



<b>Planning Committee Date</b>	3 <sup>rd</sup> August 2022
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/01982/FUL
<b>Site</b>	Devonshire Gardens, Devonshire Road
<b>Ward / Parish</b>	Petersfield
<b>Proposal</b>	Demolition of existing depot building and redevelopment of site to provide three new buildings comprising Class E (g) (i) / E (g) (ii) floorspace with associated plant and cycle parking, two new residential buildings comprising 70 residential 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>	Railway Pension Nominees Ltd
<b>Presenting Officer</b>	Steve Fraser-Lim
<b>Reason Reported to Committee</b>	Third party representations / application raises special planning policy or other considerations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Principle of proposed development / uses</li><li>2. Design and conservation issues</li><li>3. Environmental Impacts</li><li>3. Transport issues</li></ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions / S106

## 1.0 Executive Summary

- 1.1 The application is a planning application for demolition of existing depot building and redevelopment of site to provide three new buildings comprising Class E (g) (i) / E (g) (ii) floorspace with associated plant and cycle parking, two new residential buildings comprising 70 residential 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.
- 1.2 The application proposals are an attempt to address the reasons for refusal of a previous application at the site (ref: 21/03620/FUL). This current application proposal differs from the previously refused application in a number of areas including: reduction in heights of blocks C and D; change in use of block D from residential to office; reduction in number of residential units from 100 to 70; redesigned landscaping proposals; change to layout of vehicle entrances and provision of car club and delivery spaces.
- 1.3 Officers recommend that the Planning Committee grants planning permission subject to completion of a S106 legal agreement.

## 2.0 Site Description and Context

Designated Area of Major change	X	Tree Preservation Order	X
Conservation Area (no, but part of site adjacent to Mill Road C.A)	X	Local Nature Reserve	X
Listed Building		Flood Zone 1	X
Building of Local Interest (adj)	x	Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	
Cambridge Airport Safeguarding Zone		Waste Consultation Area	
Lords Bridge Consultation Area			

- 2.1 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 site's 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.

- 2.2 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.

### **3.0 The Proposal**

- 3.1 Demolition of existing depot building and redevelopment of site to provide three new buildings comprising Class E (g) (i) / E (g) (ii) floorspace with associated plant and cycle parking, two new residential buildings comprising 70 residential 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 (both office and residential blocks) 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.
- 3.2 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.
- 3.3 Blocks B and C are 3-5 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 3-4 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.

- 3.4 The application proposals are an attempt to address the reasons for refusal of a previous application at the site (ref: 21/03620FUL, see history section). The reasons for refusal of this application were as follows:
- 3.5 Reason 1: *“The proposed development by reason of its scale, massing and articulation of building facades 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, which would not be outweighed by the public benefits of the proposals. 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 2021”.*
- 3.6 Reason 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”.*
- 3.7 This current application attempts to address the above reasons for refusal and differs from the previously refused application in a number of areas including: reduction in heights of blocks C and D; change in use of block D from residential to office; reduction in number of residential units from 100 to 70; redesigned landscaping proposals; change to layout of vehicle entrances and provision of car club and delivery spaces. The landscape design for the central courtyard has also been reconsidered and simplified with omission of some mounded areas and reduction in larger canopy trees.

#### **4.0 Relevant Site History**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
21/03620/FUL	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.	Refused December 2021 (reasons for refusal listed above)
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
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
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 play area, and associated works including landscaping, new access and parking.  A number of applications have been made to discharge the conditions associated with the above application.	Granted October 2011  Some conditions discharged in 2017. Some outstanding.
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 submitted for retention of buildings on site and use of the site for warehouse / storage purposes.	1972-1989
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## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

### **5.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 2: Spatial strategy for the location of employment development

Policy 3: Spatial strategy for residential development

Policy 5: Sustainable transport and infrastructure

Policy 6: Hierarchy of centres and retail capacity

Policy 8: Setting of the city

Policy 24: Mill Road Opportunity Area

Policy 27: Site specific development opportunities

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding

Policy 40: Development and expansion of business space

Policy 41: Protection of business space

Policy 42: Connecting new developments to digital infrastructure

Policy 45: Affordable housing and dwelling mix  
Policy 50: Residential space standards  
Policy 51: Accessible homes  
Policy 55: Responding to context  
Policy 56: Creating successful places  
Policy 57: Designing new buildings  
Policy 59: Designing landscape and the public realm  
Policy 60: Tall buildings and the skyline in Cambridge  
Policy 61: Conservation and enhancement of historic environment  
Policy 62: Local heritage assets  
Policy 65: Visual pollution  
Policy 68: Open space and recreation provision through new development  
Policy 70: Protection of priority species and habitats  
Policy 71: Trees  
Policy 73: Community, sports and leisure facilities  
Policy 80: Supporting sustainable access to development  
Policy 81: Mitigating the transport impact of development  
Policy 82: Parking management  
Policy 85: Infrastructure delivery, planning obligations and CIL

### 5.3 **Neighbourhood Plan**

N/A

### 5.4 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022  
Sustainable Design and Construction SPD – Adopted January 2020  
Cambridgeshire Flood and Water SPD – Adopted November 2016  
Health Impact Assessment SPD – Adopted March 2011  
Landscape in New Developments SPD – Adopted March 2010  
Open Space SPD – Adopted January 2009  
Public Art SPD – Adopted January 2009  
Trees and Development Sites SPD – Adopted January 2009  
Greater Cambridge Housing Strategy additional Annexes 9 (Build to Rent Policy) and 11 (Affordable Rents Policy) adopted July 2021

### 5.5 **Other Guidance**

Mill Road conservation area Appraisal 2011

### 6.0 **Consultations**

#### 6.1 **County Transport Assessment Team**

6.2 **Comment:** County Highways do not object to the application subject to the requested conditions S106 heads of terms as set out below:

- 6.3 Access / safety: The Devonshire Road / Mill Road/ Kingston Street junction and parts of Mill Road are an accident blackspot. Mitigation measures should help to improve conditions for the likely increased pedestrian cycle trips from the site. The Highway Authority are happy to see the safeguarded area on the eastern boundary of the site which can accommodate the Chisholm Trail, and this is in line with the key Local Plan policy. This will be secured should permission be granted. The existing speed cushion on Devonshire Road within the vicinity of the northern access is proposed to be replaced with a raised table. This will require a Stage 1 Road Safety Audit.
- 6.4 Car / cycle parking: It is concluded that there is suitable car parking provision available within acceptable distance from the site which future employees or visitors can use to park their vehicles, and travel to the site by sustainable modes. As such the 'car free' element of the proposal is accepted. Cycle parking provision exceeds Local Plan standards although it is up to the Local Planning Authority to agree cycle parking provision.
- 6.5 Transport Assessment: The methodology used to determine the multi-modal trip generation for the proposed development is acceptable. The proposed development is anticipated to generate 17 vehicle trips in the AM peak and 10 vehicle trips in the PM peak associated with delivery and servicing vehicles, and taxi pick-up/drop-offs. The development is also anticipated to generate 94 and 122 walking and cycling trips in the AM peak, 84 and 109 walking and cycling trips in the PM peak, and 438 and 558 daily walking and cycling trips.
- 6.6 Measures to mitigate transport impacts: The following measures are requested to mitigate the impact of the development:
- Safeguard the land on the eastern boundary of the site for the Chisholm Trail;
  - A S106 financial contribution of £95,164.44 towards the delivery of the Chisholm Trail;
  - A S106 financial contribution of £100,000 towards the total costs of the consultation process, TRO process, and delivery of the wider Devonshire Road Closure Scheme at the Devonshire Road/Mill Road junction. Should the external factors not be met for the Devonshire Road Closure Scheme to progress, then the developer shall instead pay a further S106 financial contribution of £100,000 (this being the estimated cost of the Devonshire Road Closure Scheme) towards the delivery of the Chisholm Trail;
  - A Framework Travel Plan and accompanying S106 financial contribution of £13,300 towards monitoring the Framework Travel Plan over the 5-year monitoring period.
- 6.7 Planning conditions: The following planning conditions are required: Implementation of Travel Plan; details of site access, deliveries and servicing.

6.8 **County Local Highways Authority Team**

6.9 **Objects:** The Highway Authority requests that the application be refused in its present format on the grounds of highway safety for the following reason: When a 11 m refuse vehicle exits the southern junction heading north, the swept path analysis shows the body of the vehicle entering the area designated for on street car parking. This will result in either damage to private property legitimately parked within the adopted public highway or increased manoeuvring of an HGV within a narrow carriageway which has high levels of cycle flow. The above request can be overcome if the access is slightly redesigned to enable an appropriately size refuse vehicle to exit without entering the designated on street parking bay. The Highway Authority requests confirmation from the Planning Authority that the size of refuse vehicle (shown as being 11m in length) is in fact the size of vehicle that will be used.

6.10 Recommend planning conditions requiring the following: submission of a construction traffic management plan; time restriction for construction vehicles exceeding 3.5 tonnes; visibility splays maintained free of obstructions; driveways constructed so that private water drains onto the highway; informative to residents advising that they will not be eligible for parking permits; informative with guidance on construction traffic management plans.

6.11 *(Officer comment: An updated swept path plan has been submitted which demonstrates that refuse vehicles can enter and leave the site without passing over on street parking bays).*

6.12 **Lead Local Flood Authority**

6.13 **Objects:** Due to the following concerns: The proposed geo-cellular storage crate system is noted as being called a 'soakaway tank'. As the Drainage Strategy and SuDS Report has concluded that infiltration is not viable due to the presence of a high groundwater table and contaminated ground the drawing note needs to be amended for the avoidance of doubt. The proposed blue roof of building B appears to encroach onto a section of external hardstanding and should be amended for the avoidance of doubt. The proposed impermeable area is stated as being 0.93ha, whereas Section 4.3 of the report and within the hydraulic calculations the impermeable area is stated to be 0.884ha. This difference should be clarified.

6.14 It is noted that the hydraulic calculations to demonstrate both the performance of the system and the surface water pumping modelling have been provided. However, it appears that the manhole schedules used in the design show manhole SWMH04 as the proposed surface water pump, whereas on the Foul & Surface Water Drainage Layout drawing the proposed pump is shown at manhole SWMH08. As such, we require amended hydraulic calculations to be submitted that accord with the

correct surface water pump location. In addition, it is noted that only three rain gardens/filter drains have been included within the storage structures of the hydraulic calculations, whereas the Foul & Surface Water Drainage Layout drawing shows seven proposed rain gardens. Therefore, we require clarification as to why the remaining four structures have not been included with the design.

- 6.15 The pipe between (chambers/manholes CP28 and SWMH05 appears to be positioned beneath a building. It is acknowledged that this system will be maintained by the client/owner and therefore will not be adopted, however this practice contradicts design guidance for foul / surface water drainage systems. As such, the surface water sewer should be routed around the building, where possible.
- 6.16 *(Officer response: A technical note has been submitted by the applicants drainage consultants which provides further points of clarification with regard to location of manhole covers and surface water pumps. The note confirms that a pipe is proposed beneath a building, as this is the most feasible option. However it has been designed to accord with building regulations for pipes of this nature).*
- 6.17 **Environment Agency**
- 6.18 **Comments:** Planning permission could be granted subject to the following conditions: submission of remediation strategy; development to pause if contamination discovered on site during construction; details of surface water disposal to be submitted; piling using penetrative methods not be used without consent of LPA.
- 6.19 **Anglian Water**
- 6.20 **Comments:** The foul drainage from this development is in the catchment of Cambridge Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.
- 6.21 A number of informatives are recommended in relation to used water with regard to notification of Anglian Water in advance of connection, safeguarding of Anglian Water infrastructure during construction, and information on adoption of infrastructure.
- 6.22 With regard to surface water drainage the submitted information is acceptable, and implementation in accordance with these details should be secured by condition.
- 6.23 **Urban Design and Conservation Team**

- 6.24 **Supports:** The revised proposal has addressed our objections to the previous application with regard to scale and massing. The overall height of the revised proposal when viewed from Mill Road bridge is now comparable to that of the Ironworks, and the revisions to the roof forms and refinements to the elevations has created more coherent compositions, smoother transitions between volumes and convincing 11 vertical rhythms, that will allow the scheme to sit more comfortably within the wider area. In our view, the applicant has been able to demonstrate that the proposed building forms create an appropriate approach along the railway edge. Whilst the proposal will change views out of the conservation area from the elevated viewpoints, from a conservation and urban design perspective, it would not detract from the townscape experience.
- 6.25 Subject to the elevation and bay studies being updated as per our comments, and further clarifications on the depths of ground floor private amenity spaces and associated thresholds, the proposal is considered to comply with policies 55, 56, 57, 60 and 61 of the Cambridge Local Plan 2018, and is therefore supported in conservation and urban design terms.
- 6.26 **Cambridge Airport**
- 6.27 **Comments:** The development could conflict with safeguarding criteria unless conditions are attached requiring an Instrument Flight Procedures Assessment and submission of a Bird Hazard Management Plan to discourage the nesting or roosting of gulls on flat roofs in the development. Informatives are also recommended with regard to consent procedures for construction cranes, and landscaping design to minimise attractiveness for hazardous species of birds.
- 6.28 **Senior Sustainability Officer**
- 6.29 **Supports:** The approach to sustainable design and construction being taken as part of these proposals is welcomed. The proposals have been underpinned by a strong sustainability vision, considering issues beyond just energy and carbon reduction to consider wider social as well as environmental sustainability. This is exemplified by the framing of the sustainability statement around the One Planet Living Principles, an approach that is fully supported.
- 6.30 An area that has been the subject of much discussion throughout the evolution of this proposal has been the issue of mitigating the risk of overheating in the residential element of the scheme. The approach being taken has been informed by overheating analysis using the CIBSE TM59 methodology, and it is positive that the use of external shading has now been added to the range of measures being utilised to reduce the risk of overheating. The south facing elevations of Block A now incorporates brise soleil as do exposed elevations/windows on Blocks F and G. The analysis shows that by utilising a range of measures to mitigate the risk of

overheating, all units tested pass the overheating analysis using both the 2020 and 2050 weather scenarios.

- 6.31 Conditions are recommended regarding: implementation of energy strategy measures prior to residential occupation; design stage BREEAM assessment to be submitted; confirmation of BREEAM 'excellent' within 6 months of office use; achievement of Building Regulations higher level of water efficiency.
- 6.32 **Landscape Officer**
- 6.33 **Supports:** Given the overall changes which have been made to the scheme to reduce impacts on views and townscape, and the benefits of developing the site for positive uses, and opening up the courtyard for public use, the impact on views from Mill Road Bridge is acceptable. Most existing trees are retained and new accesses into the site are aligned with the locations of category C or U trees, and the so the number of trees for removal is minimised. The design changes to the central courtyard have addressed previous concerns. The strategy for play within the development is supported, as are ecological enhancement measures.
- 6.34 The application is supported although there is some missing detail / discrepancies: Pedestrian routes into the site are not clear; a raised table is shown in Devonshire Road but no detail on how this will be designed and delivered is provided; access is constrained with potential clashes between refuse / delivery vehicles and parked vehicles, kerb lines and trees; means of access for fire tenders should be confirmed; sewers and manholes are shown within Root Protection Areas; query robustness of some landscaping planters around vehicle accesses which could be struck by vehicles; confirm amount of space available for play, recreation and private external amenity space; details of management and maintenance should be provide; query some boundary treatments to the proposed residential units and around the perimeter of the site.
- 6.35 *(Officer response: A technical note has been submitted by the applicants drainage consultants which clarifies that drainage infrastructure is located within RPAs. However any works are at least 1m from trunks of protected trees. Any construction work will be undertaken in consultation with tree officers).*
- 6.36 The following conditions are recommended: Details of the courtyard pavilion to be submitted; details of play strategy and equipment to be submitted; tree protection details; the location of the Chisholm Trail to be confirmed; hard and soft landscape details to be submitted; details of green brown roofs.
- 6.37 **Ecology Officer**

6.38 **Supports:** The applicants ecology assessment is accepted as the largely sealed surface of the existing site and proposed landscaping and green roofs mean the proposals are well in excess of the required or aspirational Biodiversity Net Gain (BNG) of the Local Authority. The extensive biodiversity green and blue roofs to provide BNG alongside more traditional ground level amenity planting are supported and should seek to include deadwood features for invertebrates. The provision of swift boxes is recommended in accordance with the SPD. Applicants should note the SPD requirement for 1 bird box per dwelling. The number, specification and location of these species enhancements can be shown on a plan for approval or secured via condition.

6.39 **Tree Officer**

6.40 No comments received in relation to the current application. The tree officer objected to the previously application for the following reason: 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.

6.41 **Environmental Health**

6.42 **Objects** – Most outstanding issues can be resolved via condition; However concerns remain with regard to potential noise impact from plant and machinery on the roof of office building C upon the adjacent proposed residential blocks F and G. If the enhanced attenuation package as suggested in the Noise Assessment is acceptable in design terms, then the applicant needs to demonstrate compliance with noise level limits before an informed decision can be made and conditions recommended if appropriate.

6.43 In addition concerns are raised with regard to noise impacts from the outdoor play area of the creche upon adjoining existing dwellings. The external amenity area serving the creche in Block E is not ideally located in terms of noise as it immediately adjoins the gardens of existing residential premises 107/108 Devonshire Road and Angus Close. Given the proximity of those premises to the proposed creche, there is the potential for significant adverse noise impacts to arise in existing homes and gardens when the external area of the creche is in use, even with a close boarded fence in place and with conditions controlling hours of use and a noise management in place.

6.44 **Police Architectural Liaison Officer**

- 6.45 **Objects:** Reiterated comments made in relation to previous application 21/03620/FUL (see history section). Cycle storage should have LPS 1175 SR2 security doors with residential access control, be fitted with self-closers along with internal thumb turns for easy egress to ensure people cannot get trapped inside. Sheffield cycle stands as a minimum should be fitted inside and cemented 300mm into the ground. The same applies to the external cycle stands where possible concrete filled and cemented 300mm into the ground. Double stacked racking is not recommended from a security perspective as there are no tested products. Bin stores should have LPS 1175 SR2 security doors fitted with self-closers and internal thumb turn, with dual access control, along with fob access for residents.
- 6.46 Residential access to the blocks should be restricted to residents and include an audio/visual visitor entry system allowing residents to have a two-way conversation with callers and to see them prior to allowing access. Access to floors should be restricted to the residents floor only and access to roof terraces should be controlled. If external boxes to be fitted they should be fitted to TS009 standards. The absence of parking spaces for residents is likely to cause disputes and antisocial behaviour. A minimum of 50 spaces should be provided. The open space within the development will need to be carefully managed and lit to prevent crime, anti-social behaviour and rough sleeping.
- 6.47 *(Officer note: Comments from the police architectural liaison officer have been partially addressed through a planning condition requiring details of measures to meet Secure by Design requirements where feasible, see para 10.134 below).*
- 6.48 **Fire Authority**
- 6.49 **Comments:** The cost of fire hydrants should be recovered from the developer by S106 contribution. The number and location of fire hydrants should be confirmed by risk assessment in relation to the National Guidance Document Provision of Water for Fire Fighting. Access for fire vehicles should be in accordance with Building Regulations approved Document B5 (vehicle access). If any buildings are over 11m in height (excluding flats) not fitted with fire mains then aerial (high reach) appliance access is required.
- 6.50 **S106 Officer**
- 6.51 **Comments:** The developer needs to provide confirmation as to the nature of the community facility provision. In terms of indoor sports provision, the proposed development is within 660m of the Kelsey Kerridge Sports Centre, which is on the Council's 2016/17 target list of indoor sports facilities for which specific S106 contributions may be sought in order to mitigate the impact of development. In line with the funding formula set out in the Council's Planning Obligations Strategy 2010, a specific S106 contribution (plus indexation) of £30,800.50 (plus indexation) is requested towards the provision of and/or improvement to the indoor sports facilities

and equipment (including squash court upgrading and improved lighting throughout the gyms, courts and studios) at the Kelsey Kerridge Sports Centre.

6.52 In terms of outdoor sports provision, the proposed development is within 605m of the Coleridge Recreation Ground facility, which is on the Council's 2016/17 'target list' of outdoor sports facilities for which specific S106 contributions may be sought in order to mitigate the impact of development.

6.53 In line with the funding formula set out in the Council's Planning Obligations Strategy 2010, a specific S106 contribution (plus indexation) of £27,251.00 (plus indexation) is requested towards the provision of and / or improvements to the outdoor sports areas and pitches including football, tennis and bowls along with the provision of new outdoor fitness equipment at Coleridge Recreation Ground.

6.54 **County S106 contributions team**

6.55 **Comments:** Based on the Council's pupil yield multipliers, the development will generate 8.5 early years children (6.12 eligible for free childcare places), 4 primary children and 0.15 secondary children. There is sufficient capacity within the surrounding area so that no contributions are sought for early years or primary school provision. Capacity at the nearest secondary school will be exceeded by 2024-25. However as the number of secondary age pupils generated by the development is very low no contributions are sought. In terms of library provision the development is anticipated to generate 175 new residents, and there is sufficient capacity in the surrounding area that the proposals would not put significant pressure on libraries or lifelong learning provision in the city.

## 7.0 Third Party Representations

7.1 12 representations (7 supports and 5 objections) have been received.

7.2 Those in objection have raised the following issues:

- Absence of on-site car parking will increase parking stress in Devonshire Road and surrounding streets.
- There is a high proportion of single aspect flats which either face northwards and suffer from poor sunlight or are at risk of overheating
- The Design and Access Statement is incorrect to claim that units with indented building façades / balconies are dual aspect.
- The proposals are overdevelopment, as the Local Plan site allocation (R9) states that the site is suitable for 43 new dwellings (45 dwellings per hectare), with open space requirements to take account of the site's location in an area with open space deficiency'.
- The development has insufficient space for residents or future employees as there are no gardens, in conflict with Local Plan policy 68.
- The development will increase density in an already dense area.

- The development will increase the proportion of short term lets which will not promote a sense of community.
- The car free nature of the development will increase demand for visitor and tradesperson parking permits.
- Drop offs and deliveries for the creche and retail spaces will result in complete congestion in Devonshire Road.
- The design is out of keeping, blunt and unattractive
- The proposals will result in overlooking across Devonshire Road
- There is no need for more rental property in Cambridge
- Short term rented accommodation such as this will result in anti-social behaviour
- The proposals don't offer anything else which isn't already in Cambridge so are not needed.

7.3 Those in support have raised cited the following reasons:

- 7.4
- The proposals are well designed with good quality materials
  - The proposals will enhance a rundown site
  - The introduction of new footpaths on Devonshire Road will help to ease pedestrian congestion
  - The proposals are thoughtful and attractive and will help to ease the housing crisis
  - Support the car free vision for the site which makes more efficient use of land and could encourage other car free developments in the city
  - The new application has addressed concerns with regard to the height of the buildings
  - Provision of space for local small businesses is beneficial for the local community
  - The proposals will promote sustainable and active travel modes.
  - The proposals incorporate a range of sustainability measures which will help to address the climate crisis
  - Proposals are a good example of how inner-city areas can be developed, by increasing density but also providing community focus, new green spaces and biodiversity enhancement.
  - The community benefits from the previous development have been retained.

## **8.0 Member Representations**

8.1 No Councillors have made a representation (supporting / objecting to) the application.

## **9.0 Local Groups / Petition**

9.1 South Petersfield Residents Association (SPRA) has made a representation objecting to the application, summarised as follows:

- The Windfall provision of office space will create unplanned additional demand for housing.
- There is inadequate space for visitor, delivery and service vehicles

- Non eligibility for residents and visitor parking permits needs to be binding
- Residents are likely to require more secure cycle parking than proposed.
- The highway and planning authorities need to assume proactive responsibility for delivery of the Chisholm Trail, either through the site or along Devonshire Road.
- There needs to be a Plan B in the event that Network Rail does not agree direct access to its land at the north and south ends of this development. Without such a plan, there is a risk that the land reserved for the Chisholm Trail will attract antisocial behaviour.
- The single-aspect dwellings facing north (block A) and north-of-west (blocks F and G) will receive too little direct sunlight.
- Permitted development rights create a potential risk if there is a recession and the commercial space cannot be filled.

9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

## **10.0 Assessment**

### **10.1 Principle of proposed uses**

10.2 Proposed office floorspace: The Cambridge Local Plan 2018 and its evidence base assesses the future need for housing and employment development in an integrated, cumulative manner. As such delivery of employment development would not result in an increase in housing requirements beyond that already identified as necessary within the Local Plan. Section 4 of the Local Plan 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 sq m 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"*.

10.3 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.

10.4 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 site is already in commercial use for storage and distribution purposes by Travis Perkins. The site is also in proximity to other new office developments around the train station. Officers consider that the above factors make the site an appropriate location for new office development in accordance with Local Plan policy 40.

- 10.5 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”*.
- 10.6 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 Council’s 5 year housing land supply.
- 10.7 The application proposals will deliver 70 new residential units (7 studio, 39x1, 23x2, 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 184 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 for a smaller site area. The density proposed within R9 of the local plan is set at a low level, which is significantly less than some other recently developed sites in the surrounding area. The proposed density of the development is not considered to result in any adverse impacts in terms of design or amenity, as discussed in the following sections of the report.
- 10.8 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.

- 10.9 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 price 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 households 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).
- 10.10 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, places of employment 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.
- 10.11 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. A community space management plan is proposed to be secured as part of the S106 agreement and shall include details of: space available of community use; means of delivery / details of other organisations responsible for delivery; confirmation of start-up or seed funding required; details of booking / availability and discounted rates for community groups to access to facilities; details of preferential

arrangements, rent discounts for local businesses to rent commercial space. As such the incorporation of uses of community importance such as the creche are also supported by policy 73.

10.12 The principle of a mixed-use office / residential / community use / ancillary retail development is acceptable and in accordance with policies 3, 40 and 73.

10.13 **Affordable housing**

10.14 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.

10.15 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”*.

10.16 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. As the proposals are Build To Rent, there will be no additional service charge for tenants. In addition as the proposals incorporate a range of sustainability features, which will mean that electricity bills for future tenants are anticipated to be below many other residential units. However discussions are ongoing with the affordable housing officer and the applicants with regard to the proposed rent levels and their affordability. As The detail of the affordable housing scheme will be secured through a Section 106 Agreement.

10.17 Subject to the above the proposal is compliant with Annex 9 of the Greater Cambridge Housing Strategy.

10.18 **Design, Layout, Scale and Landscaping**

10.19 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).

10.20 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.

- 10.21 The Mill Road Conservation Area Appraisal states that the conservation area (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'.
- 10.22 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.
- 10.23 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.
- 10.24 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.

- 10.25 The previously refused application proposals were considered acceptable in terms of the interface at streetscape level with the Conservation Area. The TVIA has been updated to include views of the revised scheme and the reduction in building heights of the railway blocks means that most of the viewpoints at streetscape level are not significantly affected. Along the northern edge of the site, Block A remains largely unchanged, and continues to provide a new frontage and create a mews like character when viewed from streetscape level. This approach to the rear of the Positive Unlisted Buildings and the BLIs which face onto Mill Road, is therefore still considered acceptable.
- 10.26 The updated TVIA shows that the revised scheme will continue to be seen from streetscape level near the grade II listed Cambridge City Branch Library in Headley Road. However, 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.
- 10.27 The general scale and form of the proposed blocks along Devonshire Road, are designed to mimic the scale and form of the properties on the other side of the Mill Road Conservation Area and continue to go some way to screen the mass and height of the taller block's situated behind along the railway edge. The introduction of functioning chimneys in this revised application to accommodate the flue for the Mechanical Ventilation Heat Recovery (MVHR) extraction in blocks F and G is welcomed and helps to articulate the roofscape in a contextual manner.
- 10.28 The revised proposal continues to retain many of the trees referenced in the Mill Road Conservation Area Appraisal as being important to the streetscape, and therefore the proposal continues to help maintain this important characteristic of the street.
- 10.29 Elevated views from Mill Road Bridge: Concerns were previously raised that the refused proposals would have an unacceptable visual impact on the character and appearance of the area when viewed from Mill Road Bridge. The revised application has kept the overall approach of creating 4 buildings ranging in scale along the railway edge but has reduced the height of blocks C and D by 4.9m and 3.9m respectively, when compared to the refused application. This change is welcomed. At the northern end of the site along the railway edge, Block B remains unchanged in scale and form and is proposed at 3 and 4 commercial storeys. Towards the centre of railway edge block C is now proposed at 5 commercial storeys, 22.2m (previously 6 commercial storeys, 26.1m), block D is now proposed at 3 and 4 commercial storeys, 13.1m and 18.4m (previously 4 and 6 residential storeys, 16.5m and 23.3m), and on the southern boundary Block E remains unchanged in the overall scale, proposed at 2 storeys.

- 10.30 TVIA viewpoint 2 from Mill Road Bridge, will experience the greatest magnitude of visual change to what is currently experienced, due to the elevation and the open nature of the site, which allows for an appreciation of the contrast in scale between CB1 and the Mill Road area. The existing view of the site is untidy, with 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.
- 10.31 The revised proposal seeks to reduce the townscape impact on the views from Mill Road Bridge and although of greater height and massing than the existing residential properties in the conservation area, the combination of the reduction in scale of blocks C and D, together with the refinements of the elevations, removal of poorly resolved upper floor plant screens, improved roof form design and sawtooth arrangements, has created a more convincing and contextually sympathetic massing to the scheme. The plant is now well integrated within the roofscape and does not dominate or detract from key views from outside the site. The changes undertaken, are considered beneficial not only in terms of the relationship with the character and appearance of the surrounding area, but also on the proportions of the buildings themselves, improving the clarity between the different massing elements and creating a smoother transition between the separate volumes.
- 10.32 The scheme now exhibits a more apparent finer grain characteristic that is experienced in the local vicinity, with an improved vertical emphasis which breaks up the overall perceived massing.
- 10.33 Although of greater height than the existing buildings and the prevailing scale of the wider area, the proposed 5 storeys of the central, highest block C is considered to be an acceptable approach being of similar height to the tallest buildings on the nearby Ironworks scheme. In comparison to the previous refused scheme, the proposal out no longer competes the nearby Ironworks site, with the revised approach creating an overall massing that now sits more comfortably alongside other taller railway corridor buildings, and forming a more appropriate transition in scale to CB1.
- 10.34 Whilst Viewpoint 2 (existing) shows that a distant view of the Church of Our Lady and the English Martyrs spire would be lost by the proposed development, it is however only a glimpse view of this grade II\* listed building and does not play a key role in the setting of the conservation area. Therefore, with the revised scheme now proposing a more appropriate massing that is considered acceptable, the proposals would not cause harm to the setting of the adjacent conservation area.

- 10.35 Viewpoint 4 - Carter Cycle Bridge, looking north towards the site: The second elevated viewpoint in which was felt that the previous refused scheme would create an unacceptable visual impact upon, was from the Carter Cycle Bridge, looking north towards the site (viewpoint 4). The application is supported by a number of technical photomontage visualisations contained within Appendix 4 of the TVIA. Photomontage view 04 shows that there will be no clear views of the development from that location when the tree in the foreground is in leaf. Viewpoint 4 of the VuCity type 2 visualisation (Appendix 3 of the TVIA) shows the winter view from the Carter Cycle Bridge, where the tree canopies will allow views through the bare branches of the proposed 4 storey element of block D and the taller 5 storey Block C. However, the visual impact of the scheme will be mitigated by variations in the elevations of the blocks and by the proposed height that has been reduced in comparison to the previous refused scheme and will not dominate the skyline or detract from the heritage asset. The scheme is now considered acceptable from this viewpoint.
- 10.36 Layout and movement: The design approach of placing buildings located around the perimeter of the site, to create a new central public open space is supported. The proposal continues to provide for two open, publicly accessible east-west connections for pedestrians and cyclists, both of which are well overlooked by active frontages. The proposal continues to safeguard space for the proposed Chisholm Trail through the set back of buildings from the eastern boundary along the railway edge; the location of active frontages onto this is supported.
- 10.37 Elevations and materiality: The overall approach to the design of the elevations is supported along with the chosen palette of materials. Elevations possess a rich level of façade modelling and provide good activation onto adjacent streets and spaces. The predominant external material of the scheme is proposed to be brick, which is a robust, durable and contextually appropriate material. The range of brick types help accentuate different forms and contribute to vertical proportions. The submitted DAS provides a good level of information about the proposed elevations, detailing and materiality. Whilst most of the proposed materials are indicated on the submitted planning elevations and bay studies, some areas of facades do not appear to have materials specified on the drawings. We also note that the various brick patterns (textured rusticated brickwork, 45 6 degree angled/chamfered brickwork) special bonds (e.g. stack, soldier) brick recessed panels, layered window panel setbacks - all of which are crucial to the articulation and modelling of the facades - were not indicated on the planning elevations and bay studies. Updated elevation drawings have since been submitted which include these annotations.
- 10.38 Along with the reduction in the scale of blocks C and D, further refinements to the elevations and roof forms of these blocks have been undertaken, which has created a better coherence to the architectural expression of the scheme as a whole and has enhanced the overall

façade articulation to create a more vertical expression, that helps to further break down the massing. The reworked silhouette of block D creates an expressed gable that successfully reflects the vertically expressed sawtooth gabled elements of block C, creating smoother transitions between the forms and a more convincing vertical rhythm to the railway edge, in comparison to the previous refused scheme. Carefully placed shadow gaps, brick articulation and recessed brick panels emphasise vertically. String coursing is now more appropriately employed at lower levels and alongside textured brickwork, helps to visually 'ground' the buildings.

- 10.39 The proposal now integrates solar shading devices into exposed facades which is welcomed. The evolution of the nursery building in terms of the use of Cross Laminated Timber (CLT), external materiality and form are also supported. The use of timber creates warmth and intimacy and helps the nursery to be distinguished from other buildings. The introduction of a functioning chimney as part of the passive ventilation strategy helps to better announce the entrance, next to which an integrated window bench provides the opportunity for further interaction with the building. Overall, there is a good level richness and interest to the elevations. The character of the bricks proposed will be crucial to the final quality of the proposal. Materials and sample panels should be conditioned.
- 10.40 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. A reason for refusal of the previous application (see above) considered that the space would not be robust enough for the amount of use the small area is expected to accommodate. The current landscape design proposals feature a simplified landscape design approach with less mounded areas. Amenity lawns are increased at the expense of planter areas. Also some small ornamental trees have been removed from the courtyard. Broad spreading tree species are retained, as it was considered that the omission of the ornamental tree species would provide sufficient space for larger species to thrive.
- 10.41 The application features simplified landscape arrangements in comparison to the previously refused application. They are considered to have addressed the reasons for refusal of the previous application and would create high quality new public realm for residents, workers and visitors in accordance with Cambridge Local Plan (2018) policy 59.
- 10.42 Design / landscape summary: The revised proposal has addressed the reasons for refusal of the previous application with regard to scale and massing. The overall height of the revised proposal when viewed from Mill Road bridge is now comparable to that of the Ironworks, and the revisions to the roof forms and refinements to the elevations has created more coherent compositions, smoother transitions between volumes and convincing vertical rhythms, that will allow the scheme to sit more

comfortably within the wider area. Whilst the proposal will change views out of the conservation area from the elevated viewpoints, from a conservation and urban design perspective, it would not detract from the townscape experience.

10.43 The revised landscape proposals have also addressed reasons for refusal of the previous application, would create new high quality public realm.

10.44 Subject to conditions with regard to materials / details and mock up panels, the proposal is considered to comply with policies 55, 56, 57, 59 and 60 and 61 of the Cambridge Local Plan 2018, and is therefore supported in conservation and urban design terms.

10.45 **Heritage Assets**

10.46 The application is outside of but adjacent to the Mill Road Conservation Area and proposals can potentially have an impact upon the setting of the Conservation Area.

10.47 Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Although in this case it should be noted that this duty is not engaged in relation to development proposals which are not located within the Conservation Area itself.

10.48 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.

10.49 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.

10.50 One of the reasons for refusal of the previous application at the site (ref: 21/03620/FUL) was due to concerns that the scale and massing of the proposed development would 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. However the current application features a reduction in the height of blocks C and D in comparison to the previous application. These changes would ensure the proposals have less visual impact in identified views such as from Mill Road Bridge and Carter Cycle bridge.

10.51 As such It is considered that the current proposals would not harm the character and appearance of the Conservation Area or the setting of listed buildings. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.

#### 10.52 **Public Art**

10.53 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.

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

#### 10.55 **Carbon Reduction and Sustainable Design**

10.56 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 regulated carbon emissions in comparison with a 2013 Building Regulations compliant development, and to achieve as a minimum water efficiency to 110 litres pp per day. Non-residential development is required to achieve a BREEAM excellent rating with full credits for water efficiency.

10.57 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

10.58 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.

10.59 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 is based around the 'One Planet Living Principles' which includes social and environmental sustainability as well as carbon reduction. The approach to carbon reduction 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 which are

in accordance with Future Homes 2025 zero carbon standards, and energy / resource efficient fixtures and fittings. Residential units can be naturally ventilated but are also equipped with Mechanical Ventilation Heat Recovery (MVHR).

- 10.60 In terms of the 'clean' criteria, an all-electric heating and cooling system for residential and commercial uses is proposed, in recognition that electricity now has a lower carbon intensity than gas. 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.
- 10.61 In terms of the 'green' criteria 100sqm of PV Panels are proposed at roof level of commercial (60sqm) and creche (40sqm) buildings. As a result of all the above measures the residential element of development is anticipated to achieve a 65.6% reduction in carbon emissions compared to a Building Regulations compliant baseline, with 27.1% of these reduction from fabric first measures. This exceeds the 19% reduction required by Local Plan policy 28. The submitted BREEAM pre-assessment for office floorspace shows a current potential score of 76.64%, with a potential score of 88.43%, which if achieved would enable achievement of BREEAM 'outstanding'.
- 10.62 The proposals have also considered the issue of embodied carbon (carbon emitted during the manufacture of building materials, such as concrete and steel). Submitted information suggests that the proposed construction techniques could result in around half as much embodied carbon as a 'business as usual' approach. In addition the creche is proposed to be constructed using a form of mass timber construction (Cross Laminated Timber) which is a highly efficient form of construction in terms of embodied carbon.
- 10.63 The submitted Overheating Assessment has been undertaken using the CIBSE TM59 methodology. In addition external shading is built into the façade design of the highest risk units. This comprises a brise soleil to some south facing units in block A, as well as exposed elevations/windows on Blocks F and G. The elevation of Blocks F and G facing Devonshire Road will also benefit from the shade provided by the retained tree belt. The analysis shows that by utilising a range of measures to mitigate the risk of overheating, all of the units tested pass the overheating analysis using both the 2020 and 2050 weather scenarios.
- 10.64 Comments were received from the sustainability officer stating that the proposals have been underpinned from the outset by a strong sustainability vision, considering issues beyond just energy and carbon reduction. The proposed external shading measures to address overheating were also welcomed and it was accepted that the proposed residential units would not be at undue risk of overheating.

10.65 As such, subject to planning conditions the proposals are considered to be in accordance with Cambridge Local Plan (2018) policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

10.66 **Trees**

10.67 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.

10.68 The application is accompanied by an Arboricultural Impact Assessment which states that 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.

10.69 Former 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.

10.70 In addition the applicants Arboricultural Consultant has provided clarification with regard to the location of drainage infrastructure within Root Protection Areas.

10.71 As such subject to appropriate investigation work regarding 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) policies 59 and 71.

10.72 **Biodiversity**

10.73 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

- 10.74 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal which sets out a range of biodiversity enhancements, including tree and landscape planting, 1160sqm of green / biodiverse roofs, 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 comprising predominantly buildings, hard standing, woodland).
- 10.75 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered.
- 10.76 Planning officers note the requirements of the Sustainable design and construction SPD with regard to 1 bird box per dwelling. However it is considered that some flexibility on implementation of this is considered appropriate for large blocks of flats such as this, in order to prevent adverse impacts upon its appearance. As such subject to appropriate conditions, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).
- 10.77 **Water Management and Flood Risk**
- 10.78 Local Plan 2018 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.
- 10.79 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. Paras. 159 – 169 of the NPPF are also of relevance and seek to mitigate the impacts of flood risk through an appropriate assessment methodology (Sequential and exception tests).
- 10.80 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. This broadly follows the above policy requirements.

- 10.81 The Local Lead Flood Authority has raised concerns and sought some clarifications regarding some of the annotations and measurements within the drainage strategy (confirmation that there is no infiltration from the attenuation tank as well as potential discrepancies regarding the location of manhole covers, blue roofs). The applicants have responded and provided clarifications on these points
- 10.82 Anglian Water has responded to the application and recommended that some informatives are attached to the decision notice. Given the above the applicants are considered to have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.
- 10.83 **Highway Safety and Transport Impacts**
- 10.84 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 10.85 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.86 The application is supported by a Transport Assessment (TA) and Travel Management Plan. 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 59 servicing movements per day to the proposed development.
- 10.87 Concern around visits by delivery vehicles is also raised by South Petersfield Neighbourhood group. Four 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.
- 10.88 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.
- 10.89 County Highway officers also raised concerns with regard to refuse collection vehicles striking parked cars in Devonshire Road. Updated tracking drawings have been submitted by the applicant which shows that

it is possible for refuse vehicles to enter and leave the site without impacting upon the adjacent residents' parking bay.

10.90 Comments were initially raised by the County Highways assessment team with regard to permeability of the northern section of the site are also noted. A cycle link between block B and C towards the location of the proposed Chisholm Trail has been considered. However following this discussion the link was not considered worthy of inclusion by both officers and County Transport Assessment Team, as it is not considered that it would provide significant permeability benefits in comparison to the proposed design. In addition inclusion of a cycle link in this location would have a detrimental impact upon the landscape design of the central courtyard and reduce the space available for non-movement related forms of recreation.

10.91 County Highways comments with regard to potential improvements to Devonshire Road, as well as delivery of the Chisholm Trail are also noted. Installation of a raised table within Devonshire Road at the entrance to the site will be delivered as part of S278 agreement to be entered into with the Highway Authority. A financial contribution for delivery of the Chisholm Trail and a contribution towards pedestrianisation of Devonshire Road will also be secured as part of the S106 legal agreement. If the Chisholm Trail is delivered in an alternative location either on Devonshire Road or on the east side of the railway line, then the contribution can be used for public realm improvements to Devonshire Road itself.

10.92 Given the above, subject to the conditions and mitigation requested by the County Highways and Transport Assessment teams it is considered that the proposals are in accordance with Cambridge Local Plan (2018) policies 80 and 81.

#### 10.93 **Cycle and Car Parking Provision**

10.94 Cycle Parking: The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which states for residential development one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms and 1 space per 30sqm of office floorspace. To support and encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis. For non residential uses at least 20% of cycle parking provision should be Sheffield stands for less able users.

10.95 A total of 545 spaces are proposed across the development. Residential cycle parking comprises 114 spaces. This comprises 102 long stay spaces in secure, internal cycle store rooms located adjacent to each of the residential cores. All spaces are provided as Sheffield stands with 5%

provision for larger sized bikes such as cargo bikes. A further 12 external visitor spaces are provided distributed at each of the residential entrances. As such residential cycle parking provision fully meets policy requirements.

- 10.96 Office / commercial cycle parking comprises a total of 415 spaces, with 351 long stay spaces within secure internal cycle stores. The majority of these spaces will be located within block C which includes a cycle hub with showers, lockers, bike maintenance facilities and on-site supervision. Spaces predominantly comprise double stacked spaces with some Sheffield stands, although these comprise less than 20% of total office cycle parking provision. 5% provision for cargo bikes has been provided with 64 visitor spaces provided as Sheffield stands adjacent to the building entrances.
- 10.97 A further 16 long stay spaces are proposed for the creche. Whilst there are less Sheffield stands for office floorspace than recommended by Appendix L, this is outweighed by the additional facilities available such as the cycle hub and end of journey amenities. In addition more cycle parking has been provided than required by policy and as such there would be space to increase Sheffield stand provision, at the expense of double height racks if a future need was identified. As such in overall terms the proposed office and creche cycle parking provision within the development is still considered to be of high quality and is acceptable.
- 10.98 Car parking: Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Inside Controlled Parking Zones the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.
- 10.99 The application proposals are car free, with no car parking provision with the exception of 2 disabled spaces, a car club space and 4 loading / unloading spaces. The site is in close proximity to Cambridge Rail Station and the city centre and is highly accessible by a range of transport modes. A range of shops, services and employment is within walking distance of the site. As such the car free approach is considered appropriate given this site location. In addition, surrounding streets are covered by Controlled Parking Designations and as such displacement of car parking from the development can be prevented. A car club parking space is also proposed within the southern vehicle access into the development.

- 10.100 As such a car free development 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. A clause in the S106 agreement will be included to require that future residential and business occupiers of the development will be ineligible from applying for controlled parking permits.
- 10.101 Subject to conditions as recommended by County Highways and Transport Assessment teams, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.
- 10.102 **Amenity**
- 10.103 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.
- 10.104 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.
- 10.105 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.
- 10.106 However as the proposed roof terrace within block B would be highly visible from the rear of Mill Road buildings a condition it proposed to help mitigate any perceived overlooking views that may result (the condition is not intended to completely screen views northward from the terrace but simply to mitigate this to an extent)
- 10.107 Overshadowing of open space:

- 10.108 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 93% 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.
- 10.109 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.
- 10.110 Amenity for future occupiers of the site
- 10.111 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).
- 10.112 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 A, which exceeds policy requirements. The submitted assessment suggests a high level of compliance (95%) 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.
- 10.113 However concerns have been raised during the consultation process 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 have not been 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 38% of living rooms would achieve BRE targets for sunlight. This issue is highlighted by objections from the South Petersfield Residents Association.
- 10.114 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. Most of the units which do not receive target levels of sunlight are north facing and not capable of receiving high levels of sunlight due to the orientation of the block. 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 daylight. As noted above

- 10.115 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 is 5688sqm which would equate to 47% of the site area (calculated using the definition of Informal Open Space within the Planning Obligations SPD “IOS can include commons, recreation grounds, Historic Parks and Gardens, sites with nature conservation designation, outdoor sports facilities, provision for children and teenagers, semi-natural green spaces, allotments, urban spaces, cemeteries, green corridors and country parks. Such spaces are important for providing recreational opportunities, wildlife habitat and cycling, equestrian and pedestrian access as well as for their environmental significance. Many open spaces fulfil more than one function”). This level of provision 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.
- 10.116 The landscape proposals include significant areas of new soft landscaping with different character areas, tree planting (68 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. The landscape design has been simplified to lower mounds which were at risk of desiccation, and remove some ornamental tree planting from the central courtyard. 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.
- 10.117 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.
- 10.118 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.
- 10.119 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.

10.120 **Inclusive Design:**

- 10.121 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met. 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings.
- 10.122 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.
- 10.123 The proposals would comply with Cambridge Local Plan (2018) policies 51, 56 and 57.

10.124 **Air Quality, ground contamination, noise and vibration**

- 10.125 Air Quality: 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.
- 10.126 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.
- 10.127 Noise and vibration: MVHR is proposed for all residential blocks, although windows will still be openable and units capable of natural ventilation. Conventional double glazing is sufficient to achieve internal design standards.
- 10.128 Environmental Health officers have raised concerns that the plant and machinery within office building C could result in raised noise levels at the nearest Noise Sensitive Receptors (NSR), which are proposed residential

units within blocks F and G facing Devonshire Road. An acoustic screen is proposed at roof level 0.4m higher than the plant to partially mitigate noise impact. With this screen in place noise levels could be 3-8db higher than background levels at the nearest NSR. The applicants consider that noise levels with windows closed within the proposed flats would still be very low. In addition residents would be new to the development and would not appreciate an increase in noise levels above background levels when the office plant and machinery begins to operate. However environmental health officers remain concerned that noise level increases could be unacceptably high and maintain their objection in relation to this issue.

- 10.129 The applicants have identified some enhanced mitigation measures in the form of an attenuation package to machinery which would raise its height by 0.95m as well as an increase in height of the screen so that it is 0.8m in higher than the plant. These measures would be sufficient to ensure noise levels are likely to remain below background noise levels at the nearest NSR. However these measures do have some disadvantages in that they would increase the prominence of the acoustic screen in views of the western elevation of block C, from within the courtyard of the development and also reduce the efficiency of the attenuated plant and machinery. As such the inclusion of the attenuation package and increased acoustic screen height would not be desirable unless fully necessary.
- 10.130 Planning officers have taken the above considerations into account and consider the most balanced approach would be to include a condition requiring submission of a further noise assessment closer to completion of the development when plant specification is known. It may be the case that actual plant noise is lower than predicted at this stage and the attenuation package / increased height to plant screen is not required. If this later stage assessment identifies that noise impacts are still a concern then the enhanced mitigation measures can be required.
- 10.131 Environmental health comments have also raised concerns that the layout of the development does not do all that it can to mitigate noise impacts, as the outdoor play area is in close proximity to residential gardens in Angus Close to the south. In addition the submitted acoustic report does not fully assess the noise impact of the creche on the nearest NSRs in Angus Close.
- 10.132 Planning officers have taken these concerns into account. Relocation of the creche outdoor play area is not considered desirable as it would have adverse impacts upon the quality and amount of publicly accessible informal open space within the development. Location of the creche building closer to neighbouring gardens and siting the outdoor play area further away could have other adverse impacts to these properties in terms of daylight impacts.

10.133 In addition the proposed creche use would be a beneficial use for the wider community and is most appropriately located within residential areas, in order to be conveniently accessible to the neighbouring community. Appendix 7, annex B of the Sustainable Design and Construction SPD provides guidance on noise impacts upon Creches and notes their community value and that they are supported in principle. The surrounding area has a busy mixed-use character and some increased noise levels from a daytime use such as a creche would not be unexpected in this context. An acoustic fence is proposed along the site boundary to the south to mitigate impacts. As such planning officers consider the location of the creche outdoor play area in this location is considered to be acceptable. A condition is proposed to require full assessment of noise impacts once the operator of the creche is known, so that mitigation measures, such as a noise management plan or other reasonable physical measures can be required to be installed prior to commencement of the use.

10.134 Subject to the recommended conditions, it is considered that 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.

**10.135 Third Party Representations**

10.136 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

<b>Third Party Comment</b>	<b>Officer Response</b>
Permitted development rights create a potential risk of change of use to other uses.	A planning condition is proposed to restrict use of the non-residential / commercial units to a use within classes E(a)-E(f) (commercial / business / service) or Use classes F1 and F2 (local community and learning). A similar condition is proposed to restrict use of office floorspace to class E(g).
Cambridge Airport request for bird hazard management plan; Instrument Impact Assessment	It is considered that management measures to discourage Gulls from roosting or loitering in the development can be incorporated within a general management plan condition.  An Instrument Impact Assessment condition is not attached as this is not considered to meet the relevant tests for conditions, as it is not sufficiently precise, or proportionate to the level of impact which is likely to arise from the development.
Secure by design comments with regard to potential for crime	A management plan condition is proposed which will include measures to manage anti-social behaviour. The development will feature

<p>and anti-social behaviour</p>	<p>professional on-site management which can ensure that this issue is adequately addressed.</p> <p>A condition is proposed to require that as many secure by design measures which can be incorporated without adverse impacts upon the design of the development (such as security specifications for doors and windows) are included.</p> <p>Comments with regard to levels of car parking are noted. Planning officers do not consider that the inclusion of car parking can be required from a secure by design / community safety perspective. The omission of car parking allows the building frontages to be much more active with high levels of natural surveillance, and more pedestrians entering and leaving the buildings via the main entrances. Inclusion of car parking would result in less active building frontages taken up with car parking or garages, or un-surveyed spaces such as parking courts or undercroft parking areas which are more vulnerable to anti-social behaviour.</p>
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#### 10.137 **Planning Obligations (S106)**

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

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

10.139 The applicant has indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Council's Local Plan and the NPPF.

10.140 Policy 85 states that planning permission for new developments will only be supported/permitted where there are suitable arrangements for the improvement or provision and phasing of infrastructure, services and facilities necessary to make the scheme acceptable in planning terms.

10.141 Heads of Terms

10.142 The Heads of Terms (HoT's) as identified are to be secured within the S106 and are set out in the summary below:

<b>Obligation</b>	<b>Contribution / Term</b>
Transport:	Financial contribution of £95,164.44 towards delivery of Chisholm Trail and future links to the route.
	Financial contribution of £100,000 for pedestrianisation of Devonshire Road
	Car free development (residents / businesses ineligible from applying for residents / business car parking permits)
	Workspace Travel Plan and monitoring contribution of £13,300
	obligation to allow access from the site to the Chisholm Trail at agreed points and use reasonable endeavours
Affordable housing:	Provision of a minimum of 14 residential units as Discount Market Rent units 20% below market rates in the surrounding area (method for calculating discount to be agreed). Monitoring and review process, for allocation of units and rent setting.
Build to Rent:	Homes held as Build to Rent under a covenant for at least 15 years; All units self-contained and let separately; development in unified ownership and management; professional and on-site management; longer tenancy length of at least three years, with defined in tenancy rent reviews; clawback if development sold outside of the Build to Rent sector.
Open Space / play space / sports provision:	Financial contribution of £30,800 for off-site indoor sports provision.
	Financial contribution of £27,231 towards off site outdoor sports provision
	Financial contribution of circa £10,000 towards off site play space provision for older children not met within the development
Indoor community facilities	Submission of a community facilities management plan which shall include: space available of community use; means of delivery / details of other organisations responsible for delivery; confirmation of start up or seed funding required; details of booking / availability and discounted rates for community groups to access to facilities; details of preferential arrangements, rent discounts for local businesses to rent commercial space.
Waste	Financial contribution of £10,500 for waste and recycling receptacles

Social Value	Commitment towards submission of social value reports detailing progress towards achieving target measures regarding local labour and community social value as defined within submitted Social Value Statement
Monitoring	Monitoring contribution of £2400 for the above heads of terms.
Legal Fees	Payment of the Councils legal fees in connection with the preparation and completion of the agreement.

10.143 The planning obligations are necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010 in are in accordance with policy 85 of the Cambridge Local Plan (2018).

**10.144 Planning Balance**

10.145 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

10.146 The current applications have addressed the harm with regard to the appearance of the area, and the quality of landscaping which was identified in the reasons for refusal of the previously refused application. As such no harm is identified with regard to the current proposals.

10.147 The proposals would deliver a number of public benefits in terms of new employment floorspace, residential accommodation, and community facilities within sustainably designed new buildings, new public realm, and a net gain in biodiversity.

10.148 Having considered the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to completion of a S106 agreement and recommended conditions.

**10.149 Recommendation**

10.150 **Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

Summary Table of Conditions		
Number	Title	Type
1	Commencement within three years	Standard
2	Development in accordance with approved plans	Standard
3	Construction Traffic Management Plan	Pre-commencement
4	Site investigation / remediation strategy	Pre-commencement
5	Demolition, construction environmental management plan	Pre-commencement
6	Tre-protection details	Pre-commencement
7	Archaeology WSI	Pre-commencement
8	Contaminated land verification report	Pre-occupation
9	Unexpected contamination	Pre-occupation
10	Imported Fill Materials Management Plan	Pre-occupation
11	Foul Water Drainage Strategy	Pre-occupation
12	Surface water drainage scheme	Pre-occupation
13	Plant and machinery noise assessment / mitigation	Pre-occupation
14	Artificial lighting assessment	Pre-occupation
15	Landscape scheme details	Pre-occupation
16	Landscaping implementation	Pre-occupation
17	Tree pits details	Pre-occupation
18	Green / brown roofs details	Pre-occupation
19	Design details of elevations	Pre-occupation
20	1-1 Mock-up panel	Pre-occupation
21	Water efficiency calculator	Pre-occupation
22	Public Art Plan	Pre-occupation
23	Public Art Pavilion Building details	Pre-occupation

24	Fire Hydrants details	Pre-occupation
25	Secure by design measures, as practical	Pre-occupation
26	Biodiversity enhancement measures	Pre-occupation
27	Measures to reduce overlooking	Pre-occupation
28	Cycle parking details	Pre-occupation
29	Energy strategy maintenance programme	Pre-occupation
30	BREEAM design stage assessment	Pre-occupation
31	BREEAM post completion	Pre-occupation, or 6 months post completion
32	Site wide management plan	Pre-occupation
33	Creche Noise assessment / mitigation	Pre-occupation
34	Waste storage details	Pre-occupation
35	Remediation Strategy Implementation	Compliance
36	Implementation of highway works	Compliance
37	Disabled car parking / EUV charging spaces to be made available	Compliance
38	Car Club space provision	Compliance
39	No drainage from access onto highway	Compliance
40	Pedestrian visibility splays maintained	Compliance
41	Hours of use non residential units	Compliance
42	M4(2) compliance	Compliance
43	M4(3) compliance	Compliance
44	No demolition during bird nesting season	Compliance
45	Use only within use classes E(a)-E(f) or F1, F2 (non-residential / commercial / community units)	Compliance
46	Use only within use class E(g)(i) (offices)	Compliance

47	Creche made available for occupation prior to residential	Compliance
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### Standard conditions

1) Commencement within three years

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

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

2) Development in accordance with approved plans

The development hereby permitted shall be carried out in accordance with the following approved plans [PLAN NUMBERS TO INSERTED].

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

### Pre-commencement

3) Construction traffic management plan

No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority.

The principal areas of concern that should be addressed are:

- i) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- ii) Contractor parking, with all such parking to be within the curtilage of the site where possible
- iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible.)
- iv) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development. (Cambridge Local Plan 2018 Policy 81).

4) Site investigation / remediation strategy

No development (or phase of) shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:

- (a) A Phase 2 Intrusive Site Investigation Report based upon the findings of the approved Phase 1 Desk Top Study.

(b) A Phase 3 Remediation Strategy based upon the findings of the approved Phase 2 Intrusive Site Investigation Report.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety (Cambridge Local Plan 2018 policy 33).

5) Demolition and Construction Environmental Management Plan (DCEMP)  
No development, including demolition, shall commence until a site wide Demolition and Construction Environmental Management Plan (DCEMP) has been submitted to and approved in writing by the Local Planning Authority.

The DCEMP shall include the consideration of the following aspects of demolition and construction:

- a) Demolition, construction and phasing programme.
- b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- c) Construction/Demolition hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation.
- d) Delivery times and collections / dispatches for construction/demolition purposes shall be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the Local Planning Authority
- e) Soil Management Strategy having particular regard to potential contaminated land and the reuse and recycling of soil on site, the importation and storage of soil and materials including audit trails.
- f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites.
- g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate.
- h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition - Greater Cambridge supplementary planning guidance 2020.
- i) Use of concrete crushers.
- j) Prohibition of the burning of waste on site during demolition/construction.
- k) Site artificial lighting including hours of operation, position and impact on neighbouring properties.
- l) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- m) Screening and hoarding details.

- n) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
- p) External safety and information signing and notices.
- q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures.
- r) Membership of the Considerate Contractors Scheme.

Development shall be carried out in accordance with the approved DCEMP.

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

6) Tree protection details

Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site.

7) Archaeology Written Scheme of Investigation

No demolition/development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include: A. the statement of significance and research objectives; B. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; C. The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences.

**Prior to occupation**

8) Contaminated land Verification report

The development (or each phase of the development where phased) shall not be occupied until a Phase 4 Verification/Validation Report demonstrating full compliance with the approved Phase 3 Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

9) Unexpected contamination

If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination. The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

10) Imported Fill Materials Management Plan

No material for the development (or phase of) shall be imported or reused until a Materials Management Plan (MMP) has been submitted to and approved in writing by the Local Planning Authority. The MMP shall include:

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

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

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with (Cambridge Local Plan 2018 Policy 33).

11) Foul water drainage strategy

No development above ground level shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to

the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage (Cambridge Local Plan 2018, policies 32 and 33).

12) Surface water drainage scheme

No development above ground level, other than demolition, shall commence until a detailed surface water drainage scheme for the site, based on the agreed [INSERT] prepared by [INSERT] dated [INSERT] has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure appropriate surface water drainage and to prevent the increased risk of flooding. (Cambridge Local Plan 2018 policies 31 and 32).

13) Plant and machinery noise assessment

No development above ground level shall take place until a plant, machinery or equipment noise assessment and any noise insulation/mitigation as required has been submitted to and approved in writing by the local planning authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 36).

14) Artificial Lighting Impact Assessment

No external lighting shall be provided or installed until an artificial lighting impact assessment and mitigation scheme if required has been submitted to and approved in writing by the local planning authority. The assessment shall include the following:

- i) the method of lighting (including luminaire type / profiles, mounting location / height, aiming angles / orientation, angle of glare, operational controls, horizontal / vertical isolux contour light levels and calculated glare levels to receptors)
- ii) the extent/levels of illumination over the site and on adjacent land and predicted lighting levels at the nearest light sensitive receptors All artificial lighting must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notices for the Reduction of Obtrusive Light - GN01/20 (or as superseded).

Where required, the mitigation scheme shall be carried out as approved and retained as such.

Reason: To minimise the effects of light pollution on the surrounding area (Cambridge Local Plan 2018 policy 34)

15) Landscaping Scheme

Prior to occupation of the first building within the development a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play on the way elements, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to be being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;
- b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme; If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.
- c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.
- d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

Reason: To ensure a high standard of public realm within the development which also enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

#### 16) Landscaping implementation

All hard and soft landscape works shall be carried out and maintained in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure a high standard of public realm within the development which also enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

#### 17) Details of Tree pits

Prior to occupation of the first building within the development full details of all tree pits, including those in planters, hard paving and soft landscaped areas have been submitted to and approved in writing by the local planning authority and

these works shall be carried out as approved. All proposed underground services will be coordinated with the proposed tree planting and the tree planting shall take location priority.

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

#### 18) Details of green / brown roofs

Details of the biodiverse (green, blue or brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. Details of the green biodiverse roof(s) shall include means of access for maintenance, plans and sections showing the make-up of the subbase to be used and include the following: a) Roofs can/will be biodiverse based with extensive substrate varying in depth from between 80-150mm, b) Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting indigenous to the local area and shall contain no more than a maximum of 25% sedum (green roofs only), c) The biodiverse (green) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency, d) Where solar panels are proposed, biosolar roofs should be incorporated under and in between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation, e) A management/maintenance plan approved in writing by the Local Planning Authority.

All works shall be carried out and maintained thereafter in accordance with the approved details.

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity. (Cambridge Local Plan 2018; Policy 31)

#### 19) Design details

Prior to the commencement of above ground works for the development, detailed elevation and sections (scaled 1:5, 1:10 and 1:20) shall be submitted to and approved in writing by the Local Planning Authority. The submitted information shall include the following details: Facing materials; cladding system; joints and interfaces of all materials; doors; windows; window surrounds and reveals; soffits; rainwater goods and other services; entrance canopies; gates, railings; parapets; plant room enclosures; signage; shopfronts; surfacing to ground and roof terraces. The development shall not be carried out other than in accordance with the details as approved, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area.in accordance with (Cambridge Local Plan 2018 policies 55 and 57).

#### 20) 1-1 Façade Mock up panels

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works for each building on site (excluding demolition works). The development shall not be carried out otherwise than in accordance with the details thus approved.

A. On site 1:1 mock-up of each proposed brick, bond, coursing, special brick patterning (stack bond, soldier bond, textured/rusticated, 45 degree angled/chamfered brickwork), mortar mix, design and pointing, and timber cladding application, with red line drawing provided to show location in facade of mock-up;

B. Material samples of all externally appearing features submitted for approval, on request;

C. Provision of a materials strategy overview document collating the above requested detailed information, a site wide brick mark-up plan and demonstrating consistency with the approved elevations.

D. Provision of a detailed materials schedule showing the location of materials, their manufacturer and product reference and precedent photographs.

D. The submitted details shall include bricks, and not brick slips.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area.in accordance with (Cambridge Local Plan 2018 policies 55 and 57).

#### 21) Water Efficiency Calculator

No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

#### 22) Public Art Delivery Plan

Prior to the first occupation of development (or in accordance with an alternative timetable otherwise agreed in writing by the local planning authority), with the exception of any works of demolition or below ground works, a Public Art Delivery Plan (PADP) shall be submitted to and approved in writing by the local planning authority and shall include the following: a) Details of the public art and artist commission; b) Details of how the public art will be delivered, including a timetable for delivery; c) Details of the location of the proposed public art on the application site; d) The proposed consultation to be undertaken; e) Details of how the public art will be maintained; f) How the public art would be decommissioned if not permanent; g) How repairs would be carried out; h) How the public art

would be replaced in the event that it is destroyed; The approved PADP shall be fully implemented in accordance with the approved details and timetabling. Once in place, the public art shall not be moved or removed otherwise than in accordance with the approved maintenance arrangements.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010).

#### 23) Public art pavilion building

Prior to first occupation of the last building within the development full details of the design of the courtyard pavilion building shall be submitted to and approved in writing by the Local Planning authority. The approved details shall thereafter be completed in full and retained and maintained thereafter prior to occupation of the last building within the development.

Reason: to safeguard a high standard of public realm within the development and to accord with the provisions of Cambridge City Council Public Art SPD (2010).

#### 24) Fire Hydrants

No development above ground level shall commence until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

Reason: To ensure an adequate water supply is available for emergency use.

#### 25) Secure by Design Features

Prior to occupation of the relevant part of the development, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve as many 'Secured by Design' Accreditation requirements as practical. The development shall only be carried out in accordance with the approved details.

Reason: In order to reduce opportunities for crime, and to safeguard the security of future occupiers and users of the development.

#### 26) Biodiversity enhancements

Details of Biodiversity enhancements including bird / bat boxes and provision for invertebrates and hedgehogs shall be submitted to and approved in writing by the local planning authority, prior to the first occupation of each building or part of a building or use hereby approved. Details shall include details of box numbers, specification and their location. The approved details shall have been fully implemented prior to first occupation of the relevant part of the development.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policy 57).

#### 27) Measures to reduce overlooking from terrace

Prior to first occupation of block B, details of measures to minimise overlooking from the terrace within Block B facing to the north towards Mill Road Terrace shall be submitted for approval to the local planning authority. The approved details shall be installed prior to first occupation and retained and maintained thereafter.

Reason: To prevent undue overlooking and loss of privacy to neighbouring residential units.

#### 28) Cycle Storage

Prior to the first occupation of the development, details of the secure bicycle storage facilities for at least 545 bicycles (102 residential internal spaces, 350 commercial internal spaces), plus 92 external visitor spaces) including layout, stand type and spacing, shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be implemented prior to the occupation of the relevant part of the development and shall thereafter be retained, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that adequate provision for the safe and secure storage of bicycles is made for occupants and visitors, to promote sustainable / active transport modes (Cambridge Local Plan 2018 policy 82).

#### 29) Energy strategy maintenance programme

The development, hereby permitted, shall not be used or occupied until the approved approach to meeting at least a 19% reduction in carbon emissions compared to Part L 2013 as set out in the Energy Strategy and Domestic Overheating Assessment (Hoare Lea, Revision 5, 20 April 2022) has been fully implemented, along with wider measures to enhance the sustainability of the residential units as set out in the Sustainability Statement (Bioregional, 22 April 2022). Any associated renewable and/or low carbon technologies shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and approved in writing by the local planning authority before the development is first occupied.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised approach to meeting a 19% reduction in carbon emissions shall be submitted to and approved in writing by the local planning authority. The approved revised approach shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interests of reducing carbon dioxide emissions and promoting the principles of sustainable construction (Cambridge Local Plan 2018, Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

#### 30) BREEAM Design Stage Assessment

Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met, with between 3 and 4 credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement

shall also be submitted identifying how the shortfall will be addressed. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

31) BREEAM post completion

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

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

32) Site Wide Management Plan

Prior to first occupation of the development, a sitewide Management Plan. The Management Plan shall be proactive, considerate and provide neighbour-based control with the purpose of identifying noise sources and reducing to a minimum potential adverse noise impacts and anti-social behaviour disturbance. The Management Plan shall include details, undertakings and procedures for (but not be limited to) the following:

- a) Contact details for on-site management responsible for managing the publicly accessible areas of the development and for liaising with residents within the development, as well as the wider community;
- b) Management arrangements for external areas, which shall allow unfettered public access to all open space within the development (with the exception those spaces indicated as private amenity space on the approved plans)
- c) Procedure for the identification, management and control of external / internal noise generating sources / activities;
- d) Arrangements for managing vehicle movements including deliveries / collections and taxi use associated with the site;
- e) Community Engagement / Liaison and Communication;
- f) Procedure / responsibilities for dealing with complaints – recording / logging of monitoring, complaints and response within time limits and shall include details of how the complaint was resolved
- g) Complaints procedure / protocol: if a noise complaint is received, the premises management will investigate the complaint and take action to establish the cause, avoid re-occurrence and inform the local authority;

- h) Where activities are seen to generate complaints - procedure for how the Management Plan will be reviewed and adapted to mitigate against these issues;
- i) Any other matters that are reasonably required by the local planning authority
- j) Measures to prevent Gulls from roosting or loitering with the development.

The approved Management Plan shall be implemented as approved within one month of the date of approval and retained thereafter.

Reason: In order to safeguard the amenity of the surrounding area and prevent anti-social behaviour / noise disturbance in connection with the development.

### 33) Details of acoustic mitigation of noise from creche

No development above ground level of block E (Creche) shall commence until a noise assessment and if required a noise insulation/mitigation scheme to mitigate noise from internal / external areas of the creche upon the nearest noise sensitive occupiers is submitted to and approved by the local planning authority. The scheme shall be carried out as approved before the use is commenced or the development is occupied and shall be retained as such.

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

### 34) Details of waste storage

No development, except demolition or site clearance, shall commence until a scheme for the on-site storage facilities for commercial / residential waste, including waste for recycling have been submitted to and approved in writing by the local planning authority. The scheme shall identify the specific positions of where wheeled bins, or any other means of storage, will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. The approved scheme shall be carried out before the use is commenced and shall be retained as such.

Reason: To ensure that the need for refuse and recycling is successfully integrated into the development. (Cambridge Local Plan 2018 policy 57).

## **Compliance conditions**

### 35) Remediation Strategy Implementation

The development (or each phase of the development where phased) shall not be occupied until the approved Phase 3 Remediation Strategy has been implemented in full.

Reason: To ensure that any contamination of the site is effectively remediated in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

### 36) Implementation of S278 Highway works

Prior to the first occupation of the development hereby approved, the highway works associated with the S278 highways work shall be carried out fully in accordance with the approved details.

Reason: for the safe and effective operation of the highway.

37) Disabled car parking spaces delivery, including EUV charging provision  
Prior to first occupation / use of the development, 2 on site disabled car parking spaces (1 space to be equipped with active Electric Vehicle Charging Point and remaining spaces to be equipped with passive Electric Vehicle Charging Points) shall be made available for use by blue badge holders resident within the development. The spaces shall remain available for use thereafter.

REASON: In order to ensure adequate disabled car parking provision, and to reduce air quality / carbon emissions from car travel.

38) Car club space provision

The provision of an allocated car club car parking space and car club vehicle shall be made available for use prior to first occupation of the development hereby permitted and retained and maintained thereafter, unless otherwise agreed by the local planning authority.

Reason: In the interests of encouraging more sustainable forms of travel/transport and to reduce the impact of development on local air quality,

39) No water drainage from vehicle accesses

The driveways hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: for the safe and effective operation of the highway.

40) Pedestrian visibility splays

The pedestrian visibility splays as shown on drawings 20526/AT/PD06 E and 20526/AT/PD07 C be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway for the lifetime of the development.

Reason: In the interests of highway safety.

41) Hours of use non-residential units

The non-residential units in Blocks A, F and G, co-working café space in block C, commercial unit in block D, shall be open only between 08:00 and 23:00 Monday to Saturday and 09:00 and 18:00 Sunday and Bank Holidays.

Reason: To protect residential amenities.

42) M4(2) compliance

All dwellings within the development (except those completed to M4(3) requirements) hereby approved shall be completed in compliance with Building

Regulations Optional Requirement Part M4(2) 'accessible and adaptable dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

REASON: To ensure that the proposed development is adequately accessible for future occupiers.

43) M4(3) compliance

A minimum of 1 unit within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4(3) 'wheelchair user dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that the proposed development is adequately accessible for future occupiers

44) No demolition during bird nesting season

No demolition will take place within the bird nesting season (March to August each year).

REASON: To limit potential impacts on bird species.

45) Use only within use classes E(a)-E(f) or F1, F2

The units shown as 'non-residential' (block A), 'co-working/café/reception' (block B/C), 'commercial' (block D) or 'non-residential/community use on the drawings hereby approved shall be used only within use classes E(a)-E(f) (commercial / business / service) or Use classes F1 and F2 (local community and learning) and for no other use which for the avoidance of doubt shall include Class E(g) of the Town and Country Planning (Use Classes) Order 1987 or such relevant provision as from time to time may be in force, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect against an unacceptable loss of active frontages and uses of benefit to the local community from within the site, in line with the aims of local and regional planning policy.

46) Use only within use class E(g)(i)

The units shown as 'office' units (block B/C and D) on the drawings hereby approved shall be used only as offices (Use Class E(g)(i)) and for no other use which for the avoidance of doubt shall include other uses within Class E of the Town and Country Planning (Use Classes) Order 1987 or such relevant provision as from time to time may be in force, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect against an unacceptable loss of office space from the site, and to prevent adverse impacts on neighbouring properties, in line with the aims of local and regional planning policy.

47) Creche available for occupation before residential

The hereby approved block E (Creche) shall be completed to shell and core specification and made available for final fit out / occupation by a creche occupier, prior to first occupation of the residential units with blocks F and G.

Reason: To ensure delivery of community infrastructure in a timely manner and to ensure that the proposed creche would not be likely to result in harm to amenity of future occupiers.

### **Informatives**

1) Anglian Water Consent required for connection to public sewer

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

2) AW Protection of existing assets

A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

3) AW Building near to a public sewer

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

4) AW Drainage details not approved for adoption

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

5) Cambridge Airport Bird Strike Hazard

The development is close to the airport and the landscaping which it includes may attract birds, which in turn may result in an unacceptable risk of bird strike hazard. Any such landscaping should therefore be carefully designed, to minimise attractiveness to hazardous species of birds. Your attention is drawn to advice note 3, potential bird hazards, amenity landscaping and building design [Microsoft Word - AN 03 Wildlife Hazards Around Aerodromes - 2016.docx \(aoa.org.uk\)](#)

6) Cambridge Airport code of practice cranes

Given the nature of the development it is possible a crane may be used for construction. The applicants attention is drawn to the British Standard Code of

Practice which recommends that developers consult with the aerodrome before erecting cranes in vicinity of the aerodrome.

-Satisfactory completion of a Section 106 Agreement which includes the Heads of Terms (HoT's) as set out in the report with minor amendments to the Heads of Terms as set out delegated to officers.

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

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#### Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs