). Two storey terraced houses are situated on the opposite side of Devonshire Road to the west. A close of two storey houses adjoins to the south (Angus Close), and a terrace of three storey dwellings adjoins to the north.

1.2 The site is within the Mill Road Opportunity Area within the Cambridge Local Plan (2018) and is identified as proposal site R9. The site falls within a controlled parking zone. The site is outside of but adjoining the Mill Road Conservation Area.

## 2.0 THE PROPOSAL

2.1 The proposals comprise demolition of the existing buildings and erection of two new buildings comprising office / light industrial floorspace, (Class E (g)(i) / E (g) (ii)) floorspace with associated plant and cycle parking, three new residential buildings comprising 100 units with associated plant and cycle parking,

one new building comprising flexible commercial space (Class E) to include a creche with associated cycle parking, flexible community space (Class F.1/F.2), hard and soft landscaping and associated access. The development is a 'build to rent' development meaning that the whole development will be built, owned, let and managed for the long term by a single developer. As such the residential units and commercial floorspace will be available only for rent, with the site owner collecting service charges from tenants, to maintain the site. 20% of the proposed residential units are to be let at a discount of at least 20% of market rents in the wider area.

2.2 The proposals are arranged as a series of buildings within a perimeter block around a central landscaped garden space. The space includes hard and soft landscaping, new trees, raised mounds, raingardens, play on the way elements and a pavilion to facilitate public performances and public art. The space is intended to be privately owned and managed for use by future residents, workers within the office floorspace, as well as members of the public. Block A is part 3, part 4 stories in scale and faces northwards towards the railway cottages which line Mill Road to the north. Uses comprise non-residential units on the ground floor such as a 'library of things', community kitchen, site management office or artist studio. Residential units are located on upper floors.

2.3 Blocks B and C are 3-6 stories in scale, situated on the eastern boundary of the site adjacent to the railway line and comprise office and co-working floorspace with associated cycle parking

hub with end of journey facilities. Block D is 5-6 stories in height, located to the south of block C adjacent to the railway line and is in residential use. Block E is located along the southern boundary of the site, adjacent to Angus Close, is two stories in scale and proposed for use as a creche, with an adjacent secure external play space.

2.4 Blocks F and G are three stories in scale, in residential use and are situated adjacent to the western boundary of the site with Devonshire Road, and set behind the existing trees and hedges which form the site boundary. Two vehicle accesses are proposed into the site, one from the north which includes a servicing area and disabled parking. The southerly access also includes a loading / servicing space and access to the eastern boundary of the site. The eastern boundary of the site will facilitate service access to office buildings B and C. This route is also intended for use as part of the Chisholm cycle trail, if linkages to the north and south of the site, through Network Rail land can be agreed.

### **3.0 SITE HISTORY**

Reference	Description	Outcome
11/1294/FUL	Demolition of existing depot building and redevelopment of site to provide: 43 residential units (comprising 18 2-3 bed houses, 6 2-3 bed coach houses and 19 1-2 bed flats), public open space including a	Granted October 2011

	play area, and associated works including landscaping, new access and parking.	Some conditions discharged in 2017.
	A number of applications have been made to discharge the conditions associated with the above application.	Some outstanding.
11/1295/FUL	Demolition of existing depot building and redevelopment of site to provide: remodelled Travis Perkins depot including the erection of a new depot building and reconfiguration yard area and landscaping.	Granted December 2011
21/02402/SCRE	Request for EIA screening opinion for the proposed development of 107 dwellings, commercial space, landscaping and associated infrastructure works, Devonshire Road, Cambridge (Devonshire Gardens).	May 2021
C/97/0124	Erection of a new warehouse (648msq) on site of existing office/sales building (246msq) (to be demolished) at Builders Merchants Yard (Sui Generis).	February 1997
Various	A series of applications were	1972-1989

submitted for retention of buildings on site and use of the site for warehouse / storage purposes.

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 2 3 5 6 8 24 27 28 29 30 31 32 33 34 35 36 37 40 41 42 45 50 51 55 56 57 59 60 61 62 65 68 70 71 73 80 81 82 83 85

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

Central Government Guidance	National Planning Policy Framework 2021 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards
-----------------------------	--

	<p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
<p>Supplementary Planning Documents (These have been prepared in parallel with the Local Plan preparation and will be shortly adopted by the Executive Councillor by an out of cycle decision.)</p>	<p>Cambridgeshire and Peterborough Flood and Water</p> <p>Greater Cambridge Housing Strategy additional Annexes 9 (Build to Rent Policy) and 11 (Affordable Rents Policy) adopted July 2021</p> <p>Sustainable Design and Construction (2020)</p>
<p>Previous Supplementary Planning Documents (These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)</p>	<p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Balanced and Mixed Communities – A</p>

	<p>Good Practice Guide (2006)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Buildings of Local Interest (2005)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Cambridge City Council Draft Air Quality Action Plan 2018-2023</p> <p>Cambridge City Council Open Space and Recreation Strategy (2011)</p> <p>Cambridge City Council Waste and Recycling Guide: For Developers.</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Contaminated Land in Cambridge - Developers Guide (2009)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p>
	<p><u>Area Guidelines</u></p> <p>Mill Road Area Conservation Area Appraisal</p>

## 6.0 CONSULTATIONS

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

- 6.1 **Raises Concern:** The proposed loading bay to the north of the site presents an unduly hazardous entry and exit manoeuvre for the larger vehicles proposed to use the same as they would have to cross the proposed all mode access at an angle to progress along Devonshire Road. The proposed swept path analysis shows a vehicle approaching from the south as overriding the footway adjacent to the proposed raised table at the access. In order to create a suitable approach ramp there will need to be full face kerbs on the northern side of the ramp, which would have to be negotiated by any vehicle entering or leaving the bay, which technically means that said vehicle would be driving on a footway without a properly formed crossing which is illegal. The proposed location of the bay may also preclude any future works the Highway Authority may wish to seek in closing Devonshire Road to motor vehicular traffic.

The above concerns can be overcome if the internal arrangements of the site are adjusted to permit all serving to take place here (as was discussed during the pre-application meetings). In addition, there appears to be no details of how the northern section of the site will be serviced by a 12.3m long refuse vehicle. This is a concern as the carriageway in Devonshire Road is probably not wide enough to enable such a vehicle to reverse into the site from the adopted public highway. The above request can be overcome if the applicant provides details of the refuse collection strategy for the northern section of the site.

In addition, a number of conditions are recommended regarding: Construction Phase Traffic Management Plan; Restriction on delivery times for large vehicles; Visibility splays to be maintained free; No water discharge onto the public highway.

## **Affordable Housing**

- 6.2 **No objection:** Additional annexes to the Greater Cambridgeshire Housing Strategy were adopted in July 2021, which include an annex (9) with regard to Build to Rent (BTR) and affordable housing. This states that the Greater Cambridge Housing Strategy supports the development of purpose built private rented housing to help provide additional housing choice and to help accelerate the delivery of new homes: “A minimum of 20% homes in Build to Rent developments of 10 or more homes will be required to be provided as Affordable Private Rent... This is a minimum and the councils will seek to achieve a higher percentage than this wherever possible”. The application proposes 20% of units to be let at a 20% discount from market rents. As required Greater Cambridge Shared Planning: a strategic partnership between Cambridge City and South Cambridgeshire District Councils by Annex 9 a Market Report has been submitted setting out how the proposals would meet local housing demand. The proposals are broadly in line with the updated policy requirements. Although a proposed rent profile for the scheme has been requested that demonstrates how the affordable rent policy and build to rent policy have been given full consideration.

## **Environmental Health (Noise)**

- 6.3 **No Objection:** Confident that outstanding issues can be resolved for most Environmental Health issues via condition. However further information and / or consideration is required on the potential operational noise impact of the proposed development on both existing and future noise sensitive receptors (NSR). All noise sources associated with the development should be considered and assessed against a BS4142 type assessment showing clearly methodology used, assumptions and calculations. Any package of mitigation identified will need to demonstrate that the recommended noise rating levels can be achieved at all relevant NSR both on-site and off-site.

The applicant should assess the impact of the proposed Creche in Block E (Class Use E) on both existing and future NSR alongside a recommended package of mitigation if appropriate. In particular consideration should be given to adjacent off site

NSR at 107/108 Devonshire Road, Angus Close and adjacent onsite NSR.

### **Refuse and Recycling**

- 6.4 **No Objection:** The bin capacities are correct, although there is an overprovision of space for green bins. Confirmation is required that pull distances are within 10m. The storage area for block A is combined with commercial waste so crews have to pass commercial to get to domestic waste. This arrangement is not preferred.

### **Urban Design and Conservation Team**

- 6.5 **Objection:** The complexities of developing a mixed-use scheme, that makes an effective use of a brownfield site, are not underestimated and we fully appreciate the design challenges that it brings. Whilst the applicant has an excellent ambition for the site in terms of sustainability, the translation of that vision into a proposal that fits well into the context and provides comfortable internal living environments that can adapt to future climate scenarios, has been unsuccessful.

The scheme would insert a significant amount of development that would have a visual presence along the railway edge similar to CB1, yet the edges of the site and context are very different. The proposed massing along the railway edge by virtue of poorly resolved compositions and transitions between volumes, creates a coalescence of forms that would read together and would have an over assertive, cramped appearance when viewed from Mill Road Bridge, which would cause harm to the setting of the adjacent Mill Road Conservation Area. From the elevated viewpoint on the Carter Cycle bridge, the proposed Blocks C and D by virtue of their height and deep plan footprints, would create a bulky, incongruous form that would sit well above the prevailing height profile of the area, loom over the finer grain context and detract from the setting of the adjacent conservation area.

### **Senior Sustainability Officer (Design and Construction)**

- 6.6 **No Objection:** There is much to admire about the proposals in terms of sustainability (fossil fuel free energy strategy,

BREEAM, Home Quality Mark, One Planet Living, Social Value of proposals).

However, concerns are raised with regard to the large number of single aspect dwellings being proposed for the scheme, especially those that face west and south. Classing the mid terrace flats in the residential blocks as dual aspect by virtue of them having an inset balcony is stretching the definition of dual aspect. Single aspect units are at greater risk from overheating, due to the absence of cross ventilation. While it is noted that the provision of the inset balconies may increase ventilation rates, it does not provide true cross ventilation, as windows are not located on opposite or adjacent sides of the dwelling.

It is recognised that the residential component of the scheme has undergone overheating assessment using the CIBSE TM59 methodology and that the sample of units assessed do pass the CIBSE criteria using the Norwich 2020 High Emissions Scenario weather file. The conclusion of this assessment is that the residential units do pass the overheating criteria if natural ventilation is provided via openable windows. There are some queries as to the assumptions made as to how long windows would be open for. Figure 9 in the overheating assessment, which shows the approach taken for Block D, seems to indicate that windows would be open all of the time, which may be an unrealistic assumption due to security concerns as well as other concerns such as noise from the proposed Creche. Security considerations will be a particular issue for ground floor flats, notably those facing west along Devonshire Road.

The concern is that, given the high percentage of single aspect units and the south and west facing orientation of many of the apartments, no testing using future weather files has been undertaken. Opportunities have been missed to better integrate design led solutions to mitigate the risk of overheating, including horizontal and vertical shading on the west and south facing facades, to help reduce the amount of solar gain entering the apartments as well as giving consideration to the role of decked access to the apartments.

### **Head of Streets and Open Spaces (Tree Team)**

- 6.7 **Objection:** The proposal fails to respect the value of the Devonshire Road tree group by providing insufficient clearance

to new buildings. The layout including two vehicle access points and three new points of pedestrian access through the group necessitates removals, pruning to accommodate construction activity and continued reduction to maintain reasonable clearances to building elevations and balconies and reduce overhang to private terraces. These will impact negatively on the group and the amenity it provides.

A public open space with trees is proposed within the centre of the site. The space for trees of stature is limited and broad spreading species are not suited to the confines of the space. Trees are located too close to structures to be allowed to mature unmanaged.

### **Landscape Team**

- 6.8 **Objection:** In summary, we would question the Townscape and Visual Impact Assessment (TVIA) in the following areas : • the underestimation of value of the townscape receptor - Pre-1900 Residential Terrace and Large Terraces component character area, • The underestimation of rating of the conservation area and therefore the effect on the area, • the assessment of Viewpoint 4 – Carter Bridge for an assessment reliant on the presence of a tree, • the assessment of the longer distant viewpoints, such as Castle Mound and Red Meadow Hill, for not taking into consideration the cumulative effects of clustered development on the city panoramas. Further demonstration that the proposals have regard of Policy 60 Tall buildings and the skyline would be welcome. • the methodology should not allow subjective narrative and unnecessary qualification of objective judgements.

In relation to the Devonshire Road tree belt, now that all of the trees and understorey to be removed (as well as the existing timber fence) have been identified, it is evident that views through the western boundary tree belt will be substantially opened up exposing views from the residential properties opposite and from the road. Some opening up will be necessary to promote a sense of security for the users of the internal footpath and for a visual connection between the site and the surrounding area. However maintaining as much of the integrity of the current tree belt must be considered in order to maintain canopy cover, existing biodiversity as well as visual screening. Since the central opening is not required for waste

management, we would request it to be removed to reduce the impact on the tree belt.

The landscape officer continues to support the Conservation and Urban Design officers' opinion that the development is too high and the massing too bulky. The proposals are out of context with the Mill Road area and will dominate the surrounding streets. The individual buildings, particularly on the eastern side of the site, will be extremely overbearing within the small central courtyard space. The central courtyard space is small in proportion to the buildings and the number of users anticipated. Question some of the conclusions of the TVIA that support the development as currently proposed. In relation to the TPO tree belt on the western boundary, we request that the central opening is removed to lessen the impact on the area

### **Cambridgeshire County Council (Flood and Water Management)**

- 6.9 **No objection:** Although commented that the proposed drainage strategy is unlikely to work as infiltration is unlikely be possible at the site due to raised ground water levels, and proximity of infiltration points to buildings.

### **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

- 6.10 **No objection:** Although further details requested on how a 1 in 30 year event will be managed to prevent flooding, and how a 1 in 100 year event will manage water on site, without increasing flood risk to adjacent land.

### **Head of Streets and Open Spaces (Nature Conservation Officer)**

- 6.11 **No objection:** The recommended Biodiversity Net Gain report has been provided, based on the proposed landscape master plan. Content with the report but would suggest that the given the proposed scale of ornamental woodland planting this is unlikely to meet the 'moderate' condition specified, and would propose this be re-evaluated to reflect a 'poor' condition. Given the BNG calculations currently demonstrated a considerable BNG, it is unlikely that this requested amendment will impact significantly on the percentage net gain of the proposals, which

is currently in excess of the minimum 10% sought.

Welcome the inclusion of the Ecology Enhancement Plan detailing potential location of nest and roosting features. I am broadly supportive of the proposed types and locations but would request the exact number, specification and locations be identified on drawings for approval or secured via a standard condition.

The proposed biodiverse green roofs are welcomed and will complement a network of new green roofs in the station area as well as brownfield open mosaic habitats that may be present or develop along the adjacent railway sidings. To maximize the value of these new habitats request a standard green roof condition to specify substrate depth, type, planting and maintenance. Suggest also considerations of installation of 1 or more roof top open front boxes for Black Redstart which have been recorded in the area.

### **Public Art Officer**

- 6.12 **No objection:** The proposed Public Art Strategy has been circulated to the Public Art Panel and no negative replies were received. Confident in the approach set out, helped that the document restates the City Councils public art position in the objectives section. Supportive of the proposed public art programme and the stage process.

### **Cam Skate**

- 6.13 **No objection:** No facilities are proposed for young people. As such there is a compelling case to be made here for the developers to pay for off-site provision of facilities, specifically aimed at young people as current provision in Petersfield ward is so low, or in a poor state of repair. A financial contribution towards the Donkey Common skatepark is requested.

### **Environment Agency**

- 6.14 **No objection:** Recommend that planning permission could be granted subject to the following conditions: Ground contamination remediation strategy; Further remediation strategy required if unexpected contamination found; Scheme for surface water disposal; details of piling or other penetrative

foundation design / ground investigatory methods; A number of informatives with regard to surface water drainage.

### **Cambridge Airport**

- 6.15 **No objection:** The proposals have been examined from an aerodrome safeguarding perspective and could result in conflict with criteria, unless conditions are required with regard to: Bird Hazard Management Plan; Removal of PD rights for cranes and construction equipment; Construction management plan; No reflection from PV panels.

### **Anglian Water**

- 6.16 **No objection:** With regard to wastewater a series of conditions are recommended. With regard to surface water the preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such no comments are made on the suitability of the surface water management.

### **Cambridgeshire County Council (Education)**

- 6.17 **No objection:** The development has a child yield of circa 10 children, nearly all early years and primary school age. No contributions are required for early years primary or secondary school age education, due to the low number of children anticipated from the development and the existing capacity in the surrounding area. In addition contributions towards libraries and lifelong learning are not required as the proposals are not anticipated to result in undue pressure on existing provision.

### **Development Control Forum Meeting on 13/10/2021**

- 6.18 The petitioners urged the applicants to amend the scheme as follows: Requested the applicant scaled back the level of employment to create more open green space; only 20% of the site was usable open space; more space was for delivery vehicles on the northern and southern access; more cycle space was required for residents; more controlled visitor spaces were required; false to say a trade-off between trees and

vehicle parking; employment space should be reduced to gain space; the dwellings needed to be reconfigured to increase the level of daylight and sunlight that all the dwellings would receive to improve the quality of light; recommended that one of the commercial buildings was relocated to the north of the site to improve sunlight space for residential dwellings; the Highways Authority and Planning Authority need to take an active approach to future proof the Chisholm Trail, if necessary, undertake compulsory purchase order of land.

The applicants responded as follows: The applicant brought a number of 'firsts'. The first major car free development, one planet living scheme, BREEAM office standard, first major build to rent scheme in the city centre; the applicant was a long-term investor managing not just the buildings but the open spaces to ensure a long-lasting community; long-lasting high-quality materials were proposed; over half the site would be new public open spaces which would benefit the local community; 400% net gain in biodiversity in line with the Natural Cambridgeshire developing with nature toolkit; enabling the Chisholm trail to come forward; no fossil fuels to be used on site; there was a shortage of office space in Cambridge which could meet demand. There would also be co-working space open to the public and meeting rooms for hire to all users; engaging with Sustainable Food Organisation to ensure that the edible planting was well managed and offered longevity to all the community. Also, on site would a community kitchen; the development would benefit the wider community with the pavilion in the centre.

### **Design and Conservation Panel**

- 6.19 The proposals were considered twice by the Design and Conservation Panel at the pre-application stage. The D&C Panel raised concerns on both occasions with regard to the scale and massing of the development, the amount of single aspect units and provided an 'amber' response. The relevant section of the minutes of the panel meeting(s) are attached to this report as Appendices.

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

## **7.0 REPRESENTATIONS**

7.1 The owners/occupiers of the following addresses have made representations which object to application:

22 Devonshire Road  
27 Devonshire Road  
36 Glisson Road  
113 Gwydir Street  
2 Willis Road

7.2 Petition with 25 signatures received from South Petersfield Residents Association with accompanying letter from the following addresses:

9 Devonshire Road  
21 Devonshire Road  
27 Devonshire Road  
37 Devonshire Road  
40 Devonshire Road  
42 Devonshire Road  
43 Devonshire Road  
46 Devonshire Road  
50 Devonshire Road  
135 Gwydir Street  
30 Lyndewode Road  
62 Ross Street  
85 Tenison Road  
116 Tenison Road  
11 York Terrace

7.3 The following addresses have made representations which support the application:

Cambridge Community Arts  
YMCA  
Rebecca Orde Ltd  
Indie Cambridge, 3 Catharine Street  
Allia Impact Ltd, 187 Coleridge Road  
Lanpro, 50-60 Hills Road  
The Scale Partnership, Aurora Innovation Centre, Madingley Road  
49 St Barnabas Road

#### 7.4 The representations can be summarised as follows:

##### Objections

The inclusion of a large amount of office floorspace within the development, makes the density of the proposals too great. Provision of additional office floorspace would increase demand for housing in the city, which is already in short supply. As such this element of the proposals should be scaled back.

There is a lack of car parking in the development

Space between buildings is not large enough to be a park

Rental housing will damage cohesiveness of surrounding community

Buildings are too large

Quality of accommodation is poor with too many single aspect units.

Query location of disabled parking.

The density and compactness of the dwellings is not conducive to a high quality of life

The provision of useable open and green space is too small and cramped.

The single aspect dwellings facing north and north-west will receive too little direct sunlight and those facing south will receive too much and will overheat.

There is insufficient provision of spaces for deliveries / servicing  
Provision of car club spaces is inadequate.

Cycle parking provision is inadequate. As the development has no car parking provision, cycle parking should exceed standards, and should provide one space per bedspace.

The proposals do not include firm proposals for delivery of the Chisholm Trail.

The proposals have some corners which lack natural surveillance, and could encourage anti-social behaviour.

Concern about increased pressure on water and sewage infrastructure.

##### Support

Proposals will deliver new public open space, community facilities

Proposals will enhance biodiversity by almost 400%.

Car free nature of development will benefit surrounding community,

The proposals will result in a reduction in HGV trips in comparison to existing.

Office space is of good quality and meets needs of SMEs in the city, particularly Tech and creative sectors.

The proposed office accommodation is well located as it is close to the city centre and can be accessed without cars.

There will be a focus on pedestrian connectivity, with the site accessible via a number of entrances with improved pedestrian routes

These proposals will open up a currently inaccessible space, with new public open space

The proposals will include new community facilities and public art, including the new pavilion space.

The development will benefit local businesses.

- 7.5 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 the main issues are as follows:

### **Principle of Proposed uses**

- 8.2 Proposed office floorspace

Section 4 of the Cambridge Local Plan 2018 states that *“the Council will support the forecast growth of 22,100 net additional jobs in Cambridge by 2031, including a net gain of some 8,800 jobs in the ‘B’ use classes (offices and industry)...Growth on this scale would generate a net demand for just around 70,200 sqm of additional floorspace or 7.4 hectares of land...Planning for this employment space will ensure the local plan will support the continued development of a strong local economy that is able to compete on a global stage and will continue to provide job opportunities to residents of the area”*.

- 8.3 Policy 40 states that new offices, research and development and research facilities are encouraged to come forward within the following locations: City Centre and Eastern Gateway; Defined areas around two train stations; Cambridge Biomedical Campus and West Cambridge Site. Outside of designated office employment areas, new office development is acceptable on a site-by-site basis subject to compliance with other policies.

8.4 The site does not fall within the above designated employment areas, and the appropriateness of the site for office use would need to be considered on a site-specific basis. The site is located in a highly accessible location 500metres from Cambridge Rail Station and around 1mile from Cambridge City Centre. The site is within walking distance of several bus routes at Cambridge Station and Mill road and in addition a number of shops and services are located on Mill Road a short distance away. The existing uses currently are commercial in nature and in proximity to other new office developments around the train station. Officers consider that the above factors make the site an appropriate location for office development. It should be noted that the site is currently used for storage / distribution purposes Travis Perkins. As such officers consider that that the above factors make the site an appropriate location for new office development.

8.5 Proposed community floorspace

Policy 73 states that *“New or enhanced community, sports or leisure facilities will be permitted if: a. the range, quality and accessibility of facilities are improved; b. there is a local need for the facilities; and c. the facility is in close proximity to the people it serves”*. The provision of a new purpose built creche facility with external play space and other space with community value, such as a ‘library of things’, would help to serve the needs of the wider surrounding community as well as future residents. As such the incorporation of uses of community importance such as the creche are also supported by policy 73.

8.6 Proposed housing:

Policy 3 states that *“the overall development strategy is to focus the majority of new development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally. Provision will be made for the development of not less than 14,000 additional dwellings within Cambridge City Council’s administrative boundary over the period from April 2011 to March 2031 to meet the objectively assessed need for homes in Cambridge”*.

8.7 In addition, the site is within the Mill Road Opportunity Area and is identified as a potential development site for 43 dwellings at a

density of 35 dwellings per hectare (site R9) within the proposals schedule within Appendix B of the Local Plan. As such the site is being counted on to deliver housing as part of the Councils 5 year housing land supply.

- 8.8 The application proposals will deliver 100 new residential units (56x1, 43x2, 1x3 bed units) and will therefore contribute towards housing delivery to meet the housing targets in policy 3. The surrounding area is also predominantly residential in character and delivery of new housing would be appropriate within this surrounding context. It is noted that the density of the proposals at around 200 dwellings per hectare (when density figure is adjusted for mixed use) is greater than that suggested within appendix B of the Local Plan. However, the density / unit numbers for site R9 within the Local Plan is based on previous planning permissions at the site, and is set at a low level, which is less than some other recently developed sites in the surrounding area. A further assessment of the design, layout and amenity of the proposals is provided in the following sections.
- 8.9 The proposed housing is proposed as a 'Build to Rent' (BTR) development, whereby the whole development is retained in single ownership by commercial investors and professionally managed and maintained in this manner for the longer term of at least 15 years to provide rental income for the developer. BTR is increasing in popularity as a form of development in Cambridge. As such additional annexes to the Greater Cambridgeshire Housing Strategy were adopted in July 2021 which provide further guidance on this form of development. Paragraph 5 of Annex 9 states that "*The Greater Cambridge Housing Strategy supports the development of purpose built private rented housing to help provide additional housing choice and to help accelerate the delivery of new homes*". However, paragraph 15 of the annex requires that a robust market report will be needed to clearly demonstrate how any scheme would meet local housing need and demand.
- 8.10 A Market Report has been submitted with the application which notes that the Cambridge housing market suffers from low levels of supply and high house prices. The local employment market is strong with incomes that are above average in terms of national and regional benchmarks. Cambridge has one of the

highest house prices to income ratios in the country at 12.4, compared to the national average of 7.8. This makes buying a home challenging for many households, which drives a high proportion of them to the rental market. The report states that BTR at the site will be attractive to future tenants who are looking for private living space in a central location that is close to major transport and entertainment hubs but may be unable to afford to purchase housing in the area. The Market Report considers that BTR would offer more security for tenants because the site owners are committed for the long term. This means that tenancies tend to be longer than average rental tenancies (typically 2 to 3 years).

8.11 Officers have reviewed the submitted Market Report and consider that the application site would be well suited for a BTR development, due to its accessibility and proximity to the city centre, rail station and other services and amenities. The type of proposed rented housing would help to increase housing choice and address housing need in this area of the city. The managed nature of the development in the longer term with potential for longer tenancies, could help to deliver a greater sense of community. As such a proposed BTR development in this location would be broadly in accordance with the principles set out in Annex 9 of the Cambridge Housing Strategy. However, a consideration of other requirements of the Annex in terms of housing quality, amenity, and design is considered further in following report sections.

8.12 Overall, the proposed mix of uses including offices, creche, co-working space, community space of hire, artist studio and 'library of things' alongside the residential are considered to make a good contribution towards place making and complement the mix of uses in the wider area. As such the principle of the proposed mix of uses is acceptable and in accordance with policies 3, 40 and 73.

### **Affordable Housing**

8.13 The NPPF was updated in 2018 to include reference to Build to Rent housing. The updated NPPF sets a requirement for 10% of new homes to be made available for affordable home

ownership, but states that Build to Rent housing is exempt from this requirement.

- 8.14 Local Plan policy 45 is silent with regard to Build to Rent and affordable housing. As such additional annexes to the Greater Cambridgeshire Housing Strategy were adopted in July 2021, which include an annex (9) with regard to Build to Rent (BTR) and affordable housing. The Annex at paragraph 17 states that: *“A minimum of 20% homes in Build to Rent developments of 10 or more homes will be required to be provided as Affordable Private Rent... This is a minimum and the councils will seek to achieve a higher percentage than this wherever possible”*.
- 8.15 The application proposes 20% of units to be let at a 20% discount from market rents. Housing officers have reviewed the information and consider the proposals to be broadly in line with the updated policy requirements. However, discussions are ongoing with the affordable housing officer and the applicants with regard to the proposed rent levels and their affordability. The detail of the affordable housing scheme could be secured through a Section 106 Agreement.
- 8.16 Subject to the above the proposal is compliant with Annex 9 of the Greater Cambridge Housing Strategy.
- 8.17 **Context of site, design and external spaces (and impact on heritage assets)**
- 8.18 Response to context  
The application is accompanied by a comprehensive Design and Access Statement (DAS) that provides a clear explanation of the design approach for the scheme; the application is also supported by a Heritage Statement and Townscape and Visual Impact Assessment (TVIA).
- 8.19 These proposals need to be assessed in terms of their location, design, scale and massing. The site is immediately adjacent to the Mill Road Conservation Area and although not part of that heritage asset, views of it are clearly visible from Mill Road Bridge and the Carter Cycle Bridge which offers views over to Devonshire Road and towards Mill Road: they are clear, elevated, vantage points of the heritage asset with views along

the railway tracks and land/buildings to either side. Therefore policy 61 is relevant to the proposals with regards to views out of the conservation area.

- 8.20 The Mill Road Conservation Area Appraisal highlights the heritage asset as being a good example of a well-detailed, well-preserved Victorian suburb with few instances of modern infill. It is a complex, multicultural mix of commercial, residential, religious and community uses with a good variety in the built form, as well as both vehicular and pedestrian activity. Although generally the housing is two storeys in height, there are instances of other types of buildings which are taller and are now either offices or residential. Two examples are Dales Brewery in Gwydir Street which was part of the brewing industry in the city and is now offices, and no. 23 Tenison Road which was a warehouse and is currently office space. Both are a full three storeys. There is also increased height along parts of Mill Road itself where Victorian ground floor retail units have two storeys of accommodation above, either full height or with some of the rooms being in the roof. These premises create diversity in the streetscape and add to the character of the visual interest of the conservation area. The appraisal states that the siting and design of new development in the Mill Road area must be 'carefully controlled'.
- 8.21 Since the appraisal was published (June 2011), the Mill Road Depot (now known as Ironworks) on the other side of Mill Road is currently under construction with buildings of greater height and massing than the general form of development in the local area. The approved buildings range from 4-6 residential storeys along the railway edge, with the tallest block measuring 21 metres in height.
- 8.22 The immediate context of the Devonshire Gardens site is the long terrace on the west side of Devonshire Road, all 'Positive Unlisted Buildings', with the conservation area boundary running down the east side of the highway and nos. 114-122 (even) Positive Unlisted Buildings and nos. 126-134 (even) which is a terrace of Buildings of Local Interest (BLIs) which are to the north. BLIs are non-designated heritage assets. To the east of the site is the railway, which although not in the conservation area, is important to the setting of that heritage asset. It is a recognised feature in the setting of the

conservation area both visually and physically and is the reason most of the buildings are in this area, being the housing for the railway workers. The railway bridge allows elevated and wide views of the conservation area and surroundings.

8.23 The BLI terrace was built as railway workers cottages and are a focal point in the street, especially their chimney stacks. The terrace is directly alongside the bridge and rooftop details are very evident. The character of the terrace, and its cohesive approach being of generally the same scale and materials along its length, is highlighted too.

8.24 Character is not defined purely as a physical appearance. The Mill Road Conservation Area has a group of qualities that make it a different part of Cambridge. These include its retail character, its strong sense of identity and the winter fair where the local community takes over the streets. In their Advice Note 4: Tall Buildings, Historic England make reference to them needing to be in the right place. If not, they can seriously harm the qualities that people value about a place. In Appendix F of the Cambridge Local Plan 2018, it notes the appropriate locations for tall buildings in the city being local nodes, key city street junctions, end of important vistas and around principal transport junctions. The site is not considered to fit any of those criteria.

8.25 The overall scale and massing and effect on the character and appearance of the area were key points of discussion through the pre-application process for officers. Viewpoints were agreed through pre-application discussions. The application is accompanied by Townscape and Visual Impact Appraisal (TVIA) to assess the visual impact of the proposed development from relevant viewpoints and more localised views from surrounding streets and elevated viewpoints. Whilst the TVIA demonstrates that there is no significant adverse impact on the Policy 60 strategic viewpoints tested, it is considered that there would be an unacceptable visual impact on closer more localised views. This is explained in greater detail below.

8.26 Considering first the proposal's interface with the Conservation Area at streetscape level. The overall design approach to the western Devonshire Road frontage and northern edge of the

site, are considered acceptable in their general scale and form. Blocks G and F along the east side of Devonshire Road, go some way to screen the mass and height of the taller blocks situated behind and along the railway edge. At street level, they read as a terrace of individual buildings which mimics the scale and form of the properties on the other side of the road which are in the Mill Road Conservation Area. The trees along the east side of Devonshire Road were also picked up in the Mill Road Conservation Area Appraisal as being important to the streetscape. The retention of many of these trees proposed, would help to an extent maintain the existing character, although it should be noted that the new accesses, and removal of understorey will result in increased openness and visibility through the tree belt.

8.27 Along the northern edge of the site, the approach for Block A is to provide a new frontage onto this space and create a mews like character when viewed from streetscape level. The proposed approach to the rear of the Positive Unlisted Buildings and the BLIs which face onto Mill Road, is considered acceptable.

8.28 Another important streetscape level viewpoint is from the grade II listed Cambridge City Branch Library in Headley Road. Viewpoint 14 of the TVIA shows that there will be views of the built form over the Positive Unlisted Buildings in Mill Road, however it is agreed that, subject to materials being acceptable, the new, higher roofs could blend in with those along the Victorian terrace. Therefore, it is considered that there will be limited impact on the setting of the listed building which will not be further compromised by the proposals.

8.29 However, the site can be experienced from two points of elevation, and it is from these two viewpoints in particular that the proposal is considered to create an unacceptable visual impact on the character and appearance of the area.

8.30 Along the railway edge the scheme would comprise of 4 buildings ranging in scale: at the northern end of the site Block B is proposed at 3 and 4 commercial storeys; towards the centre of railway edge Block C is proposed at 6 commercial storeys (26m) and has the largest footprint of all proposed

buildings, next to which Block D is proposed at 4 and 6 residential storeys, and on the southern boundary Block E is proposed at 2 storeys.

- 8.31 Whilst it is acknowledged that the overall massing strategy proposes buildings that step down at the northern and southern edges of the site, significant concerns remain about the bulk and massing of the blocks when viewed from the Mill Road bridge.
- 8.32 The Design and Conservation Panel also raised scale and massing as a significant problem. At the first presentation in February 2021 the scale and massing, particularly along the railway edge when viewed from Mill Road Bridge, was a concern with the panel wondering whether the scheme was over ambitious in its scale of buildings proposed for the site. At the April 2021 presentation, they were still concerned about the scale and suggested 'All the proposed blocks need further real design engagement to resolve inherent issues of form and detail.'
- 8.33 Views from Mill Road Bridge (TVIA viewpoint 2): This view provides the most comprehensive understanding of the site's proposals and will result in a considerable change to what is currently experienced. From this view, there is an appreciation of the dramatic difference in scale of the hinterland between CB1 and the Mill Road Bridge, where finer grain buildings and domestically scaled forms, that are typically below the height of the trees, predominate. It is acknowledged that the existing view of the site is of untidy, piled stock out in the open and against the walls of the large, although relatively low level, industrial unit. This sits beyond the overhead lines over the railway track and does not have a positive impact on the setting of the adjacent conservation area. However, the way in which the proposed massing is organised is resulting in poor compositions, clumsy transitions between volumes, and a bulk which is not reflective of the plot based, finer grained prevailing character of the area.
- 8.34 It is noted that there are some steps in height created at the northern end of the proposal between Block B and C. However, the gaps between the tallest elements of Blocks C and D are

not appreciable from this view, and despite a change in brick tone, there is a coalescence of the forms, creating the sense of one mass. This is inconsistent with the local context where the taller buildings make a positive statement due to their incidental occurrence and individual detailing. The prevailing character of the two storey housing possesses a strong consistency of form which results in a fine grained rhythm to the streets which is not replicated by the proposals.

- 8.35 The central bay of Block C which pushes forward of the main façade line along railway edge, exacerbates the bulk of the building and adds to the sense of one large mass. The upper floor plant enclosure of the central bay of Block C collides with a lower masonry sawtooth gable expression, forming an uncomfortable, jarring element with the upper sawtooth roof profile and adding to the overall visual confusion to the appearance of this block. The proportions of this building appear ungainly and there is a clumsy transition between the volumes, which do not successfully work together to break down the bulk of this building. The proposed bay detailing of the elevations and the use of the sawtooth roof profile does not mitigate the overall massing and bulk of the tallest elements of the proposal along the railway edge in viewpoint 2 from Mill Road Bridge and is considered to have a negative impact on the setting of the conservation area. A more recessive central bay element that significantly pulls back and steps down from the main silhouette of Block C - visibly carving away at the proposed bulk of Block C to create clearer and cleaner individual volumes is needed to begin to help moderate the overall mass of this block.
- 8.36 Whilst Block B does step down to the BLIs, there is an awkward relationship between the 3 gabled roof form and the flat roof element which creates another clumsy transition between volumes. The combination of the massing of the blocks creates an overall cramped appearance against the railway's edge which is not conducive to the character of Mill Road which is of a smaller scale appearance with discernible elements to the built form.
- 8.37 It is acknowledged that larger formed buildings occupying railway locations is established within the conservation area and not entirely uncharacteristic. However, the application site is

smaller than the neighbouring Ironworks development and the intensity of the proposal on the site is greater. Compositionally, the proposed massing does not sit as well together from this important viewpoint; the transitions between volumes are poorly resolved and they read together, creating coalescing forms. Furthermore, in contrast with the Ironworks development, the site does not have large, mature trees to help to layer the view and manage scale at the interface with Mill Road.

8.38 Viewpoint 2 (existing) also provides for a distant view of the Church of Our Lady and the English Martyrs spire which would be lost by the proposed development. It is only a glimpse view of this grade II\* listed building, but the proposals for the development in their current form do not outweigh the adverse impact of the loss of that view. The contextual landscape is the low rise industrial and domestic scale beyond, and the applicants view that the proposals would enhance the view of this heritage asset from the Mill Road Bridge is not accepted. The way that the volumes of the blocks has been organised is insufficient to mitigate the impact of the view of the massing on the setting of the conservation area due to its alien form.

8.39 In summary, for reasons set out above the bulk and massing of the blocks proposed along the railway edge would dominate views from Mill Road Bridge and have an over assertive appearance, which would cause harm to the setting of the adjacent conservation area and the setting of the Grade II\* listed Church of Our Lady and the English Martyrs spire. This harm is considered to be 'less than substantial' in terms of paragraph 202 of the NPPF.

8.40 Viewpoint 4 - Carter Cycle Bridge looking north towards the site: During the pre-application process VuCity model images of this view were shown, and concerns were raised that Blocks C and D of the proposal would sit well above the prevailing roofline. Concerns remain that the proposed overall height and massing of both Blocks C & D together would have an unacceptable harmful effect on the townscape in views from the south.

8.41 The application is supported by a number of technical photomontage visualisations contained within Appendix 4 of the TVIA. Photomontage view 04 shows that whilst the proposed

materials sit within the overall tonal palette of the established context, that the intervening vegetation when in full leaf goes some way to filter the view, and that the proposal is reliant on a tree in the foreground softening and mitigating the negative impact of the greater height above the two storey housing. However, viewpoint 4 of the VuCity type 2 visualisation (Appendix 3 of the TVIA) shows the view from the Carter Cycle bridge with the tree bare as in winter and demonstrates how the proposed 5 & 6 storey element of Block D and the taller 6 storey Block C would rise significantly above the trees and the predominantly 2 storey height profile of the area. This creates a massing that would loom over its immediate surroundings and dominate the view from this elevated position. This public viewpoint provides a good appreciation of the harmonious character of Devonshire Road that is characterised by consistent terraces of two storey houses behind short brick walls that follow the curve of the street. From this elevated point, the bulk of the development would be seen alongside the conservation area where it covers Devonshire Road and the impact on the setting of the heritage asset would be negative due to its inconsistency, when compared with the plot based rhythm of the terraces.

8.42 Due to the proposed height of Blocks C and D along the railway edge, the VuCity 'winter' view also exposes the deep plan footprints of these blocks, where the southern flanks amalgamate into a bulky incongruous form that creates an unsympathetic relationship with the domestic terraces and fine-grained fabric characteristic of the conservation area. The imposing visual impact of the scheme would not be mitigated by variations in the elevations of the blocks and by virtue of the proposed height and bulk the proposal would detract from the setting of the conservation area. Again this harm to the Conservation Area is considered to be 'less than substantial' in terms of the NPPF.

8.43 Movement and Access: The principle of placing buildings located around the perimeter of the site, to create a new publicly accessible space is acceptable. Buildings are set back from the eastern boundary along the railway edge, which safeguards space for the proposed Chisholm Trail; the location of active ground floor uses onto this and the surrounding existing streets and spaces is supported. The site provides for

two open, publicly accessible east-west connections for pedestrians and cyclists, linking the proposed Chisholm Trail with Devonshire Road.

- 8.44 The proposed layout to the southern end of this site, which locates a nursery along the southern boundary and has configured the internal layout of the ground floor of Blocks D and F to provide an address onto the new route through the site is considered acceptable.
- 8.45 Built Form: concerns remain around the applicants placemaking rationale for why the proposed blocks along the railway edge should be taller than those found on the nearby Ironworks site.
- 8.46 The eastern end of Mill Road bridge provides elevated, longer views both south and north along the railway, which allows the site and the proposal to be seen within the emerging context of the CB1 development around Cambridge Station and the nearby Ironworks development. The current view from Mill Road bridge provides for views over the site, towards the domestic forms that lie between it and CB1. From this view the site has a clear visual connection with Mill Road and given the different context, highlights the difficulties in considering it as a connecting site with CB1 in terms of visual character.
- 8.47 The railway massing diagram show in section 10.01 of the DAS serves to illustrate the proposed massing along the railway edge forms a transition in scale, stepping up from the Ironworks site to the taller buildings at CB1. However, Block C along the railway edge, is similar in scale to 'One The Square' at CB1, which has a higher place status by virtue that it defines one side of the main public square at Cambridge Railway Station. In contrast, the proposal site does not fall within a main centre of activity, does not form an important nodal point or a principal transport junction, nor does it lie at the focus of converging major streets - situations where buildings significantly taller than their surroundings could be expected.
- 8.48 The proposal by virtue of its massing, out competes rather than complements the tallest buildings found on the nearby Ironworks site and seeks to insert blocks that have a visual

presence similar to the scale of buildings at CB1, when in fact the edges and immediate context is different.

8.49 Elevations and Materials: The predominant external material of the scheme is proposed to be brick, which is a robust, durable, and contextually appropriate material. The submitted DAS provides a good level of information about the proposed elevations and materiality; the scheme aims to create a visual reference to the previous industrial uses that were historically on the site. The proposed materials and finishes are clearly indicated on the submitted planning elevations.

8.50 Whilst there is some richness to the elevations proposed, the 'response to context section' above raises concerns regarding proportion and compositional issues that exacerbate the bulk and have highlighted how the transition between massing volumes is poorly resolved. It is acknowledged that there are elements of the design approach from streetscape level that are considered acceptable. However, from the two elevated viewpoints of Mill Road Bridge and from the Carter Cycle Bridge the scale and mass issues cannot be mitigated through the modern sawtooth design of the roof, detailed elevations and use of materials.

8.51 Landscape: The design approach for the majority of the soft landscape area comprises a treed and grassed landscape with mounds. Submitted images show this space could be attractive for future users. However, concerns are raised that it would not be robust enough for the amount of use the small area is expected to accommodate. It is appreciated that the management of facility will be thorough and reactive, but grassed areas take time to recover when overused. When worn, they are muddy in wet weather and dusty in dry weather; mounds also do not support tree planting well as they dry out quicker than at grade land. A simplified landscape design approach with greater hard landscape elements is considered more appropriate and robust for the user numbers.

8.52 The concept of creating small intimate spaces with the mounding together with woodland planting within this confined space would result in the area becoming cramped. The mounding is at risk of become desiccated, which in turn will

hinder tree establishment. The mounding should be removed to give a better sense of openness and space.

- 8.53 In addition the suggested large trees are broad spreading and too large for their chosen location. Others are too close to buildings and balconies and are close to the low retaining detail around the mounds which may mean removal because of damage to the structure. The choice of large tree species is supported but concerns are raised that they are not appropriately located.
- 8.54 Now that all of the trees and understorey to be removed (as well as the existing timber fence) have been identified, it is evident that views through the western boundary tree belt will be substantially opened up exposing views from the residential properties opposite and from the road. Some opening up will be necessary to promote a sense of security for the users of the internal footpath and for a visual connection between the site and the surrounding area. However as much of the integrity of the current tree belt should be considered in order to maintain canopy cover, existing biodiversity as well as visual screening. Since the proposed central pedestrian opening is not required for waste management, it could be removed to reduce the impact on the tree belt.
- 8.55 Conservation and design summary: In summary the scale and massing of the proposed development would detract from the character and appearance of the surrounding area. The proposals would also result in less than substantial harm to the setting of the grade II\* listed Church of Our Lady and the English Martyrs spire and Mill Road Conservation Area. In making this assessment officers have given special regard to desirability of preserving and enhancing the settings of listed buildings and conservation areas in terms of requirements of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas Act 1990).
- 8.56 It is noted that paragraph 202 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*.

In this case the public benefits of the proposals in terms of provision of new housing, employment floorspace, community spaces / a creche and new public open space are noted. However, when this is considered alongside the requirements of section 66 and 72 having regard to the of the Planning (Listed Buildings and Conservation Areas Act 1990) they are not considered sufficient to outweigh the harm identified above.

- 8.57 In addition whilst the landscaped central space could be an attractive feature of the development, the proposed soft landscaped design approach with mounds, would not be appropriate for the scale of the space, and the intensity of its proposed use. Many changes to landscaping could be addressed through planning conditions, but the cumulative extent of potential changes to landscaping is significant and would justify a second reason for refusal.
- 8.58 Given the above concerns the proposals would conflict with Cambridge Local Plan (2018) policies 55, 56, 57, 59, 60 and 61. These concerns would represent reasons for refusal of the application.

### **Tree impacts**

- 8.59 The loss of 16 category C trees along the site frontage with Devonshire Road, due to the formation of access routes through into the development is proposed. This will have an adverse impact upon the existing verdant character of Devonshire Road, which is regrettable. However the proposed accesses would have some urban design benefits in terms of increasing permeability through the site and improving natural surveillance along Devonshire Road. In addition previously approved developments at the site (see history section) have also featured similar accesses through the tree line. As such in principle the formation of gaps within the existing hedge is accepted.
- 8.60 In addition tree officer concerns with regard to the proximity of proposed buildings to the TPO trees alongside Devonshire Road are noted. However the proposed buildings are set back a similar distance from these trees than previously approved applications at the site.

8.61 As such subject to appropriate investigation work with regard to the location of Root Protection Areas, and their protection during construction, it is not considered that this concern would be sufficient to represent a reason for refusal, and the proposals would be capable of according with Cambridge Local Plan (2018) policy 71.

### **Biodiversity**

8.62 A range of biodiversity enhancements are proposed, including bird (swifts) / bat boxes, hedgehog / bee houses. As such the proposals are anticipated to achieve a biodiversity net gain of 393%, as the existing condition of the site has low value (buildings, hard standing, woodland).

8.63 Subject to the above the proposal is compliant with Cambridge Local Plan (2018) policy 61.

### **Public Art**

8.64 A Public Art Strategy has been submitted which sets out a public art strategy for the development. This comprises a potential large focal piece, pavilion space for performance, artist studio space and artist in residence. These measures are supported by the Council's public art officer. Further details of the design of the pavilion will need to be secured by condition. In addition the delivery of the measures within the Strategy will also be required by planning condition.

8.65 Subject to the above the proposal is compliant with Cambridge Local Plan (2018) policy 56 and the Public Art SPD 2010

### **Carbon reduction and sustainable design**

8.66 Policy 28 states that *"all development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals"*. Major development proposals are required to submit an energy and sustainability strategy demonstrating regard to the 'lean, clean, green' energy hierarchy, achieve a 19% reduction in carbon emissions in comparison with a 2013 Building Regulations

compliant development, and non-residential development is required to achieve a BREEAM excellent rating. The Greater Cambridge Sustainable Design SPD provides further detailed guidance on achieving these requirements.

- 8.67 An Energy Strategy and Overheating Assessment has been submitted with the application. In overall terms the officers consider the approach of the development toward sustainability is positive. The submitted strategy follows the 'lean, clean, green' energy hierarchy. 'Lean' energy efficiency measures are proposed including enhanced building fabric and air tightness in comparison with Building Regulations, and energy / resource efficient fixtures and fittings. Residential units are predominantly naturally ventilated but also with Mechanical Ventilation Heat Recovery (MVHR).
- 8.68 In terms of the 'clean' criteria, an all electric heating and cooling system for residential and commercial uses are proposed. Roof mounted Air Source Heat Pumps (ASHP) are proposed for commercial heating / cooling / hot water. Residential units incorporate electric radiators for heating and electric immersion heaters in each flat for domestic hot water.
- 8.69 In terms of the 'green' criteria PV Panels are proposed at roof level of residential / commercial and creche buildings. As a result of all the above measures the development is anticipated to achieve a 58% CO2 saving in comparison with 2013 Building Regulations compliant development. This exceeds the 19% reduction required by Local Plan policy 28. the BREEAM 'excellent' is also proposed for office floorspace.
- 8.70 Comments were received from the sustainability officer highlighting the positive aspects of the energy / sustainability strategy although concerns have been raised about the number of single aspect units with potential for overheating. It was noted that whilst the submitted CIBSE TM59 overheating assessment does not currently identify any of the proposed units as being at risk of overheating, the report does not consider future scenarios which may arise as a result of climate change.
- 8.71 The applicants have undertaken further overheating assessment considering future climate scenarios up to 2080. Subject to some additional mitigation measures (increase

windows opening proportion to fully open, inward opening, increasing MVHR ventilation performance to 1l/s/m<sup>2</sup> on Block A only; addition of 'brise soleil' solar shading on Blocks A and D). These measures could be secured by planning condition.

- 8.72 As such, it is likely that the proposals are capable of according with Cambridge Local Plan (2018) policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

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

- 8.73 Policy 31 states that development will be permitted provided that: surface water is managed close to its source and on the surface where reasonably practicable to do so; priority is given to the use of nature services; c. water is seen as a resource and is re-used where practicable, offsetting potable water demand; the features that manage surface water are commensurate with the design of the development in terms of size, form and materials and make an active contribution to making places for people; surface water management features are multi-functional wherever possible in their land use; any flat roof is a green or brown roof; that surface water runoff shall not discharge unduly onto surrounding sites, is treated to prevent pollution, and permeable surfaces are proposed where possible. Policy 32 requires that water runoff is not greater than if the site were undeveloped and that the proposals will not increase flood risk to the site or surroundings in a 1 in 100 year flooding event.
- 8.74 The submitted drainage strategy proposes a combination of rain gardens, permeable paving, blue / green roofs, rainwater harvesting for irrigation of landscaping only, and below ground attenuation tank for ground infiltration. This broadly follows the above policy requirements.
- 8.75 Drainage comments have been received requesting modelling of 1:30 year flood event, and further details in the event of system exceedance in a 1:100 year event. In addition the Lead Local Flood Authority have raised concerns that infiltration of surface water at the site may not be possible due to raised ground water levels in this location. As such the drainage strategy will require further consideration in order to satisfy the requirements of relevant consultees.

8.76 Subject to some additional information which could be secured via condition the applicants will be able to demonstrate that they have suitably addressed the issues of water management and flood risk, and the proposal is in accordance with Cambridge Local Plan (2018) policies 31 and 32.

### **Air quality, ground contamination, noise and vibration**

8.77 The submitted air quality assessment notes that in terms of air quality no car parking is proposed (with the exception of two disabled spaces) and the development has an all electric energy strategy. As such the proposals will be air quality neutral during the operational phase. Air quality impacts during the construction phase can be addressed through Construction Management Plan conditions. No exceedances in existing local air quality are identified and therefore there is no need for mitigation measures for future occupiers.

8.78 In terms of ground contamination the submitted report suggests there is elevated levels of hydrocarbons locked within saturated soils beneath the water table in the southern part of the site. These may need to be removed as part of a remediation scheme and will prevent soakaways in the southern half of the site. Pollution officers generally accept conclusions of report and recommend standard conditions (phase 2 site investigation and phase 3 remediation strategy). Post demolition soil sampling and detailed remediation strategy required. The Environment Agency has also recommended that planning permission is granted only with a series of conditions regarding ground contamination; surface water infiltration; and details of piling.

8.79 In terms of noise, MVHR is proposed for all residential blocks, with openable windows for purge ventilation. Conventional double glazing is mostly sufficient to achieve internal design standards. Winter gardens are proposed adjacent to the railway line to achieve internal noise requirements for a small number of residential units facing in this direction. Noise levels at balconies in Devonshire Road / adjacent to railway line exceed 55db standard in SPG but residents of these units would still have access to quieter areas in the development.

- 8.80 Pollution officers support the provision of winter gardens to mitigate noise impacts but have raised concerns that the submitted report does not consider impact of creche on Noise Sensitive Receptors (NSR). Exceedances in terms of vibration on block B are also identified with potential for modelling to underestimate noise impacts from plant on block F and G.
- 8.81 Subject to the recommended conditions, the applicants can suitably address the issues of air and ground pollution, as well as noise and vibration. As such the proposal is in accordance with Cambridge Local Plan (2018) policies 33, 35 and 36.

### **Inclusive access**

- 8.82 The proposed development features level weather protected thresholds to all buildings with lift access from at least 1 lift in each core. The applicants have demonstrated that 1 affordable residential unit at ground floor level is designed to meet Building Regulations M4(3) requirements (wheelchair accessible), with the remainder achieving M4(2) standards. As such this would accord with the requirements of policy 51 that 5% of the affordable units meet M4(3) standards.
- 8.83 The proposals would comply conflict with Cambridge Local Plan (2018) policies 51, 56 and 57.

### **Residential Amenity**

- 8.84 Impact on amenity of neighbouring occupiers: The submitted daylight / sunlight assessment suggests almost all surrounding properties would retain levels of daylight within BRE guidelines. A small number of neighbouring windows would experience larger and more noticeable impacts. However these are only marginal exceedances or to rooms with other windows / not habitable rooms. In addition all south facing windows at neighbouring properties will accord with BRE guidelines for sunlight. As such the proposals are not considered to result in any undue daylight or sunlight impacts on neighbouring properties.

8.85 Relationship with adjacent dwellings / privacy / overlooking / outlook: The proposed development is separated from adjoining properties on the west side of Devonshire Road by the width of the street, and wooded frontage of the site at a distance of 19m. Proposed blocks facing the north from the site are set back from the site boundary by 6 metres and are separated from adjoining dwellings by a vehicle access route. As such an overall separation distance between windows of proposed and neighbouring properties to the north is also 19m. Adjoining buildings in Angus Close to the south are separated by a distance of 20m from the development. This level of separation is sufficient to ensure that there would be no adverse impact in terms of privacy and overlooking.

8.86 Overshadowing of open space:

8.87 Impacts of the proposed development upon open spaces within the development. BRE guidelines recommend that at least half of a garden or amenity area should receive at least 2 hours of sunlight on March 21<sup>st</sup>. The assessment shows that 89% of open spaces within the development would achieve this standard and would benefit from a good level of sunlight. Overshadowing impacts on the nearest gardens have not been assessed as they are a sufficient distance from the site that it is clear that no undue overshadowing impacts could occur.

8.88 In the opinion of officers, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

8.89 Amenity for future occupiers of the site

8.90 The proposals have been designed to meet Nationally Described Space Standards / Cambridge space standards. All residential units have access to private external amenity space in the form of balconies and a private communal roof terrace within blocks C and D, which exceeds policy requirements. The submitted assessment suggests a high level of compliance (96%) of proposed units with BRE guidelines for daylight. As such daylight levels within the development are acceptable and

it should be noted that daylight is the most important aspect of residential amenity.

- 8.91 However concerns have been raised by both urban design and sustainability officers with regard to the long communal corridors on each floor and high number of single aspect residential units (units with a secondary aspect onto an inset balcony can't be counted as genuine single aspect units). Some of these single aspect units are north facing and will lack direct sunlight. The daylight sunlight assessment also shows some proposed units will receive low levels of sunlight. Overall 48% of living rooms would achieve BRE targets for sunlight. This issue is highlighted by objections from the South Petersfield Residents Association.
- 8.92 On balance it is considered the proportion of single aspect units and the level of sunlight received to proposed flats is acceptable. There is no specific policy requirement with regards to provision of dual aspect units. In addition, the single aspect of some units is partially mitigated by secondary aspect onto balconies. Provision of a greater level of dual aspect units may not necessarily result in a significant increase in sunlight to living rooms as this is dependent on the orientation of the proposed blocks and flats within the blocks. In addition sunlight is of secondary importance to amenity, as it is dependent on orientation. Daylight is of greater relevance to the amenity of future occupiers, and the proposed units would be well daylit.
- 8.93 External amenity space: In addition to the proposed private balconies and private communal terraces, a central area of publicly accessible open space is proposed. The amount of open space provided would equate to between 32-47% of the site area (depending on the areas of the site which are included in the calculation). This level of provision even when using the most conservative method of calculation would compare favourably to other developments in the vicinity of the site, such as the Mill Road depot redevelopment which included 28% of site area as open space.
- 8.94 The landscape proposals include significant areas of new soft landscaping with different character areas, tree planting (64 new trees), water elements with rain gardens, food growing

areas and play on the way elements. This will all contribute towards ensuring the development is an attractive place to live / work and visit, although subject to landscape comments above about the appropriateness of the landscape design for this space. The landscape design proposals incorporate play on the way elements which would help meet play requirements for younger children. However there is no on site play / recreation provision for older children, provision of formal sports facilities. As such financial contributions towards improvements to other nearby amenity spaces to meet this shortfall would also be sought.

- 8.95 Given the BTR / single ownership and management of the site, it is anticipated that there will be an on-site management presence to oversee management and maintenance of this space and ensure community safety. An operational site management plan would be required by condition.
- 8.96 The submitted images show that openings to the public space are not enclosed or gated and this is welcomed to ensure a more welcoming environment for members of the public. Public access in perpetuity will need to be secured as part of the management plan / S106 heads of terms.
- 8.97 Given the above, in the opinion of officers, although the development comprises a dense, urban pattern of development, it would provide an acceptable living environment and an appropriate standard of residential amenity for future occupiers, and in this respect it is compliant with Cambridge Local Plan (2018) policy 50.

### **Refuse Arrangements**

- 8.98 Waste and recycling storage areas are proposed within each block core. Blocks adjacent to Devonshire Road within proximity to the street and will be serviced by waste collection vehicles using the public highway. Waste collection vehicles will use the southern access to service blocks adjacent to the railway line. Waste Management officers have raised some concerns around the design of one of the storage areas in blocks, but it is considered that this issue could be addressed via an appropriate planning condition.

8.99 In addition the Highways Officer has requested further information with regard to ability of waste collection vehicles to enter and leave the northern access. The applicants have submitted some further information to demonstrate how this could be achieved.

8.100 Given the above it is considered that the proposals would be capable of compliance with Cambridge Local Plan (2018) policy 57 and this issue would not represent a reason for refusal of the application.

### **Highway Safety**

8.101 The submitted transport assessment identifies potential for less vehicle movements to and from the site compared to the existing use, although there is potential for 65 servicing movements per day to the proposed development. This issue is also identified as a concern within objections from the South Petersfield Neighbourhood group. Two drop off / loading / servicing spaces are proposed within the site, and it has been suggested that more could be provided with some reconfiguration of the available space.

8.102 Visitor car parking spaces are available in public car parks surrounding the site, and as such officers do not consider on site visitor car parking to be necessary, although this issue has also been raised as part of neighbour objections. Any on site loading / servicing spaces will need to be carefully managed to ensure they are not used as longer stay unauthorised general visitor parking spaces.

8.103 Comments have also been received from the highway authority with regard to the safety of the northern vehicle access. The applicant has provided some further details on the arrangement which shows how this access can be reconfigured with appropriate visibility splays and is capable of use by waste collection vehicles.

8.104 Given the above it is considered that the proposals would be capable of compliance with Cambridge Local Plan (2018) policy

81 and this issue would not represent a reason for refusal of the application.

### **Car and Cycle Parking**

8.105 The application proposals are car free, with no car parking provision with the exception of 2 disabled spaces. This approach is supported by officers, as it will help to maximise the potential of the site in a highly accessible central location and help to promote travel to / from the development by active, sustainable modes.

8.106 In terms of cycle parking 427 spaces are proposed for commercial uses within a cycle hub and 177 residential cycle parking spaces, located adjacent to each residential core. The cycle hub comprises a mix of double stacked, Sheffield stand and cargo bike spaces. Residential provision comprises Sheffield stand and cargo bike spaces. Cycle parking provision is considered to be broadly in accordance with policy requirements for both numbers of spaces, and quality / useability.

8.107 In addition the applicants have provided additional information to show how an additional 4 spaces can be provided within the southern access to provide an additional disabled space, two spaces for deliveries, and a car club parking space. These measures would have the potential address concerns with regard to parking and servicing.

8.108 Given the above the proposals are considered likely to be able to comply with Cambridge Local Plan (2018) policy 82 and this issue would not be a reason for refusal.

### **Planning Obligations (s106 Agreement)**

8.109 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.

8.110 In bringing forward the recommendations in relation to the Planning Obligation for this development these requirements have been considered.

8.111 Social Value Statement The socio-economic benefits of the development are set out in the submitted social value statement and are welcomed. Commitments within the S106 with regard to local labour / operation / apprenticeships during the construction phase would be welcomed, possibly through the highlighted submission of social value reports on a quarterly / yearly basis.

8.112 In the operational phase access by the surrounding community to new community space is also welcomed. The minimum amount of floorspace, times at which the space is available and the rate at which it is made available for will also need to be secured as part of the S106 agreement.

8.113 Affordable Housing The development is required to make provision for affordable housing. The proposal for affordable housing has been assessed in the paragraphs above. The detail of the Affordable Housing Scheme can be secured through a Section 106 Agreement, including provisions for minimum tenancy lengths, rent levels, and means of allocation.

8.114 Accessibility / Transport: A package of measures to promote sustainable transport would be sought. This includes financial contributions / requirements towards delivery of the of Chisholm Trail if and when this project proceeds, improvements to the public realm of Devonshire Road. A commitment to public access to the open spaces within the development at all times would also be required. Provision of a car club space within the site, and car club membership / credits for future occupiers would also be required.

8.115 Open space / play space provision: A financial contribution towards improvements to play / recreation / sports provision for older children and adults in other nearby locations to meet the needs of the development would also be sought.

8.116 In the absence of a S106 planning obligation to secure this infrastructure provision, the proposal is contrary to Cambridge Local Plan (2018) policies 45 and 85 and the Affordable Housing SPD (2008).

### **Development Control Forum**

8.117 The application was presented to the DCF in October 2021. Petitioners requested that the level of employment to create more open green space and a less dense development; more space should be provided for delivery vehicles on the northern and southern access; more cycle parking space was required for residents; more controlled visitor spaces were required; the dwellings needed to be reconfigured to increase the level of daylight and sunlight to proposed dwellings that all the dwellings would receive to improve the quality of light; and recommended the Highways Authority and Planning Authority need to take an active approach to future proof the Chisholm Trail, if necessary, undertake compulsory purchase order of land.

8.118 The applicants have suggested how the proposals could be amended to address some of these points, in terms of providing additional parking spaces for delivery vehicles / visitors, provision of car club spaces and an improvement to cycle parking provision. These improvements are welcomed by officers but would not overcome the main reasons of concern around scale / massing / design and conservation impacts outlined above. In addition the officer view on other issues raised in the DCF are also provided in the above sections of the report.

## **9.0 CONCLUSION**

9.1 The principle of a proposed mixed use (office, residential and community use) development in this location is supported, as the proposed residential and office floorspace will help to meet

local plan targets. The sustainability strategy comprising a car free development, with energy efficient buildings is also supported. The proposed layout comprising a series of blocks fronting Devonshire Road, the rear of Mill Road to the north, and Angus Close to the south would also comprise a rational design response to the site.

- 9.2 However strong concerns have been raised by Conservation, Urban Design, Landscape officers, and Design and Conservation Panel, during the pre-application and application stages that the scale, massing and detailed design of the proposed development would detract from the character and appearance of the surrounding area. The proposals would also result in less than substantial harm to the setting of the grade II\* listed Church of Our Lady and the English Martyrs spire and Mill road Conservation Area. In addition whilst the landscaped central space could be an attractive feature of the development, the proposed soft landscaped design approach with mounds, would not be appropriate for the scale of the space, and the intensity of its proposed use.
- 9.3 In making this assessment officers have given special regard to desirability of preserving and enhancing the settings of listed buildings and conservation areas in terms of requirements of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas Act 1990).
- 9.4 It is noted that paragraph 202 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*. In this case the public benefits of the proposals in terms of provision of new housing, employment floorspace, community spaces / a creche and new public open space are noted. However, when this is considered alongside the requirements of section 66 and 72 having regard to the of the Planning (Listed Buildings and Conservation Areas Act 1990) they are not considered sufficient to outweigh the harm identified above.
- 9.5 As such these concerns would represent a reason for refusal of the application.

## **10.0 RECOMMENDATION**

### **10.1 REFUSE** for the following reasons:

1. The proposed development by reason of its scale and massing would result in an unduly imposing form of development, in a location which would not justify buildings of such scale. As such the proposals would dominate views from surrounding elevated positions and detract from the character and appearance of the surrounding area. The proposals would also result in less than substantial harm to the setting of the adjacent Mill Road Conservation area and the setting of the Grade II\* listed Church of Our Lady and the English Martyrs spire. The proposals would therefore conflict with Cambridge Local Plan (2018) policies 55, 56, 57, 60 and 61, and paragraph 202 of the National Planning Policy Framework.
  2. The landscape design of spaces within the development, with high levels of soft landscaping, broad spreading trees and mounds, would not be appropriate for the scale of the space, and the intensity of its proposed use. As such the proposed landscaping fails to relate to the character and intended function of the space, contrary to Cambridge Local Plan (2018) policy 59.
- 10.2 In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development and to agree planning conditions in the event the appeal is allowed and to agree any minor material and non-material amendments to the scheme as appropriate.