



## **22/02771/OUT – Land North of Cambridge North Station Milton Avenue Cambridge Cambridgeshire**

### **Application details**

Report to: Joint Development Control Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Milton/Milton

Proposal: A hybrid planning application for:

a) An outline application (all matters reserved apart from access and landscaping) for the construction of: three new residential blocks providing for up to 425 residential units and providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)); and two commercial buildings for Use Classes E(g) i (offices), ii (research and development) providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), together with the construction of basements for parking and building services, car and cycle parking and infrastructure works.

b) A full application for the construction of three commercial buildings for Use Classes E(g) i (offices) ii (research and development), providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)) with associated car and cycle parking, the construction of a multi storey car and cycle park building, together with the construction of basements for parking and building services, car and cycle parking and associated landscaping, infrastructure works and demolition of existing structures.

Applicant: Brookgate Land Ltd on behalf of The Chesterton Partnership

Presenting Officer: Fiona Bradley

Reason presented to committee: Application raises special planning policy or other considerations.

Member site visit date: 14 March 2023

Key issues: 1. Landscape and visual impacts

2. Transport

3. Need

4. Comprehensive development

Recommendation:

**A: Members agree that the Council's response to the planning appeal for non-determination is that the application should be REFUSED in accordance with the recommendation as set out below and in Section 26 of this report:**

**B: In the event that new/additional information to address any reasons for refusal is forthcoming that Members authorise the Joint Director of Planning and Economic Development, in consultation with the Chair and Vice Chair, to review the Council's reasons for refusal and make representations on the Council's behalf accordingly.**

**Reasons for Refusal:**

### **1. Visual and landscape impact**

Policy HQ/1 of the South Cambridgeshire Local Plan provides that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context. Sub-paragraph (a) provides that proposals must preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape. Sub-paragraph (b) provides that proposals must conserve or enhance important natural and historic assets and their setting. Sub-paragraph (d) provides that proposals must be compatible with their location and appropriate in terms of scale, density, mass, form, siting, design, proportion and other matters in relation to the surrounding area.

Policy NH/2 provides that development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located.

Policy NH/6 provides that the Council will aim to conserve and enhance green infrastructure within the district. Proposals that cause loss or harm to this network will not be permitted unless the need for and benefits of the development demonstrably and substantially outweigh any adverse impacts on the district's green infrastructure network.

Policy NH/8 provides that development on edges of settlements which are surrounded by Green Belts must include careful landscaping and design measures of a high quality.

Policy SS/4 sub-paragraph 4a provides that all proposals should take into account existing site conditions and environmental and safety constraints.

Policy 60 of the Cambridge Local Plan (2018) provides a framework for assessing any proposal for a structure that breaks the existing skyline and/or is significantly taller than the surrounding built form and requires proposals to demonstrate how they fit within the existing landscape, townscape and historic environment.

The NPPF, at Paragraph 130(c), seeks to ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

The eastern edge of the site is particularly sensitive due to its long views over the River Cam across the Green Belt towards the City. It is considered that the proposals, due to their height and massing, create an abrupt, hard edge that fails to enhance or preserve the character of the area and is not sympathetic to or in keeping with the site's context in the wider landscape including the setting of the City.

The height and massing of the proposed development is not sympathetic to the scale, density and massing of the surrounding areas which comprise primarily low level and low-density development. Accordingly, the development will not result in a well designed place that responds positively to the surrounding context and is considered to have an overbearing presence on the existing development to the east of the development on Fen Road and to the west of the development particularly on Discovery Way.

Overall, the proposed development is not considered to result in high quality development that delivers a well designed place contributing positively to its surroundings. Instead, the proposals result in harm to the surrounding landscape and Green Belt, particularly on the eastern edge of the site, and to the urban area and its relationship with the wider North East Cambridge Area, the City skyline and the landscape beyond. The proposal is therefore not in accordance with South

Cambridgeshire Local Plan policies HQ/1, NH/2, NH/6, NH/8 and SS/4 and Policy 60 of the Cambridge Local Plan and the NPPF.

## **2. Heritage**

Policy HQ/1 of the South Cambridgeshire Local Plan provides that all new development must conserve or enhance historic assets and their settings.

Policy NH/14 provides that development proposals will be supported when they sustain and enhance the special character and distinctiveness of the district's historic environment including its countryside and create new high quality environments with a strong sense of place by responding to local heritage character. It continues that development proposals will be supported when they sustain and enhance the significance of heritage assets, including their settings, as appropriate to their significance and in accordance with the National Planning Policy Framework. The proposed development fails to accord with these objectives.

It is considered the proposed buildings, due to their height and massing, together with their siting in a row along the eastern edge with minimal gaps between the buildings, would constitute a permanent change to the visual quality of the Fen Ditton and Riverside & Stourbridge Common Conservation Areas and would have a negative effect on the way in which they are experienced and appreciated. The proposals would generate increased visibility and presence of urbanising elements of development within the conservation areas and would affect the experience of their rural character. The intensification of development would affect the riverside setting which is a fundamental characteristic of the conservation areas and is sensitive to change. The development proposals would result in a less than substantial harm to the significance of these heritage assets at a moderate level. The public benefits of the proposal do not outweigh this harm.

In addition, there is insufficient information to demonstrate that the proposals do not harm the setting of Anglesey Abbey registered park and garden. Accordingly, the proposals are contrary to South Cambridgeshire Local Plan policies NH/14 and HQ/1 of the local plan and is not in accordance with the NPPF.

## **3. Design**

Policy HQ/1 of the South Cambridgeshire Local Plan provides that all new development must be of high quality design, with a clear vision as to the positive contribution the development will make to its local and wider context. Sub-paragraph c provides that proposals must include variety and interest within a coherent, place-responsive design, which is legible and creates a positive sense of place and identity whilst also responding to the local context and respecting local distinctiveness. Sub-

paragraph e provides that proposals must deliver a strong visual relationship between buildings that comfortably define and enclose streets, squares and public places, creating interesting vistas, skylines, focal points and appropriately scaled landmarks along routes and around spaces. Sub-paragraph i provides for safe, secure, convenient and accessible provision for cycle parking and storage within the development. Sub-paragraph l provides that proposals mitigate and adapt to the impacts of climate change on development through location, form, orientation, materials and design of buildings and spaces. Sub-paragraph m provides that proposals include high quality landscaping and public spaces that integrate the development with its surroundings, having a clear definition between public and private space which provide opportunities for recreation, social interaction as well as support healthy lifestyles, biodiversity, sustainable drainage and climate change mitigation.

Policy SC/7 provides that all housing developments will contribute towards Outdoor Playing Space and Informal Open Space to meet the need generated by the development in accordance with minimum standards including 0.4ha. per 1,000 people.

The NPPF, at Paragraph 130(d) seeks to ensure that developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

The planning application fails to provide high quality public open space or a public realm which would result in a well-designed coherent sense of place that contributes to local distinctiveness. The proposals fail to provide sufficient formal children's play space which is convenient for residents to use, clearly distinguished from the public realm and not bisected by vehicular routes.

The shape and form of buildings within the outline application are not considered to appropriately respond to their locations, resulting in potential incompatible building designs fronting streets and open spaces. The lack of flexibility in the parameter plans potentially precludes, or at least limits, this incompatibility being resolved at Reserved Matters stage.

Building S4 (One Milton Avenue) is overly large and bulky for its location, which its architectural detailing and articulation fails to overcome.

The proposed development, through its over reliance on two tier cycle parking together with the poor relationship of some cycle access points in relation to cycle ways, fails to provide convenient and accessible provision for cycle parking and does not sufficiently promote active travel.

As such the proposal is considered to be contrary to South Cambridgeshire Local Plan policies HQ/1 and SC/7 and the NPPF.

Furthermore, without the applicant demonstrating that development can come forward with no single aspect north-facing apartments there is conflict with Policy HQ1 (I) and paragraph 153 of the NPPF.

#### **4. Comprehensive development**

Policy SS/4 of the South Cambridgeshire Local Plan allocates an area, including the application site, for high-quality mixed-use development primarily for employment uses as well as a range of supporting uses, commercial, retail, leisure, and residential uses (subject to acceptable environmental conditions). The amount of development, site capacity, viability, time scales and phasing of development is to be established through the preparation of an Area Action Plan ('AAP'). The policy provides at criterion 4c that proposals should ensure that appropriate access and linkages, including for pedestrians and cyclists, are planned in a high quality and comprehensive manner. Criterion 4e of policy SS/4 requires that proposals should ensure that the development would not compromise opportunities for the redevelopment of the wider area. The supporting text to the policy at 3.31 provides that planning applications submitted before the adoption of the AAP will be considered on their own merits and subject to ensuring that they would not prejudice the outcome of the AAP process and the achievement of the comprehensive vision for the area as a whole that will be established by the AAP.

The application does not explain, in the absence of a comprehensive and appropriate S106 agreement, how the requirements of the development plan for comprehensive development of the areas would be achieved, and the proposal is accordingly considered to be contrary to the objectives of policies SS/4, TI/2 and TI/8 of the Local Plan.

#### **5. S106**

Mitigation in the form of financial contributions and obligations are required to mitigate the impacts of the proposed development. Alongside the use of planning conditions, the development generates a requirement for a range of community infrastructure on the site or in the locality. This would be secured by way of a legal agreement. In the absence of an agreed S106 agreement the necessary mitigation to make the proposals acceptable cannot be secured in accordance with policies SC/4, SC/6 and TI/8 of the South Cambridgeshire Local Plan.

#### **6. Flood risk**

Policy CC/7 provides that all development proposals must demonstrate that there are adequate land drainage systems to serve the whole development. Policy CC/8 provides that development proposals must incorporate appropriate sustainable surface water drainage systems appropriate to the nature of the site. Policy CC/9 sub-paragraph b provides for an allowance for climate change where appropriate.

The application provides insufficient clarity on the climate change allowances utilised. In particular, the commercial, retail and laboratory buildings have been accounted for a shorter lifetime than the surrounding residential areas, utilising a 20% climate change allowance on the 100 year storm. However, it is likely that these structures will be contributing to the impermeable areas for the lifetime of the development. Whilst it is acknowledged that the proposals include a sunken area for informal flooding, the LLFA has advised that the proposed SuDS system on site should be designed to accommodate the lifetime that these areas will be impermeable and therefore contributing to the drained area.

As such the proposal is considered to be contrary to South Cambridgeshire Local Plan policies CC/7, CC/8 and CC/9 and the NPPF.

## **7. Ecology**

Policy NH/4 provides that new development must aim to maintain, enhance, restore or add to biodiversity. Where there are grounds to believe that a proposal may affect a Protected Species, Priority Species or Priority Habitat, applicants will be expected to provide an adequate level of survey information and site assessment to establish the extent of a potential impact. This survey information and site assessment shall be provided prior to the determination of an application.

The application provides insufficient information to adequately assess the ecological impact of the proposals. In particular, the bat surveys must be completed if the building/structure B1 is within the full application site. In addition, the impact of the additional bird species identified has not been assessed. On the basis of the information submitted, the application is contrary to South Cambridgeshire Local Plan policy NH/4, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

## **8. Safeguarded sites**

Policy SS/4 of the South Cambridgeshire Local Plan criterion (a) provides that proposals should take into account existing site conditions and environmental and safety constraints. Policy 16 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 requires applications to demonstrate they will be compatible with the safeguarded sites identified in the Plan.

Insufficient information has been submitted in the noise report to demonstrate that the interaction between the proposed commercial use and the Aggregates Railhead (a Transport Infrastructure Area) will not prejudice the existing or future uses of the Transport Infrastructure Area as required in Policy 16: Consultation Areas of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and the 'agent of change' as set out in para. 187 of the NPPF and contrary to criterion 4a of policy SS/4 of the South Cambridgeshire Local Plan.

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## **1. Executive summary**

- 1.1 The application is a hybrid application which seeks: full planning permission for three commercial buildings and a mobility hub; and outline planning permission for up to 425 residential units and two commercial buildings, including details of landscaping and access. The residential units would comprise 155 open market homes and 270 Build to Rent (BTR) homes.
- 1.2 The application has been appealed against non-determination and can no longer be determined by the local planning authority, This report from officers seeks Members' endorsement of a "minded to" position of refusal. Subject to members' agreement, officers would then submit a Statement of Case to the Planning Inspectorate (PINS) recommending the appeal be dismissed for the specified reasons.
- 1.3 The benefits and dis-benefits of the development proposals have been evaluated and assessed against the development plan for the area and the objectives of the NPPF and the presumption in favour of sustainable development, as summarised below.
- 1.4 In in terms of social benefits, the proposal seeks to introduce a significant number of BTR homes and market homes, with policy compliant affordable provision. However, there is an under provision of formal play provision, the open space and public realm is not considered coherent and high quality and the proposals fails to deliver upon the objective for distinct new development with a clear sense of place. These weigh against the proposals.
- 1.5 The proposal would deliver over 48,000 sqm (NIA) of office, lab and R&D floorspace. The proposals will create construction jobs and employment through businesses, shops and services within the development. Positive weight is afforded to these benefits. However, alongside other sites providing similar space across the area, the extent to which the application proposals is required to meet the economic needs of the area is considered to be overstated. The specific benefit to the area's economy from this development, and the extent to which the economic needs of the area can be met effectively elsewhere needs to be balanced with the adverse impacts identified that result from the scale and quantum of development proposed
- 1.6 The proposals deliver increase in biodiversity across the site with an uplift of +32.64 units or a 66.79% increase. However, there are a number of environmental dis-benefits which have been considered including the

landscape and visual impacts of the proposals, particularly on the eastern edge of the site, due to the heights and massing of the proposals; less than substantial harm is identified to heritage assets, specifically the Fen Ditton and Riverside and Stourbridge Common Conservation Areas; insufficient information to determine the impact on bats; the potential impact of noise on the safeguarded Railhead Aggregates to the north of the site; poor cycle parking; and a proportion of single aspect dwellings, which may be north facing.

- 1.7 Section 106 negotiations have commenced however there are some areas that have not been agreed; the most significant obligation not agreed is the strategic transport contribution sought by the County Council which, if not agreed, may impact the comprehensive development of the wider North East Cambridge Area.
- 1.8 In the planning balance, officers have considered that, in this case, the public benefits arising from this quantum of development and its configuration do not outweigh the harm of the proposed development, and also do not outweigh the “less than substantial” harm to the heritage assets identified.
- 1.9 Officers recommend that, based upon the information before the Council, the Joint Development Control Committee (JDCC) agree the recommendation and ask the Planning Inspectorate to dismiss the planning appeal in respect of application 22/02771/OUT for the reasons set out in this report.

## **2. Site description and context**

- 2.1 The site comprises an irregular wedge of land measuring approximately 8.2ha, located between the railway to the east and Cambridgeshire Guided Busway (“the busway”) to the west, and bisected by Milton Avenue. The site is generally level ranging from approximately 5.4-7.1m AOD Newlyn.
- 2.2 The site has previously been developed with a historical use for railway sidings prior to the construction of the Cambridge North station. The western part of the site has largely been cleared, with limited scrub vegetation. The northern and central parts of the site contain more mature scrub whilst a surface car park serving the Cambridge North station is located along the eastern side of the site. There is also a temporary construction compound towards the northern end of the site.

- 2.3 The primary road serving this area, and the only vehicular route into the application site, is Cowley Road / Milton Avenue which connects with Milton Road just south of its interchange with the A14 and terminates at the Cambridge North station.
- 2.4 The railway station, a hotel and an office building (currently under construction) are located to the south.
- 2.5 The eastern boundary of the site is formed by the railway tracks immediately abutting the site, with the river Cam and the village of Fen Ditton beyond. The land between the tracks and the river Cam is currently occupied by a low-density, low-rise development of caravan parks and low-grade industrial units accessed from Fen Road. Beyond the river, the village of Fen Ditton is a designated Conservation Area. Further south, the river and the large open spaces associated with it form a green corridor with public access that link the Fen landscape with the heart of the city. They form an important aspect of the character and setting of Cambridge and are designated Conservation Areas. Furthermore, land to the east of the site is located within the Cambridge Green Belt.
- 2.6 The boundary to the southwest is formed by the guided busway. South of the guided busway are Nuffield Road Allotments and Bramblefields Local Nature Reserve which, together with a band of dense vegetation along the bus corridor, forms a green buffer to the residential area of Chesterton. Chesterton consists primarily of low-density, two-storey family housing.
- 2.7 The Cambridge Business Park bounds the site to the north-west. This consists predominantly of large 3 to 4 storey office buildings surrounded by large areas of surface car parking. Adjoining and beyond the site to the north and west are further industrial uses including the Cowley Road Industrial Estate, Aggregate Works and Waste Water Treatment Plant, all of which are safeguarded sites in the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

### **3. The proposal**

- 3.1 The proposals are submitted as a hybrid planning application comprising an outline application with all matters reserved other than access and landscaping, and a full application. Each element of the scheme is discussed in more detail below together with the relevant application documents.

## Environmental Statement

- 3.2 In accordance with the Town and Country Planning (EIA) (England and Wales) Regulations 2017 (as amended), the applicant submitted a request for a Screening Opinion from the local planning authority (LPA) at the pre-application stage. At that time the development proposed was for:
- Up to 1,000 residential units (C3 Use Class)
  - Up to 3,000 sqm of ancillary amenity space/community space
  - Up to 1,500 sqm of retail space (A1, A2, A3, A4, A5 Use Class)
- 3.3 The LPA considered that the proposed development fell within the description at para. 10b 'Urban Development Projects of Schedule 2 of the 2011 Regulations, and exceeds the threshold in Column 2 of the table in that Schedule. The LPA concluded that the proposed development would have significant effects and therefore the development constituted EIA development (ref. S/1714/17/E1). The LPA screening response was issued on 6 July 2017.

## Scope of the Environmental Statement (ES)

- 3.4 Notwithstanding the Screening Response dated 6 July 2017, the applicant recognises that the proposed development constitutes EIA development. A formal EIA Scoping Opinion request was submitted to the LPA in 2020 for development comprising:
- Approx. 700 private rental sector apartments
  - Approx. 1,450 sqm retail space (Uses classes A1/A2/A3/A4/A5)
  - Approx. 11,000 sqm office space (Class B1(a))
  - A specialist maths college
  - "Meanwhile" uses
  - Landscaping and associated works
- 3.5 The LPA issued its Scoping Opinion (ref. 20/03464/SCOP) on 8 October 2020. The Scoping Opinion considered that the development proposals were Schedule 2 development, as per the EIA Regulations, and exceeded the applicable thresholds in Category 10b, Urban Infrastructure Projects.
- 3.6 A second formal Scoping Opinion request was submitted to the LPA in November 2021 for development comprising:
- Full Planning Application for c47,280sqm (GEA) of Class E floorspace comprising an office building (One Milton Avenue) and two lab buildings together with ground floor amenity uses, a Mobility Hub comprising of c1031 car parking spaces including

254sqm of Class E floorspace at ground floor level, a temporary car park of c379 spaces, a wildlife habitat area, Network Rail compound area, enabling works and associated infrastructure; and

- Outline Planning Application for c41,940 sqm (GEA) of Class E floorspace comprising one lab building and one office building, together with ground floor amenity uses, enabling works and associated infrastructure.

3.7 The LPA issued its Scoping Opinion (ref. 21/05178/SCOP) on 9 February 2022. The Scoping Opinion considered that the development proposals were Schedule 2 development, as per the EIA Regulations, and exceeded the applicable thresholds in Category 10b, Urban Infrastructure Projects. The Scoping Opinion concluded that the Scoping Request satisfied the relevant requirements of the 2017 Regulations and provided a sound basis upon which to consider the potential environmental impact of the development. In addition to the environmental topics proposed to be assessed, Cultural Heritage and Lighting were also requested to be assessed in the ES.

3.8 It is acknowledged that the development proposals in the application as submitted vary to those set out in the previously issued screening and scoping opinions. However, the LPA is satisfied the ES as submitted with the planning application was prepared in accordance with the formal Scoping Opinions issued.

## **Methodology for the ES**

3.9 The ES considers the likely significant effects of the proposed development during its construction and once it is complete and operational. The ES assesses the maximum quantum, physical extent and development principles defined for the proposal, as set out in the submitted parameter plans, together with the detailed landscape and access drawings, which are put forward for approval for the outline permission and the detailed plans submitted with the full application.

## **Topics covered by the ES**

3.10 The ES Main Report (Volume 1) sets out the following chapters and submission:

1. Introduction
2. Methodology
3. Site and Context

4. Proposed Development and Consideration of Alternatives
5. Planning Policy Context
6. Air Quality
7. Climate Change
8. Cultural Heritage
9. Ecology
10. Flood Risk and Drainage
11. Human Health
12. Landscape and Visual
13. Lighting
14. Noise and Vibration
15. Socio-Economics
16. Soils and Groundwater
17. Transport
18. Wind
19. Cumulative Effects
20. Summary of Significant Effects

- 3.11 The ES is organised into three volumes: Main Report (Volume 1); Technical Appendices (Volume 2); and Non-Technical Summary (Volume 3). As the ES is a detailed technical and wide-ranging statement, in order to assist the consideration of the application, it is supported by the non-technical summary.
- 3.12 Regulation 26 of the EIA Regulations 2017 states that when determining an application in relation to which an environmental statement has been submitted, the relevant planning authority, the Secretary of State, or an inspector (as the case may be) must—
- a. examine the environmental information;
  - b. reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account the examination referred to in sub-paragraph (a) and, where appropriate, their own supplementary examination;
  - c. integrate that conclusion into the decision as to whether planning permission or subsequent consent is to be granted; and
  - d. if planning permission or subsequent consent is to be granted, consider whether it is appropriate to impose monitoring measures.
- 3.13 This requirement is dealt with throughout the report.

### **Outline Application**

- 3.14 The outline application is for all matters reserved except for access and landscaping for which detailed permission is sought. The outline

application is for a mixed-use development comprising: three buildings containing up to 425 dwellings; and two commercial buildings for office and research and development (Use Classes E(g) i and E(g) ii). At ground floor level, all five buildings are proposed to contain flexible floorspace within Use Classes E and F (excluding industrial uses under E(g) iii). The outline application also seeks permission for associated basements, car and cycle parking, and infrastructure.

3.15 There are two distinct elements of the outline planning permission; the residential quarter on the western side of Milton Avenue and the commercial buildings on the eastern side of Milton Avenue, called The Triangle in the submitted documents. The application is accompanied by a suite of parameter plans which fix the key principles for the development, these are:

- Parameter Plan 01: Existing site conditions
- Parameter Plan 02: Building layout and application type
- Parameter Plan 03: Maximum building envelope and basements
- Parameter Plan 04: Maximum building envelope – ground floor
- Parameter Plan 05: Maximum building envelope – typical level
- Parameter Plan 06: Building heights plan
- Parameter Plan 07: Proposed uses – ground floor
- Parameter Plan 08: Access plan
- Parameter Plan 09: Landscape and open space plan

#### Residential Quarter

3.16 The Residential Quarter is located on the western part of the site, between the busway road and Milton Avenue with Cambridge Business Park to the north west of the site. It is proposed to provide up to 425 residential units within three residential blocks arranged around a central area of open space. The residential units would comprise 155 open market homes and 270 Build to Rent (BTR) homes, predominantly one and two bed units. An indicative housing mix and the affordable housing provision is provided in the submitted documents and is discussed in section 11 below. A total of 1,366sqm of flexible Class E/F floorspace at ground floor level is proposed across the three buildings.

3.17 Building S11-12 is located to the west of Milton Avenue. The Parameter Plan 7 (Building Heights Plan) shows that building heights for this block ranges from 18m to 27m. Activated ground floor frontages on the Milton

Avenue frontage are proposed. Up to 78 BTR units are proposed in this block.

- 3.18 Building S17-21 is located to the north of Building S11-12 and is angled so that it extends along the proposed Bramblefields Way and turns the corner onto Milton Avenue. Parameter Plan 7 shows that building heights for this block ranges from 15m on the western side of the building, rising to 30m on the north eastern corner, falling to 18m on the most southern part of the building adjacent to Milton Avenue. Activated ground floor frontages on the Milton Avenue frontage are proposed. Up to 192 BTR units are proposed in this block.
- 3.19 Building S13-16 is located on the western side of the side and runs parallel to the guided busway road. This building ranges in height from 15m up to a maximum height of 24m. Activated ground floor frontages are included at the northern and southern ends of the building. It is proposed for this block to accommodate up to 155 open market homes.

#### Triangle Site

- 3.20 Two commercial blocks are proposed to the east of Milton Avenue with an area of open space between the two, named Chesterton Square in the submission documents. A combined basement level is proposed under both buildings and Chesterton Square. It is proposed that the basement would provide car parking, cycle parking, shower facilities and associated changing rooms, drying rooms, plant and storage for both buildings. Vehicular access to the basement is shown to be from Cowley Road on the northern side of Building S9.
- 3.21 Building S8 (Two Milton Avenue) is a triangular shaped building located between Milton Avenue and Station Row. Parameter Plan 5 shows the building to be between 21m and 24m high. A maximum GIA of 13,100sqm is proposed for this building, including the basement level. Cyclist access to the building is shown on Parameter Plan 8 Access Plan on the western and eastern elevations with pedestrian access provided on the northern elevation, via Chesterton Square.
- 3.22 Building S9 (One Chesterton Square) is located on the northern part of the site, with Milton Avenue to the west and the new part of Cowley Road to the north. Parameter Plan 5 shows the building to be between 22m and 26m high. A maximum GIA of 24,100sqm is proposed, including the basement level. Cyclist access is provided on the southern side of the



building, via Chesterton Square, with pedestrian access provided on the northern side of the building.

## Full Application

- 3.23 The full application is for three commercial buildings for office and research and development, providing flexible Class E and Class F uses on the ground floor (excluding industrial uses under E(g) iii), with associated car and cycle parking, the construction of a multi storey car and cycle park building, associated demolition, basements, car and cycle parking, landscape, and infrastructure works.

### Building S4 – One Milton Avenue

- 3.24 One Milton Avenue, or building S4, is an office building located towards the southern end of the site between Cowley Road and the busway road. It is proposed to be 7 storeys high, plus plant enclosures on the roof, rising to 30.8m AOD with the top two floors and plant stepped inwards. The building has a GEA of 18,575 m<sup>2</sup>. (10.648sqm NIA Class E G(I) and G(II) floorspace).
- 3.25 A basement is proposed and is accessed via two car lifts and a cycle access ramp / stairs from the guided busway road on the western side of the building. The basement comprises 60 parking spaces, including one accessible space, together with cycle parking, changing facilities, lockers and drying rooms.
- 3.26 The main entrance to the building is on the eastern side of the site, on Milton Avenue. Retail space (84sqm GIA) and office space is proposed at ground floor level together with additional cycle parking and accessible changing facilities, refuse store, substation and toilets. The upper floors comprise office space with a central core providing for stairs, lifts and toilets.
- 3.27 The building steps in at fourth floor level and provides an accessible terrace space on the northern and western sides of the building.
- 3.28 In terms of external materials, these include buff brick stock with two tones of metallic panels. The lighter bronze finish has been chosen to mediate between the brick and the glazed areas, whereas the darker bronze finish has been used to highlight key architectural features.

### Building S5 – Mobility Hub

- 3.29 The Mobility Hub is located to the north of the existing Novotel Hotel, adjacent to the railway line. The building comprises five split level floors above ground plus a basement level. The building provides for 725 car parking spaces with vehicular access on the eastern side of the building via street from wrapping around the building from Milton Avenue, north of the Novotel. Pedestrian entrances are located on the south western and north western corners of the building, with the south western corner providing a feature staircase. Three units are located on the western side of the building on ground floor facing onto Station Row providing 86sqm of flexible Class E/F floorspace.
- 3.30 The building is 14.14m high on the eastern side rising to 15.81m on the western side, taking account of the split levels. The building's lift shafts have an overall height of 18.31m.
- 3.31 The western façade, facing Station Row, comprises laser cut aluminium panels cut and bent at different angles to depict a discernible pattern from a distance. The aluminium panels are to be powder coated to allow for durability and ease of maintenance. The eastern façade comprises perforated metal panels with a pattern mimicking the pattern on the western facade. Both materials and patterns are used on the northern and southern elevations.

#### Buildings S6 and S7 - One and Three Station Row

- 3.32 The two buildings are located on the eastern side of the site to the north of the Mobility Hub and are proposed to be used as laboratory space. One Station Row has a GEA of 11,407 sqm and Three Station Row has a GEA of 12,061 sqm (15,161sqm NIA of Class E G(I) and G(II) floorspace).
- 3.33 The buildings are both five storeys high including plant at roof level with maximum heights between 20.9m and 22.1m. Setbacks provide for terraces on the eastern and western sides.
- 3.34 Provision is made at ground floor level in both buildings for retail use(s) (1,168sqm GIA) with access from Station Row. Visitor cycle parking spaces are provided to the north of both buildings. Accessible cycle storage and changing facilities are provided at ground floor level.
- 3.35 A combined basement level is provided under both buildings with a ramped vehicular access from Cowley Road. Car parking is provided for both buildings within the basement. Each building has separate cycle

parking, drying rooms, lockers and changing facilities within the basement with a stepped and ramped access provided on the eastern side of each building.

## **Enabling Works**

- 3.36 To facilitate the proposed development during construction, a temporary logistics compound is proposed on land to the north of Cowley Road, together with the relocation of the Network Rail compound area. The applicant proposes to carry these works out under part 4 of the GDPO and therefore they do not formally comprise part of the planning submission. However, the works have been assessed as part of the Environmental Impact Assessment included within the red line for information.

## **Submitted Documents**

- 3.37 As amended, a list of submitted documents is included in Appendix 1 and a list of application drawings is included in Appendix 2, this includes the amended drawings submitted with the amendment pack.
- 3.38 An amendment pack was submitted on 28 October 2022 to address a number of issues raised through the consultation process. The amendment pack comprised:
- Covering letter;
  - Responses to consultees;
  - Formal amendments; and
  - Statement of ES conformity
- 3.39 The Statement of ES Conformity considered the new and amended information submitted and confirmed that none of the above amendments has any material implications for the predicted effects or proposed mitigation as reported in the ES.
- 3.40 Regulation 29 sets out the information which is required to accompany decisions for EIA developments. Having assessed the submitted application and amendments, Officers are satisfied that the ES and other additional information provided complies with the 2017 EIA Regulations (as amended). However, it is considered that insufficient environmental information has been provided to assess the environmental impacts of the development proposals. This is covered in further detail in the report but is summarised as being insufficient information in relation to the following:

- The ecology section lacks bat surveys and the ES has not been updated to consider the impacts of new bird species identified.
- The noise assessments do not include sufficient information to demonstrate that the proposals will not impact the safeguarded site in the Minerals and Waste Local Plan 2021.
- The heritage assessment does not include an assessment of the potential impact on Anglesey Abbey registered park and garden.
- The ES does not adequately demonstrate that the potential impact on water resources and Water Framework Directive objectives has been assessed and appropriate mitigation considered.

### **Pre-application Engagement**

- 3.41 The proposals were subject to lengthy pre-application discussions with Officers of the shared planning service and the County Council. Formal pre-application discussions commenced in October 2020. Between then and the submission of the application in June 2022 a number of changes were made by the developer to the proposals which include:
- Removal of the maths school from the proposals;
  - Removal of the residential element of the proposal, the residential element was subsequently reinstated in outline form only;
  - A mobility hub was added;
  - 4-5 office/lab buildings were added to the proposals (one office building was initially proposed);
  - A full planning application initially proposed which has changed to a hybrid application;
  - The red line plan has changed numerous times to accommodate the changing proposals.
- 3.42 The above changes were decisions made by the developer for commercial / other reasons and were not based on planning advice from the LPA.
- 3.43 The Statement of Community Involvement, dated June 2022, sets out the consultation programme undertaken by the applicant prior to submission of the application. It outlines who has been consulted as part of the process and how the consultation was undertaken (including letter drops, website, social media, briefings and meetings).

### **Application timeline**

- 3.44 The application was received on 15 June 2022 and was valid on receipt.

- 3.45 The first statutory consultation period expired in August 2022. A number of consultation responses were received after this period. Due to the summer holidays and delayed with consultee responses an extension of time was agreed until 23 November 2022.
- 3.46 The applicant submitted an amendment pack comprising 100 documents at the end of October 2022. The amendment pack comprised responses to consultees, updated or new reports/strategies/statements, a suite of revised/new drawings and a Statement of ES Conformity. No further extension of time was agreed.
- 3.47 A second statutory consultation was carried out which expired on 17 December 2022.
- 3.48 The applicant served the Notice of Intention to Submit an Appeal on 19 December 2022. The appeal was submitted on 27 January 2023.
- 3.49 The Start Letter for the appeal was issued on 16 February 2023. In accordance with the requirements of the start letter, Officers are satisfied that the necessary notifications and consultations in accordance with the letter were undertaken within the necessary timeframe.

## 4. Relevant planning history

- 4.1 The table below details the relevant planning history for the application site.

Application Site		
Reference	Description	Outcome
S/1714/17/E1	Screening opinion in relation to the proposed redevelopment of Phase 1b	EIA Screening required decision issued 6 July 2017
20/03464/SCOP	Request for a Formal Scoping Opinion in respect of mixed-use development to comprise: Approximately 700 private rental sector (PRS) apartments; Approximately 1,450sqm of retail use (Use Classes A1/A2/A3/A4/A5); Approximately 11,000sqm of office space (Class B1(a)); A specialist Maths College "Meanwhile" uses; and landscaping and associated works.	Scoping Opinion Issued 8 October 2020

21/05178/SCOP	Request for a formal scoping opinion for Hybrid Planning Application comprising Full Planning Permission for c47,280sqm (GEA) of Class E floorspace comprising an office building (One Milton Avenue) and two lab buildings together with ground floor amenity uses, a Mobility Hub comprising of c1031 car parking spaces including 254sqm of Class E floorspace at ground floor level, a temporary car park of c379 spaces, a wildlife habitat area, Network Rail compound area, enabling works and associated infrastructure; and Outline Planning Permission for c41,940 sqm (GEA) of Class E floorspace comprising one lab building and one office building, together with ground floor amenity uses, enabling works and associated infrastructure.	Scoping Opinion Issued 9 February 2022
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Table 2 Relevant planning history

4.2 The table below details the relevant planning history for the development of the rail station, hotel and office building adjacent to the application site.

Address	Reference	Description	Outcome
Land at Chesterton Sidings, Cowley Road	S/3102/15/FL & 15/2317/FUL	Proposed Development for a new 450 sq m station building (including passenger waiting facilities toilets staffed ticket office shop unit(s) amenity space rail staff accommodation and facilities) two main line platforms (254m with the provision for extension to 270m in length and capable of accommodating a 12 car train) and a bay platform a pedestrian cycle bridge linking the station building and platforms over the main line a landscaped 450 space car park and 1000 cycle park new pedestrian and cycle links to surrounding areas and the extension of the bus lane and cycle route from the Cambridge Guided Busway into the site along the alignment of the former St Ives Branch Line.	Approved on 26 September 2016  Cambridge North Station opened May 2017
One Cambridge Square, Milton Avenue	S/2403/17/FL	Erection of building comprising office B1 (a) floorspace and ancillary ground floor retail (A1/A3) floorspace associated landscaping and public realm improvements and a 125 space car park.	Refused on 27 November 2017

Two Cambridge Square, Milton Avenue	S/2372/17/FL	Erection of 217-bed hotel with ancillary ground floor retail (Use Class A1/A3) floorspace associated landscaping and public realm improvements and a 20 space car park.	Approved on 2 August 2018  The hotel has been built and is operational
One Cambridge Square, Milton Avenue	S/4478/17/FL	Erection of building comprising office B1 (a) floorspace and ancillary ground floor retail (A1/A3) floorspace a cycle storage pavilion associated landscaping access and a 125 space car park.	Approved on 2 August 2018  Not implemented given subsequent S73 application (S/4824/18/VC)
One Cambridge Square, Milton Avenue	S/4824/18/VC	Application under Section 73 of the Town and Country Planning Act 1990 to vary Condition 20 (EV charging plan) and Condition 38 (approved plans) and remove Condition 36 (wayfinding signage) pursuant to S/4478/17 (Erection of building comprising office B1 (a) floorspace and ancillary ground floor retail (A1/A3) floorspace a cycle storage pavilion associated landscaping access and a 125 space car park)'	Approved on 17 April 2019  Building currently under construction
One Cambridge Square, Milton Avenue	22/04536/FUL	Change of Use from Class B1 (a) and Class A1/A3 to Class E.	Approved on 18 January 2023  Building currently under construction

Table 3: Relevant planning history on adjacent land

## 5. Planning Policy

### Relevant planning policy

5.1 Relevant legislation and planning policies are included in Appendix 3.

## Other material planning considerations

- 5.2 South Cambridgeshire District Council and Cambridge City Council are jointly preparing an Area Action Plan (AAP) for North East Cambridge (NEC). The area proposed to be covered by the AAP is shown in Appendix 4.

### AAP Background

- 5.3 The area east of Milton Road, within which the site lies, is one of the last remaining significant brownfield sites in Greater Cambridge, extending to almost a square kilometre. It has long been an ambition of the local councils to take advantage of the opportunity this site affords to regenerate this part of the city and to support the continued economic success of the local economy.
- 5.4 Policy 15 of the Cambridge Local Plan 2018 and Policy SS/4 of the South Cambridgeshire Local Plan 2018 allocate the area for high quality mixed-use development, primarily for employment uses such as B1, B2 and B8, as well as a range of supporting commercial, retail, leisure and residential uses (subject to acceptable environmental conditions).
- 5.5 The local plans do not specify the amount of development, site capacities, or timescales for development, deferring such matters to the preparation of the joint AAP. This is because the planning of the area is hampered by uncertainty over the future of the Cambridge Water Waste Water Treatment Plan (CWWTP), which covers a significant part of the area and is a significant constraint on development of adjoining land. The relocation of the CWWTP has been determined as a Nationally Significant Infrastructure Project (NSIP) which will require Anglian Water to submit a Development Consent Order (DCO) application to the Planning Inspectorate (PINS). A DCO application was submitted to the Planning Inspectorate however it was subsequently withdrawn on 23 February 2023 to allow for further material to be provided with the application. The application is expected to be re-submitted to PINS shortly.
- 5.6 Since the local plans were adopted the City Council as landowner, in partnership with Anglian Water as owners of the CWWTP, has sought to secure funding, through the Housing Infrastructure Fund (HIF), to relocate the CWWTP off site. The vacated CWWTP site together with land around the new Cambridge North station, the Cambridge Business Park, St John's Innovation Park, the Cambridge Science Park and other land, will provide the opportunity for the creation of a new urban quarter to the city



which can make a significant contribution to the future housing and employment needs of Greater Cambridge.

- 5.7 In recognition of this opportunity, the councils are preparing a joint AAP to guide the type, mix and location of development, ensuring this is coordinated, manages transport requirements, and delivers on a shared future vision of the place.
- 5.8 The councils recognise the component parts of the NEC area will be developed out separately and at different times, potentially several years apart. While the councils wish to see early delivery on NEC, the councils consider it important that the ambition in the adopted Local Plan for comprehensive mixed use development is achieved.

#### AAP Stage Reached

- 5.9 The AAP has already been the subject of three rounds of public consultation and has been refined at each stage having regard to matters raised by respondents. In addition, a full suite of evidence and topic papers has been prepared:
- Issues and Options – 8th December 2014 – 2nd February 2015
  - Issues and Options – 11th February – 25th March 2019
  - Draft Area Action Plan– 27th July – 5th October 2020
- 5.10 A Proposed Submission AAP was prepared and reported to the councils (South Cambridgeshire District Council Cabinet 10 January 2022, Cambridge City Council Planning and Transport Scrutiny Committee 11 January 2022), where the Proposed Submission AAP was considered and agreed for future public consultation. This next stage is contingent upon the separate DCO being concluded.
- 5.11 Both councils therefore fully endorse the AAP vision, strategic objectives, spatial strategy, and policies. However, the proposals within the Proposed Submission AAP are predicated upon the WWTP being relocated – and therefore contingent on the DCO for the relocation of WWTP being approved by the Secretary of State for the Department of Environment, Food and Rural Affairs (DEFRA).
- 5.12 Until the DCO process is concluded and the relocation project authorised to commence, the AAP process is paused.

#### AAP Status

- 5.13 The Proposed Submission AAP has not been the subject of publication and consultation, it therefore currently attracts “limited” (i.e. little) weight as a material consideration in planning decision making and advice.

#### AAP Evidence Base

- 5.14 A full suite of evidence base studies has nevertheless been prepared for the AAP. These have been reported to the relevant committees of the councils alongside the Proposed Submission AAP and are published on the councils’ shared planning webpages. North East Cambridge AAP Document Library ([greatercambridgeplanning.org](http://greatercambridgeplanning.org)).
- 5.15 The studies are considered to provide up-to-date evidence of the existing context of NEC and its surrounds. As such, they may be a relevant consideration which attracts weight if and to the extent that it is material to the application of adopted development plan policies. Where the evidence base is considered material to the consideration of this application it has been included in the relevant sections of this report.

## **6. Consultations**

### **Consultation Responses**

- 6.1 A summary of all consultation responses received is included in Appendix 5.

### **Cambridgeshire Quality Panel Meeting of 19 August 2021**

- 6.2 An earlier version of the application was reviewed by the Cambridgeshire Quality Panel on 19 August 2021. At the time of the review the residential element was to be part of the full application.
- 6.3 A copy of the Panel’s report can be found at Appendix 6 however the comments are summarised below:
- Climate
- 6.4 The Panel urged the applicant to consider much more ambitious climate change targets to be in line with the targets of the Greater Cambridge Local Plan and the Cambridge Climate Commission recommendations, and future national policy.
- 6.5 The provision of shading to the commercial uses along the Triangle with a west facing façade to avoid potential overheating was recommended.

- 6.6 The Panel were concerned about health and wellbeing with single aspect flats facing northeast with limited sunlight, and west facing flats with overheating issues. The percentage of single aspect flats is relatively high (about 30 flats).

#### Community

- 6.7 As a car free development the Panel questioned how connections to existing facilities function and how easy is to walk and cycle to schools, supermarkets, and the centre of Cambridge. For affordable family units, how feasible is it to have no access to parking whilst the rest of the AAP has yet to be delivered.
- 6.8 It is important to understand the environment for the next 5 to 10 years and what existing facilities are currently available as new residents in the area will be living without those when moving into the development e.g. accessibility to GP surgeries and health facilities were raised.

#### Connectivity

- 6.9 As shown, all traffic feeding the car park goes through a future phase of the development to the north Cowley Road, but the Panel thought that Cowley Road is the most direct route to feed the car park and asked the rationale behind the decision of not making this a primary route.
- 6.10 The trip budget is a critical issue, the Panel supported the ambition of car use reduction and promotion of sustainable travel, but consideration should be given to what happens to the phasing strategy and road layout until the site is developed.
- 6.11 The Panel questioned the number of the car spaces planned for the MSCP; does it need to be that many?

#### Character

- 6.12 In relation to heights and massing within the AAP context the Panel thought the scheme could be denser, but not necessarily higher, to create a busy community with an active ground floor level. Consider the width of Milton Avenue which is extremely wide. How will the anticipated activity in the area will be achieved?
- 6.13 The parks and gardens are too manicured and these areas can result in abuse. Consider the provision of a MUGA.

- 6.14 The scale of the development will be experienced from a distance and is potentially visible from a lot of sensitive and open space sites; the Panel recommended to use a 'green space settings study' as a design tool.
- 6.15 The interconnected series of green courtyards were supported.

#### Housing block design

- 6.16 Consider an alternative block massing by providing different heights to avoid noise and potential conflicts between residents. Look at deck access as opposed to having internal corridors to mitigate overheating. Consider separating the build to rent units, which could be denser, from the affordable housing. Think about the long-term costs of service charges. The retention of the tree belt on the north west boundary edge would help dressing the site and will avoid overlooking the adjacent car park. A shading study in the residential courtyards would be helpful.

## **7. Third party representations**

- 7.1 21 representations have been received from the following addresses:

2 Green End Fen Ditton  
4 Green End Fen Ditton  
22 Green End Fen Ditton  
24 Green End Fen Ditton  
31a Green End Fen Ditton  
34 Green End Fen Ditton  
45 Green End Fen Ditton  
The Loft, High Ditch Road  
6 High Street Fen Ditton  
26 High Street Fen Ditton  
15 Stanbury Close Fen Ditton  
18 Stanbury Close Fen Ditton  
74 High Street Horningsea  
25 High Ditch Road Fen Ditton  
Riverside Cottages Clayhithe Road, Horningsea  
Kings Hatch High Street Horningsea  
Red House Close Green End Fen Ditton  
The Old Vicarage, High Street Horningsea  
140 Cowley Road  
U+I PLAC and TOWN (master developers of the Core Site)  
The Crown Estate (freehold owner of Cambridge Business Park)

7.2 The representations can be read in full on the Council's website however a summary is provided below:

7.3 Landscape and visual impacts:

- The scale and heights of buildings results in adverse impacts on the rural setting of the meadows and the edge of the City.
- The importance of the River Cam corridor as green infrastructure and recreational use, this will be impacted.
- The view from The Plough Public House has been ruined by the hotel which is too big, too high and inappropriately lit.
- The existing hotel is an eyesore which impacts skyline of Cambridge.
- The existing buildings (hotel and office) shouldn't be a justification for this development but a warning of how intrusive the development will be.
- There is minimal tree planting within the site and what is proposed will not provide any significant screening for such large buildings.
- The scale and density and result in over development which not in keeping with the character of the area.
- Design of the buildings lacks imagination and desire to enhance Cambridge.
- The development of the wider NEC AAP area should not be relied upon when addressing the visual impact.
- Trees and vegetation along the towpath in Fen Ditton should be looked after and replaced; replenishing willow trees would assist with screening the development.
- Should be more of a human scale.

7.4 Environmental impacts

- Concerns of over abstraction of water from the aquifer.
- Environmental impact of increased traffic in the area.
- Green roofs can encourage small wildlife but require high levels of maintenance and can encourage rodents and large birds.
- High carbon footprint.
- Light pollution from the hotel is a major issue, further impacts from the development on the unlit meadows, river and towpath.
- Impact on wildlife including bats and water vole.
- The applicant claims the buildings are outside the 3 unit odour limit, however the WWTP may not move, the impact of odour on residents needs to be considered.
- Noise impacts, particularly during construction.

7.5 Infrastructure and services

- Lack of infrastructure and services to cope with this development and other development in Cambridge.
- High density residential development with little open space and recreational area, this is not appropriate, no space to kick a football.

- Milton Country Park is at capacity.
- This development is coming ahead of any new infrastructure later developments at the NEC will bring.

#### 7.6 Heritage impacts

- Conservation areas form part of the Cambridge Green Belt, they should be protected from urbanisation and its impact.
- Development will dominate views from Fen Ditton Conservation Area due to its mass and density.
- Views of the existing hotel and office from Ditton Meadows, within Stourbridge and Fen Ditton Conservation Areas, is highly intrusive.
- The existing hotel is an eyesore which impacts the historic setting and skyline of Cambridge

#### 7.7 Need

- Questions the need for this amount of development, particularly post COVID, less demand for commercial office spaces.
- Existing empty shops and commercial premises in Cambridge, where is the need for the amount of development proposed?

#### 7.8 Transport and access

- More pressure on the A14.
- Safety impact of construction and residential traffic on Cowley Road which has not adequate pedestrian footpath. No provision for a permanent wide footpath in this location.
- Proposal includes an uplift in car parking spaces for the rail industry from 428 to 622, non-compliant with AAP and might have consequences for the overall trip budget.
- Milton Road is already unable to cope with the traffic.

#### 7.9 Impacts on NEC AAP / comprehensive development

- Proposals are a departure from the draft NEC AAP which provides a direction for travel: specifically in terms of the amount of development proposed, height and density of development.
- How will the proposals impact on delivery of other sites in the AAP, ensure it does not compromise the infrastructure and transport capacity such that it impacts on delivery of planned growth across the whole area.
- Proposals are commercial led, a key departure from the AAP.
- Retail units are larger than what is envisaged in the AAP, smaller units of 150sqm sought in AAP.
- 1,400sqm of retail proposed, non-compliant with AAP – no breakdown of comparison, convenience and other town centre uses.

- High number of BTR homes, exceeding the amount provided for in the AAP, this may limit BTR quota on remainder of development.
- Higher BTR results in less affordable homes (only 20% sought whereas market dwellings require 40%).
- No details provided by the applicant on intentions for development on the residual part of Chesterton Sidings, further details are requested.
- IDP sets out overall financial contributions sought from developers, need to understand the proposed development will contribute a fair and proportionate contribution to the costs.

#### 7.10 Other matters

- Concern that the commercial buildings could be built and the residential buildings not, would encourage inward commuting.
- Different figures provided for the commercial floorspace within the application.

#### 7.11 Cambridge Curiosity and Imagination – Comments

7.12 The plans were discussed with a class at Shirley Community Primary School in Chesterton and gathered concerns relating to potential impact on biodiversity (Bramblefields Nature Reserve). Bramblefields includes an area that has no public access but which the City Council allow the school to use as an educational resource. Potential mitigation measures were discussed with the children.

## 8. Planning Assessment

- 8.1 From the consultation responses and representations received and from an inspection of the site and the surroundings, the key issues are:
- Principle of development
  - Housing provision
  - Design, layout, scale and landscaping
  - Heritage assets
  - Carbon reduction and sustainable design
  - Biodiversity and trees
  - Water management and flood risk
  - Highway safety and transport impacts
  - Amenity & Environmental Health
  - Response to third party representations
  - Social and community infrastructure
  - Utilities
  - Response to third party representations
  - Planning obligations
  - Other matters
  - Comprehensive development

- Planning balance and conclusion

8.2 These key issues are assessed in the following sections of this report.

## **9. Principle of Development**

- 9.1 Policy S/1 sets out the following vision ‘South Cambridgeshire will continue to be the best place to live, work and study in the country. Our District will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment’.
- 9.2 Policy S/2 of the Local Plan sets out how the vision for the Local Plan will be secured through the achievement of six key objectives including to ensure that all new development provides or has access to a range of services and facilities that support healthy lifestyles and well-being for everyone, including shops, schools, doctors, community buildings, cultural facilities, local open space, and green infrastructure (criterion e).
- 9.3 Policy S/5 identifies an objectively assessed need for an additional 22,000 jobs over the plan period to 2031 to support the Cambridge Cluster. This equates to around 143,000 square metres of additional floorspace in the “E” use classes.
- 9.4 Policy S/6 of the Local Plan sets out the Council’s development strategy and a hierarchical approach to new housing in the district, with a descending order of preference given to on the edge of Cambridge, at new settlements and only limited development at Rural Centres and Minor Rural Centres.
- 9.5 Policy SS/4 of the South Cambridgeshire Local Plan 2018 allocates the area for high quality mixed-use development, primarily for employment uses such as B1, B2 and B8, as well as a range of supporting commercial, retail, leisure and residential uses (subject to acceptable environmental conditions). The policy advises that the amount of development, site capacity, time scales and phasing of development will be established through the preparation of an Area Action Plan (AAP) and that the final boundaries of land that the joint AAP will consider will be determined by the AAP.
- 9.6 Policy SS/4 sets out criteria for development proposals including that they do not compromise opportunities for the redevelopment of the wider area. Paragraph 3.31 of the supporting text states; *“planning applications submitted before the adoption of the AAP will be considered on their own*



*merits and subject to ensuring that they would not prejudice the outcome of the AAP process and the achievement of the comprehensive vision for the area as a whole that will be established by the AAP”.*

- 9.7 The area east of Milton Road is one of the last remaining significant brownfield sites in Greater Cambridge, extending to almost one square kilometre. It has long been an ambition of the local councils to take advantage of the opportunity this site affords to regenerate this part of the city and to support the continued economic success of the local economy. South Cambridgeshire District Council and Cambridge City Council are jointly preparing an Area Action Plan for North East Cambridge.

### **Proposed uses**

- 9.8 Policy SS/4 (2) states that the land is allocated for “*high quality mixed-use development, primarily for employment within Use Classes B1, B2 and B8 as well as a range of supporting uses, commercial, retail, leisure and residential uses*”. The application is employment-led in the form of commercial buildings for office and research and development uses (Use Classes E(g) i and E(g) ii). At ground floor level, the buildings include flexible floorspace within Use Classes E and F (excluding industrial uses under E(g) iii). It is proposed that this floorspace could include supporting uses such as retail shops, cafes and other uses such as a children’s’ nursery. 425 residential units are also proposed. It is considered that the mix of uses proposed is in accordance with those identified in policy SS/4.
- 9.9 The current policy, and that in the emerging AAP, seek a mixed-use development. As such the proposal accords with the development principle of the site. The mix of uses proposed supports the Council’s growth agenda.
- 9.10 Policy SS/4 (4) sets out that all development should:
- a. Take into account existing site conditions and environmental and safety constraints; This is discussed in section 15, 16 and 18 of this report.*
  - b. Demonstrate that environmental and health impacts (including odour) from the Cambridge Water Recycling Centre can be acceptably mitigated for occupants; This is discussed in section 18 of this report.*
  - c. Ensure that appropriate access and linkages, including for pedestrians and cyclists, are planned for in a high quality and comprehensive manner; This is discussed in section 17 of this report.*

*d. Recognise the existing local nature reserve at Bramblefields, the protected hedgerow on the east side of Cowley Road which is a City Wildlife Site, the First Public Drain, which is a wildlife corridor, and other ecological features, and where development is proposed provide for appropriate ecological mitigation, compensation, and enhancement measures either on- or off-site; This is discussed in section 18 of this report. and*

*e. Ensure that the development would not compromise opportunities for the redevelopment of the wider area. This is discussed in sections 17 and 24 of this report.*

- 9.11 Whilst the mix of uses proposed are acceptable, there are a number of issues relating to the amount of development and the heights and massing proposed, as discussed later in this report. The scheme also requires mitigation in the form of requiring improvements to or the provision of infrastructure beyond the application site boundary for which there is currently no mechanism available by which to secure coordinated delivery of and therefore, compromises the achievement of sustainable redevelopment across the wider NEC area. This is discussed further in section 24.
- 9.12 The application must be considered on its merit. In the absence of an adopted AAP, the need for the development to complement and enable the comprehensive development of the wider area in line with adopted local plan and placemaking policy objectives, and the NPPF is paramount. Although little weight can be attached to the NEC AAP, through the evidence base, it does establish the potential development capacities that may be realised across NEC and through that determines the package of infrastructure improvements required to support such provision. Any development within NEC that fails to contribute fairly and proportionately towards the package of infrastructure requirements would risk not realising the adopted policy objectives for inclusive and high quality place making and “well designed” places at this important strategic location. Given the overall quantum of development envisaged on the site and its impact upon existing infrastructure, a failure to mitigate the impacts of the development effectively would also pass the burden of the identified provision onto later development putting viability of those developments at risk and harming the achievement of sustainable redevelopment across the area as a whole. This is discussed further in section 24.

## Safeguarded sites

- 9.13 The application site is in close proximity to the aggregates railhead, Transport Infrastructure Area (TIA) to the north and the Cowley Road Waste Management Area, a Waste Management Area (WMA) to the north west. These sites, together with the Waste Water Treatment Plant are safeguarded under the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.
- 9.14 In the absence of the AAP, there is no policy requirement for these uses to be relocated. As such, in determining the current application, it has to be assumed that such uses remain in situ for the foreseeable future and are the surrounding context within which this development will sit. The assessment must therefore consider the impact of the proposal on the effective ongoing operation of these facilities as well as their impact on the development, in respect of odour, noise, vibration, air quality, amenity, safety etc. The County Council as Minerals and Waste Planning Authority (MWPA) initially objected to the application due to a lack of information demonstrating the proposals would be compatible with the safeguarded sites as required by Policy 16 of the MWLP and the 'agent of change' in para. 187 of the NPPF. The applicant sought to address these comments in the amendment pack.
- 9.15 The MWPA has reviewed the information submitted with the amendment pack and is broadly content with the conclusions contained in the dust and odour reports. However, the noise report does not appear to assess the interactions between the proposed commercial uses and the Aggregates railhead. Accordingly, there is a lack of sufficient information provided to assess the impact of the proposals on the TIA and requires the following information:
- Are any of the activities that may be undertaken within Use Class E located close to the TIA considered to be sensitive to noise? If yes, what are these activities?
  - The noise report assumed the existing level of deliveries at the aggregates railhead would be maintained. As there are no restrictions to deliveries at the railhead, would the noise assessment reach the same conclusions if the number of deliveries were to increase?
- 9.16 In the absence of this information, the County Council maintains its objection as it cannot be demonstrated that the development will not prejudice the existing or future uses of the TIA and MWA as required in Policy 16 of the Cambridgeshire and Peterborough Minerals and Waste

Local Plan 2021 and the NPPF and contrary to policy SS/4 4a of the local plan.

9.17

## **10. Employment Provision**

### **Socio-Economic Benefits**

- 10.1 Chapter 15 of the ES considers the construction and operational phases benefits to result from the proposed development. It is estimated that the proposals would result in 2,020 additional construction jobs over the five year construction period, this is equivalent to 202 full time equivalent construction jobs.
- 10.2 The ES (Table 15.6, Volume 1 Main Report, page 447) provides a summary of employment generation for each phase over the development. It sets out that on completion of the construction and when the development is fully operational, the scheme is anticipated to provide for approximately 4,300 net additional jobs. The jobs would be delivered within the lifetime of the Local Plan therefore would make a contribution towards the need for jobs identified in Policy S/5.
- 10.3 The Social Value Report, prepared by Social Value Portal dated June 2022, submitted with the application states that the social and local economic value generated through the management of the development could be as high as £2m in the first year and up to £20.5m over 10 years. It goes on to conclude that over a 5 year construction period, 10 years of estate management and 10 years of occupation, the additional social and local economic value created could be as high as £692.1m, or 182% of the original construction costs.

### **Employment need**

- 10.4 As set out in Policy S/5 of the Local Plan, development will meet the objectively assessed needs in the district for 22,000 new jobs and 19,500 new homes by 2031. The predicted level of jobs growth is a key part of the continued support for the Council's vision to demonstrate impressive and sustainable economic growth to help maintain the role of the Cambridge area as a world leader in higher education, research and knowledge based industries.
- 10.5 The applicant considers the application site is ideally placed for employment uses and will support the development of an office and R&D cluster. The application is supported by a 'Cambridge Office & Laboratory

Occupation Market Update' ("the Market Update") prepared by Bidwells and dated June 2022. The report provides data and an analysis of the growth of Cambridge office and laboratory market.

- 10.6 In terms of demand, the Market Update indicates that there is 1.8m sqft of office and laboratory space is being sought across Cambridge by domestic and global businesses, including almost a million sq ft of laboratory space. It goes on to say that "we have seen a step change in average total take up to just over 700,000 sq ft [pa] since 2013" (equivalent to 65,000 sqm pa). The Market Update reports that the major shortages in supply in the office and laboratory market are at the larger end of the scale. Combined office and lab availability rate as at end December 2021, stood at 7.9% but were expected to drop to historic lows during 2022. It states that there is a very limited supply of Grade A space in the major prime sub markets areas.
- 10.7 In terms of supply, the Market Update reports that the supply of laboratory floor space is acutely constrained. With no new purpose-built lab supply [delivered] for 2+ years occupiers are being forced to consider how they scale their businesses in the Cambridge cluster. For labs supply is reported as very limited at present (less than 100,000 sqft) and demand reaching to around 1m sqft. For offices the demand is reported to be slightly above supply, although from 2012-2018 demand for exceeded supply peaking at 4 times in 2014/15.
- 10.8 The Council has engaged Iceni Projects Limited to provide advice on the submitted Market Update report.
- 10.9 As noted above, there is a limited surplus of supply to meet needs overall for office and R&D premises across the plan period, excluding contributions from the NEC Area. The Greater Cambridge Employment and Housing Evidence Update (EHEU) Report, published in January 2022, assumes a supply of around 188,000 sqm office / R&D floorspace from the NEC area overall, as derived from the draft Area Action Plan, although not all will be delivered in the plan period.
- 10.10 The Cambridge North proposals account for c72,700 sqm of this as a gross figure. The emerging AAP assumed around 23,500 sqm of new business space for this specific part of the site - substantially less than the application proposals. Across the rest of the North East Cambridge area, the Council is already engaging in proposals for further significant floorspace. A number of these sites presume to deliver floorspace to the same or similar timelines – mindful of the likely appeal timetable. This means that across the local area, further sites and development

proposals can be expected to contribute towards market need. Across the Greater Cambridge area, including on other sites within the City and on established sites forming part of the science cluster around Cambridge an additional number of proposals are being promoted (or have planning permission). These can also be expected to provide significant additional employment floorspace capable of meeting the identified need for employment space across the area.

- 10.11 Noting the focus of the Market Update is on the 2023-2025 period the completion dates of the early phases are timed at 2025 which assumes a start on site in 2023 - which is considered to be optimistic in light of the current appeal. Therefore, the delivery of the scheme is emerging outside of the current emphasis on market supply in the Market Update. Having regard to proposals for similar floorspace either with consent, or currently progressing through formal (application) or pre application stages across the area, the extent to which this site is required (or is uniquely placed) to meet the identified shortfall is office and lab space (and new homes) across Greater Cambridge needs to be seen in this wider context of supply. The Council does support the use of this site to meet part of the need identified. The quantum of floorspace proposed on this site nevertheless gives rise to harm. The applicants argue that any harm arising needs to be balanced by the importance of meeting current market needs for the employment floorspace. It is the case however that some (or all) of that need can and will be met from other sites locally. That is not to negate the overall importance of supply in the lab market in particular.
- 10.12 It is therefore recognised that there is likely to remain a shortfall in the near term need for premium lab space, but taking into account planning and construction timescales it will be beyond 2025 when this begins to see a greater balance. In reality North Cambridge is likely to be delivered beyond the immediate next two years for which market based availability of schemes is visible. Using EHEU information, it is likely that a next phase of schemes already in the pipeline will come forward to provide greater market choice and growth. It is also this next phase of supply which reduces the reliance on the NEC sites as a whole which are not considered critical to the Local Plan supply.

## Conclusion

- 10.13 In conclusion, whilst recognising the potential contribution of the employment floorspace to meeting the identified need for office and R and D floorspace, based upon wider evidence of alternative schemes in development, officers consider that the Market Update may overstate the

role of the site in meeting that need because by the time the proposals are delivered, it is likely the acute current need will have been met in full or in part by consented schemes, or schemes elsewhere that are in development. For this reason, officers consider that the level of harm identified as arising from the development, by virtue of the scale and quantum of built form on the site (discussed in sections 12 and 13 of this report) – is not justified on the basis of a public benefit in meeting market need for new floorspace on this site.

## **11. Housing Provision**

- 11.1 The 'Greater Cambridge Housing Trajectory and Five Year Housing Land Supply Report' (1 April 2022) concludes that the councils jointly have 6.5 years of housing land supply for the 2022-2027 five-year period. This conclusion is based on the five-year supply being calculated jointly, using the Liverpool methodology and applying a 5% buffer.
- 11.2 The residential element of the proposed development comprises accommodation of up to 425 homes, 155 open market homes and 270 Build to Rent (BTR) homes and is within the outline application with all matters reserved with the exception of access and landscaping. The application is supported by a set of parameter plans which confine the built form to the three blocks comprising buildings referred to as S11-S12, S13-S16 and S17-S21 surrounding the open space referred to as 'Chesterton Gardens'.
- 11.3 The submitted parameter plans include the maximum building envelopes, extent of basements, building heights, activated building frontages, development areas in S13-S16 (for Use Classes C3, E and F), pedestrian and cycle entry points and landscaping.
- 11.4 The BTR homes are proposed to be accommodated in buildings S11-S12 (78 homes) and S17-S21 (192 homes) with the third block, S13-S16 being for the 155 open market units within three blocks around a central courtyard.
- 11.5 Block S17 – S21 is located on the northern part of the residential quarter, fronting both the Cambridge Business Park side of the site and Milton Avenue. The block is also proposed to accommodate a number of amenities located at ground floor level of the eastern face of the block facing Milton Avenue. At this outline stage, the exact uses proposed are not finalised but it is envisaged that they could include retail, community and/or commercial services. The total flexible Class E/F floor area is 1,025sqm.

- 11.6 Block S11 – S12 is located to the south of Block S17 – S21 and also proposes to accommodate 701sqm of flexible Class E/F uses at ground floor level facing Milton Avenue.
- 11.7 Block S13 – S16 is located on the western edge of the residential quarter, adjacent to the guided busway, and is proposed to accommodate 406sqm of ground floor flexible Class E/F amenity uses at the northern and southern end of the block.
- 11.8 Policy H/9 ‘Housing Mix’ requires a wide choice, type and mix of housing to be provided to meet the needs of different groups in the community, with the mix of affordable homes to be set by local housing needs evidence. For market housing, developments of 10 or more homes are required to comprise:
- a) At least 30% 1 or more 2 bedroom homes
  - b) At least 30% 3 bedroom homes
  - c) At least 40% 4 or more bedroom homes
  - d) With a 10% flexibility allocation that can be added to the above categories taking account of local circumstances.
- 11.9 The overall indicative housing mix proposed is shown in the table below:

	Num ber of beds	Number of market units	Number of Build to Rent units	Total number of units	Overall percentage
1 bed/ Studios		62	127	189	45%
2 bed		79	134	213	50%
3 bed		14	9	23	5%

Table 4: Overall housing mix (both market and BTR)

- 11.10 In terms of the proposed mix, Policy H/9 relates to any development. In this development proposal, the mix is strongly skewed towards the provision of 1 and 2 bedroom homes. It is considered that due to the type of housing proposed, being high density development comprising all flats and a high number of BTR units, this mix is appropriate in this location.



- 11.11 Policy H/9(4) requires 5% of homes in a development to be built to the accessible and adaptable dwellings M4(2) standard. The application states that all properties will conform to M4(2) and that 5% would be built to M4(3). There is an identified need for accessible and adaptable dwellings and this could be required via an appropriately worded condition should permission be granted.
- 11.12 All dwellings would meet or exceed the Nationally Described Space Standards, as required by Policy H/12 Residential Space Standards, and could be secured by way of condition should permission be granted. The clustering of affordable housing units together with their tenure mix and mix of unit sizes, as set out in Policy H/10 1.a and in Annex 10 of the Greater Cambridge Housing Strategy (April 2019), could be secured in the S106 and agreed at Reserved Matters stage.
- 11.13 Policy H/9(2) requires the provision of self and custom build plots, however sub paragraph 2f specifically exempts developments of high density, multi-storey flats and apartments from this requirement.

### Affordable housing

- 11.14 Policy H/10 of the Local Plan requires that developments of 11 dwellings or more will provide 40% of the homes on site as affordable housing. The NPPF paras 60 – 67 and Annex 2 Glossary are relevant. The applicant has agreed to provide a minimum of 40% affordable housing in accordance with this policy.
- 11.15 The mix of affordable homes in all development should be determined by local housing needs evidence. Although the application has not provided a breakdown of the market and affordable mix, the overall mix of market housing as follows.

Number of beds	Number of units	Percentage of units
Studio	5	3%
1 bed	62	37%
2 bed	79	51%
3 bed	14	9%

Table 5: Indicative housing mix – market housing

- 11.16 The Council's Housing Strategy Team has considered the mix of units and advised that they would expect the affordable units to be spread between the blocks and not to be located in large groups. The affordable unit mix should be varied and not limited to one or two types of units. It is considered that these details could be agreed within a S106 agreement.
- 11.17 Policy H/10 seeks an agreed mix of affordable housing tenures, determined by local circumstances, at the time planning permission is granted. The affordable housing tenure mix proposed is 70% social/affordable rent and 30% Intermediate housing, with the Council's preference for Shared Ownership as an intermediate tenure. The applicant's draft Heads of Terms (HoTs) has agreed this tenure mix.
- 11.18 Annex 11 of the Greater Cambridge Housing Strategy (April 2019) requires that the rent for Affordable Rent housing (inclusive of eligible property related service charges) on sites such as the applications site, should not exceed 60% of gross median market rent in Cambridge City for that size of property, location type and service provision, or the current Local Housing Allowance rate, whichever is the lower.
- 11.19 As the residential element of the scheme is in outline only there are various elements which would need to be considered and secured at Reserved Matters stage such as the design, build quality and appearance of the affordable housing, and that it be indistinguishable in visual terms from market housing, as set out in the Affordable Housing SPD (July 2010) para. 3.27.

### **Build to Rent (BTR)**

- 11.20 Build to Rent is defined in the NPPF as:
- ‘Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.....affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).’
- 11.21 Annex 9: Build to Rent policy of the Greater Cambridge Housing Strategy 2019-2023 outlines the approach that the councils will take around the development of new, purpose built homes for rent. The 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.

- 11.22 The policy seeks an appropriately balanced mix of property sizes. In this application proposal the build to rent elements is larger than the private housing element, with 270 units proposed. The mix of units is indicated in the submitted Planning Statement as follows:

Number of beds	Number of units	Percentage of units
1 bed	127	47%
2 bed	134	50%
3 bed	9	3%

Table 6: Indicative housing mix – Build to Rent

- 11.23 In line with the Greater Cambridge Housing Strategy and National Guidance, it is proposed that 20% of the BTR units will be affordable. The Council's Housing Strategy team is satisfied that matters such as tenancy length, allocations and the covenant period could be included in a S106 agreement. Details such as communal space and amenities, design and appearance and the management company provisions would be addressed at Reserved Matters stage.
- 11.24 The BTR market report submitted with the application demonstrates how the proposed development would meet local need and demand.

## Conclusion

- 11.25 The proposals provide for high density residential accommodation in a sustainable location. The provision of affordable housing in the market housing and BTR housing is policy compliant. The housing provision overall is considered to be acceptable and meet the needs of local community.

## 12. Design, layout, scale and landscaping

- 12.1 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.

- 12.2 Policies NH/2, NH/6 and NH/8 are relevant to the landscape and visual impacts of a proposal. Together they seek to permit development only where it respects and retains or enhances the local character and distinctiveness of the local landscape, Green Belt and its National Character Area.
- 12.3 Policy SS/4 sub-paragraph 4a provides that all proposals should take into account existing site conditions and environmental and safety constraints
- 12.4 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance.
- 12.5 The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment. Para. 126 of the NPPF states that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. The NPPF expands upon the fundamental principles of good design to define what is expected for well-designed places and explain how planning policies and decisions should support this. In particular, para. 130 requires that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

- 12.6 The National Design Guide addresses the question of how we recognise well-designed places, by outlining and illustrating the Government's priorities for well-designed places in the form of ten characteristics which will be considered, where relevant, in the consideration of the application below.
- 12.7 A series of technical studies have been undertaken to inform the content of the AAP, including the NEC Landscape Character and Visual Impact Appraisal, NEC Strategic Heritage Impact Assessment and NEC Townscape Strategy. These technical assessments have helped inform the consideration of this application.

## Overall proposals

### Layout

- 12.8 The built form within the application is contained within the triangular shaped part of the site, on either side of Milton Avenue, which provides vehicular access together with a segregated cycle way and pedestrian footway. In addition to this, Station Row provides a route for pedestrians and cyclists, from the station at the southern end of the site to the wild park in the northern part of the site. It is envisaged that in future this route would be extended to link with the residential / mixed use development that is envisaged to the north of the application site following the relocation of the waste water treatment plant. A further north-south street located to the west of the railway line on the eastern edge of the site, Cowley Road East, and provides vehicular and service access to proposed adjacent buildings. These routes, together with the existing guided busway and additional east to west links, informs and contain the built form of the application proposals.
- 12.9 The proposed block structure creates a legible pattern of streets and open spaces within the site. This includes the primary lines of movement, such as Milton Avenue and the guided busway which are clearly defined and overlooked by the proposed development blocks.
- 12.10 The proposals include a mix of commercial and residential development. The employment-led nature of the proposal is supported by current planning policies. The residential development is welcomed to help create a vibrant, mixed-use community that would help support a diverse range of supporting uses across the site.

- 12.11 The commercial development is primarily proposed as lab/office buildings which comprise large and simple floorplates with taller floor-to-floor heights, more / larger plant equipment and more complicated ventilation and extraction requirements than regular office buildings. There is a concern about the compatibility of these types of uses up against the sensitive eastern edge as their size, scale and relative inflexibility of the floorplate limits scope for articulation.
- 12.12 The location of the mobility hub adjacent to the station is supported.
- 12.13 The proposals seek to activate the ground floor of the buildings along the primary streets and spaces through the introduction of amenity, retail and food and beverage uses in addition to the entrance lobbies to the office and residential buildings. This would help to support a lively, vibrant streetscape which is welcomed. In the residential quarter the introduction of private entrances to ground floor units would result in a high density of front doors on the street which is supported.
- 12.14 The introduction of Station Row as a secondary north-south route in addition to Milton Avenue, is supported in principle. As well as providing a convenient and vehicle-free cycle and pedestrian access through the proposed development and towards the (longer term) envisaged development beyond, it also creates a potential attractive space and focus for supporting amenity uses and outdoor activities (such as pavement cafes, outdoor seating and dwell space) which would be more difficult to deliver along the trafficked street of Milton Avenue. However, it is critical that Milton Avenue retains a frontage environment, and it is considered the proposals provide this.
- 12.15 The arrangement of the residential blocks around a public garden space is supported. It is considered an efficient way to deliver a relatively large open space while simultaneously clearly defining and fronting onto the key streets of Milton Avenue and the guided busway (and cycle route) in a constrained and rather awkwardly shaped site. The buildings will serve to screen the garden from the main road to offer a sense of security and enclosure, while the three generous gaps between buildings will ensure accessibility and permeability.
- 12.16 The introduction of an office building 1 Milton Avenue, between the office development currently under construction and the residential development, is supported however there are issues in terms of the scale of the building as discussed in sections 12.93 - 12.94 below.

- 12.17 The introduction of a public space within the commercial part of the proposals, Chesterton Square, to provide a focal point for the commercial development and a physical and visual link to the residential gardens opposite is supported.
- 12.18 The introduction of a public space “The Piazza” at the conversion point of Milton Avenue and Station Row is supported. This forms a key moment in the masterplan.
- 12.19 The form and function of the four east-west streets / passages linking Station Row and Cowley Road East feel unclear and underdeveloped. Early in the pre-app process these were envisaged as vistas out towards the landscape, but as the design evolved, they increasingly started to feel and function as service yards. The potential of these spaces to help mitigate impacts of the development on the sensitive eastern edge also feels under-explored. This is considered in further detail in the section below.

## **Height and massing**

- 12.20 It is acknowledged that the site is well connected by sustainable transport, due to its proximity to the bus interchange and Cambridge North station and consideration should be given to the argument for optimising the use of a brownfield sites in such a sustainable location.
- 12.21 The evidence base for the AAP has included a review focused on the NEC Townscape Strategy. This document has been prepared alongside the NEC Landscape Character and Visual Impact Appraisal (LCVIA) and NEC Heritage Impact Assessment and incorporates the recommendation from both these documents. Recommendations that specifically relate to the application site include:
- Heights to vary between buildings up to a maximum of 5 (residential) storeys. [Note: This translates to 15m based on the assumed residential floor height of 3m].
  - Two taller buildings are already permitted / constructed next to the station (the hotel and office development), which provide prominence and legibility to this gateway. No further tall buildings are necessary or proposed in this area.
  - Opportunity for a local height accent of up to 7 residential storeys to terminate the view along Cowley Road / First Public Drain at the intersection with the boulevard. [Note: this is formed by the north-west corner of One Chesterton Square. Seven residential storeys

is 21m, One Chesterton Square is mostly 26m and 22m on the edges].

12.22 More guidance on height, massing and the interface with existing development which has been developed in parallel with the NEC Heritage Impact Appraisal work and that is relevant to the application site include:

- Siting taller buildings away from the more sensitive eastern and south eastern edge of the NEC site to avoid removing the rural character of wider views in Fen Ditton and from Baits Bite Lock and in views from Riverside and Stourbridge Common Conservation Area.
- Keeping taller buildings (i.e. 10-13 storeys [30m to 39m]) as occasional 'markers' with defined purpose and roles as part of a considered composition in the landscape rather than the predominant height to avoid an 'urbanised' wall of development effect in the backdrop of wider views from elevated positions such as Castle Mound, the tower of Great St Mary's Church and from nearby rural open locations such as Baits Bite Lock Conservation Area and Fen Ditton.
- Dropping down the heights of buildings where they interface with surrounding existing development, to avoid being an over-dominant presence, particularly to the south of the NEC near to The Golden Hind pub and to the east near to Fen Ditton and Baits Bite Lock Conservation Areas.
- Using a palette of colours that are more characteristic of the 'earthy' or muted spectrum of colours seen in Cambridge. These colours should generally be recessive in the wider landscape to minimise their visual intrusion and create a harmonious fit within surroundings and skyline.
- Using materials that are more characteristic of the materiality seen in Cambridge which would include masonry facades, brick or sturdy materials. Use of reflective materials including glass should be more limited as this is more out of character in the wider Cambridge context and will act as too much of a focal point in views from and towards heritage assets, therefore creating visual intrusion.

12.23 In relation to the eastern edge of the development the Townscape Strategy quotes the LCVIA that states that *"The eastern edge of the site is particularly sensitive to development and so proposals here should incorporate the following principles:*

- *Variable set-back of buildings on plots;*
- *Variable roofline;*
- *Minimal hard boundary treatment such as fences and walls;*



- *Use of semi-mature trees and space to allow them to grow to a size that can compete with the proposed building heights;*
- *Creation of an irregular parkland edge of adequate space to accommodate forest scale trees;*
- *Permeability of built form and landscape allowing views into the Site along green corridors of adequate space to accommodate forest scale trees;*
- *Avoiding an abrupt transition between development and countryside”.*

- 12.24 Taking the evidence base into account when considering the heights and massing of the development, the Council's Urban Design Consultant drew a number of conclusions as set out below.
- 12.25 The proposed development heights exceed those considered appropriate by in-depth technical studies prepared in support of the NEC AAP.
- 12.26 An appropriate design response to the interface of the proposals with the more sensitive eastern and southern edges does not only relate to maximum heights, but also to building form and articulation, the juxtaposition of buildings and open spaces and opportunities for integration of forest scale trees as well as colour and materiality.
- 12.27 The NEC AAP technical studies focus on aspects of height and massing in relation to a) the interface with the surrounding landscape / townscape and b) the relative heights within the whole of the NEC AAP area, with higher / denser developments accepted / promoted around local and district centre to aid legibility and create a sense of place. Place-specific consideration, such as the height and massing of buildings in relation to the width of streets and spaces, considering issues such as sense of enclosure, sense of place and impact on micro-climate have not been considered.
- 12.28 The submitted Landscape and Visual Impact Assessment (LVIA) assessment concluded that ‘the Proposed Development does not result in any significant effects. [...] a proposal that appropriately responds to its context.’ The Council's Landscape team considers that this assessment is unfairly concluded. Whilst the development benefits from existing vegetative screening from several receptor sites and views, the views which result in moderate-adverse to high-adverse effects are incredibly significant and sensitive. Primarily these are related to the eastern edge and impacts on Fen Ditton, Fen Ditton CA, Ditton Meadows, Greenbelt and users of footpath, cycle path and vehicular routes in these areas.

This view is shared in the LCVIA prepared as Evidence for the NEC AAP preparation. The Executive Summary of the NEC AAP LCVIA states that:

*The testing and appraisal of development height options indicates that adverse effects could be reduced through selective massing and layout of building heights across the [NECAPP] Site. The appraisal indicates there is scope for high and medium height development in the central part of the [NECAAP] Site with the majority of the Site able to accommodate **low** development without harm to the landscape and visual baseline. The Study allows a better understanding of where higher development could occur.*

- 12.29 It is considered that the proposals have not applied the recommendations of the NECAPP LCVIA findings to this development as all buildings are tall when reviewed against the recommends heights strategy produced as a result of the NECAAP LCVIA findings.

#### Impact on the Eastern edge – height and massing

- 12.30 The impact of the proposals on the eastern edge, due to height and massing, has been identified as a key concern throughout the pre-application process due to the sensitivities of the eastern edge in particular the impacts on the development between the railway tracks and the river Cam comprising a low-density, low-rise development of caravan parks and low-grade industrial units accessed from Fen Road.
- 12.31 The development along the eastern edge of the site, to the north of the Novotel, comprises three buildings: the mobility hub, and two lab buildings (S6 and S7). The mobility hub is between 14m and 16m and it is noted that its height has been significantly reduced during the latter stages of the pre-application process. Buildings S6 and S7 have also been reduced in height at pre-application stage and have a maximum height of 22m in height. The development along the eastern edge is both higher and more uniform in height than recommended in the various technical studies and the design of the scheme has sought to address this through:
- Creating space for the introduction of large species trees along Cowley Road East by increasing the setback of buildings from the railway tracks;
  - Integration of vegetation within the built form; and
  - Articulation of the building blocks.

- 12.32 The setback of buildings from the railway tracks varies between 12m and 19m, with the mobility hub stepping back in relation to the building line of the Novotel and the two lab-office buildings stepping back in relation to the mobility hub. This is considered moderately successful and a significant improvement on earlier version of the plans seen at pre-application stage. An area between 7 and 8 meters is provided for tree planting allowing for at least 1 line of large growing trees and multiples of smaller trees and shrubs. These groups of tree planting will aid in providing some screening for the buildings however, the trees will not develop to a height to break the skyline and the building line will continue to define and dominate the skyline due to the height of the buildings.
- 12.33 The proposals include the introduction of planting against the façade of the mobility hub and on the terraces of the buildings S6 and S7. Whilst the planting would assist in softening the buildings and creating an attractive feature of the building form, this is not considered a successful strategy at screening the buildings. The planting rises above the treeline, and reads therefore as part of the built form, rather than the rural landscape, therefore not assisting with mitigating the impact of the height and massing of the buildings.
- 12.34 Buildings S6 and S7 have been designed to introduce stepping in both height and building line in an effort to visually reduce the overall massing of the buildings and create the impression of a series of smaller-grained linked / terraced blocks. This is further emphasised by changes in materiality. However, the success of the stepping in reducing the overall massing is limited as the stepping occurs along the edges of the building only, with the bulk of the buildings remaining at 4 floors (and full-storey plant). Whilst the articulation is effective in reducing bulk and massing when viewed from street level, the stepping is less effective in addressing this when seen from a distance as the full silhouette of the building is visible. The stepping is not sufficient for the trees to break the skyline or create significant sky gaps instead, the buildings form a relative continuous line on the horizon. Notwithstanding the concerns about the impact of the development on the eastern edge, it is acknowledged that the architecture of the buildings have merit.
- 12.35 Further concerns relate to impact the development of 2 Milton Avenue (S8) and One Chesterton Square (S9), have on any positive impacts made through the articulation of S6 and S7. Although in outline form, both buildings are proposed to be taller than the lab-office buildings and will be seen rising above and extending to the north of them due to their height of 24m (S8) and 26m (S9). In addition, building S4 rises to a maximum height of 30.8m. Due to them appearing relatively indistinct from S6 and

S7 when viewed from a distance, this adds to the impression of an “urbanised wall effect” and result in a large and solid mass when viewed from the east and northeast.

- 12.36 Although the buildings on the eastern edge are separated by a series of east-west orientated streets or yards, relative to the buildings frontages and depths, the gaps between the blocks are narrow and become “invisible” when seen from a distance and at an angle.
- 12.37 These impacts are particularly apparent in View 06 (Green End) (please refer to the LVIA for the views referred to) where the commercial and residential buildings to the rear would loom above S6 and S7. The scale and mass of the buildings is also apparent in Views 08 (Footpath 85/6 Fen Ditton), 09 (Field Lane byway) and 15 (Ditton Meadows) where again, attempts to mitigate the impact of buildings S6 and S7 through vertical changes in height are lost from a distance and overwhelmed by the proposed buildings to the rear.
- 12.38 Throughout the pre-application process, the applicant was asked by Officers to progress the LVIA work so it could be used as tool to assess a variety of design and layout options, and test how changes in site layout and massing may, or may not, have a positive impact on the design of the eastern edge. Unfortunately, the LVIA work wasn’t progressed until the later phases, when the site layout and land use proposals were largely fixed with the emphasis being on architectural design to address any issues. Thus, there was no opportunity to test the recommendation of the Townscape Strategy, or to explore alternative solutions for the eastern edge that could have better met the applicant’s land use and commercial aspirations whilst ensuring the harm to the eastern edge was minimised.
- 12.39 The height and massing of the proposed development along the eastern edge is considered to have an overbearing presence on the existing development to the east as is evident from Viewpoint E6: Fen Road of the Technical Visualisations. The existing hotel provides a good understanding of the impact of the proposed buildings in this location. Whilst the proposed trees along the edge would be sufficient to filter the views of the buildings to an extent, it is considered they would still have an overbearing impact on the adjacent development through the creating of a high, solid mass along this side of the site.

Impact on the south western edge – height and massing

- 12.40 To the south-west of the site is a residential neighbourhood typically comprising low-density, low-rise family housing. The Nuffield Road Allotments, Bramblefields Nature Reserve and vegetation around the guided busway creates a green buffer between the site and the residential neighbourhood. The office building under construction can clearly be seen from the residential neighbourhood. However, there are no trees tall enough (existing or proposed) to filter views from the adjacent land to mitigate the impact of the development and, due to the height and massing of the proposed development, it is considered to have an overbearing presence on the existing housing. This is evident from Viewpoint E5 Discovery Way of the Technical Visualisations. Although some intervisibility is considered acceptable, the proposed development is too solid and continuous with insufficient gaps and modulation in height to provide sufficient mitigation.

#### Impact on the NEC centre hierarchy – height and massing

- 12.41 The Townscape Strategy promotes a hierarchy of local and district centres that is expressed in height and density of the development. It recognises the railway station as a centre and gateway but states that development heights should be reduced away from this node, with “*no further tall buildings necessary or proposed in this area*”. The proposals include a building height in (slight) excess of One Station Square (the consented office block) at 1 Milton Avenue and seeks outline consent for development on the Triangle Site and the residential quarter that are typically / regularly of similar height (and or taller) as the Novotel.
- 12.42 The site is within easy walking distance of the railway station and bus interchange making it is one of the most accessible locations by sustainable modes in the City. The Council’s Urban Design consultant has raised no objection to the proposed heights on the grounds of “centre hierarchy” as promoted in the NEC Townscape Strategy. However, as set out above, the impact of the Triangle Site development (buildings S8 and S9) on the eastern edge as it rises above the mobility hub and buildings S6 and S7 and the overbearing presence of One Milton Avenue and the residential blocks on the southern edge are considered an issue.

#### Impact on the development’s streets and spaces – height and massing

- 12.43 The assessment of development heights and massing in relation to existing and newly created streets and spaces within the application site fall outside the scope of the Townscape Strategy.

- 12.44 The NEC Townscape Strategy recognises the area as “*a key gateway into North East Cambridge*” and states that “*the character of this area should be urban and celebrate the arrival in the NEC area*”. More generally, the strategy also states that streets within the NEC area should provide for an attractive walking and cycle environment with a good sense of enclosure and benefit from passive overlooking from development.

### Outline planning application proposals

- 12.45 A series of parameter plans seek to fix a number of elements including:
- Maximum building envelope of basement, ground and typical floor level;
  - Building heights and modulation across the blocks, identifying 8 zones from 14-16m to 28-30m height;
  - Ground floor uses and activation zones;
  - Pedestrian cycle and vehicle access point; and
  - Landscape and open space typologies (although this seems unnecessary as these are fixed in further detail as part of the Full planning application).
- 12.46 The DAS includes detailed illustrative drawings of envisaged floorplans and elevations of the proposed buildings.
- 12.47 The parameter plans are very specific and closely match the illustrative floor plans set out in the Design and Access Statement (DAS). Although this provides greater certainty that the proposed blocks will be delivered as envisaged, this also causes concern, as any changes required to the blocks that may become apparent at Reserved Matters stage may turn out to be incompatible with the parameter plans.
- 12.48 The Council’s Urban design consultant has identified a number of issues with the proposals which are set out below.

### Building S8 – One Chesterton Square

- 12.49 The height of the building in relation to the buildings along Station Row (S6 and S7 and the mobility hub) and the cumulative impact this has on the eastern edge is a concern as set in the previous section.
- 12.50 The layout / building footprint of this part of the Triangle Site has seen considerable change during the pre-application stage, which originally envisaged this to include two separate blocks. The DAS provides a justification for this evolution and shows that in comparison to other commercial buildings in the Cambridge area the building is of medium

size. It further illustrates how an architectural solution can be found to reduce the apparent scale and massing of the building when seen from street-level. However, it doesn't address the issues of scale and bulk and the (cumulative) impact of this and the adjoining buildings on the eastern edge. As the proposals stands, the land uses do not allow for a more modulated and finer grained solution, thus the issues relating to scale and bulk in particular remain an issue in terms of the longer distance.

- 12.51 As noted in Part A of this response, a concern of the proposed masterplan layout was the challenge of creating a "frontage environment" on at least three (Milton Avenue, Station Row and Chesterton Square) and possibly four (subject to the envisaged future development of the "wild park") sides. It is considered that the proposed floorplan (Page 159 of the DAS) demonstrates that this can be achieved. However, Officers consider that a change in layout that places the café on Chesterton Square and the main reception / foyer on Milton Avenue would be a better arrangement. This could be address at Reserved Matters stage.
- 12.52 Further consideration should also be given to the location of the entrance to the cycle store, shown on the northern side of the building which is the 'back' of the building, opposite to the pedestrian access and not well located in relation to the primary cycle routes on either Milton Avenue or Station Row. Moving the entrance to the Station Row or Milton Avenue (with access to cycle path via large crossing outside Chesterton Square) side of the building would elevate the status of those arriving by cycle to the same level as pedestrians, add to the activity on along these streets and send a strong message of the support to sustainable modes of travel.
- 12.53 The kinked elevation and sharp north-west corner of the building creates an eye-catching building that responds to its "landmark" location on Cowley Circus (the corner of Cowley Road / Milton Avenue) as promoted in the NEC Townscape Strategy. However, the appropriateness of the "wedge-shape" corner depends on the future role of North Cowley Road. Currently this is a cul-de-sac that provides a service access to One Chesterton Square, 3 Station Row (S7) and the Network Rail compound only, whereas the wedged-shape corner suggests it leads to something more significant. This may be appropriate if the Wild Park is retained as a permanent park however with little else of significance being served by this street the "wedge-shaped" design is not supported.
- 12.54 One Chesterton Square and 2 Milton Avenue are both eye-catching "look-at-me" style buildings, but of very different form, style and materiality. There is a concern that this has a negative impact on the cohesion of

Chesterton Square, which the current landscape design is not considered to overcome.

- 12.55 Other points raised by the Council's Urban Design consultant such as recesses and materials could be addressed at Reserved Matters stage.

#### Building S9 - Two Milton Avenue

- 12.56 The height of the building in relation to the buildings along Station Row (S6 and S7 and the mobility hub) and the cumulative impact this has on the eastern edge is a concern as set in the previous section.
- 12.57 The access to the cycle store from Station Row is supported. The second access from Milton Avenue is questioned as there is no provision for cyclists on the east side of the road.
- 12.58 A concern of the proposed layout was the challenge of creating a "frontage environment" on all side of the building (Milton Avenue, Station Row and the Piazza). It is considered that the proposed floorplan (Page 169 of the DAS) demonstrates that this can be achieved. However, a change in layout, that places the café / restaurant on the Piazza (the corner of Milton Avenue and Station Row) would better realise the potential of this key space in the masterplan. This could be addressed at Reserved Matters stage.
- 12.59 The tapered and rounded corner on the southern edge of the buildings makes for an eye-catching building that responds to its "landmark" location on the Piazza. However, there is a question about the compatibility of this building and One Chesterton Square as noted above and there is a concern that the parameter plan fixes the rounded corner at the tip, which sets the tone for the design of the other elevations, including that on Chesterton Square. The lack of flexibility in the parameter plans is an issue as this would potentially preclude, or at least limit, this from being resolved at Reserved Matters stage.

#### Residential quarter

- 12.60 The height of the buildings in relation to the south-western edge and the cumulative impact with the Triangle Site on the eastern edge is a concern as set in the previous section.
- 12.61 The symmetrical, rounded design of the northern corner of blocks (S19-20) is not supported. In the future as envisaged in the NEC AAP vehicles



will approach the station / Cambridge Masterplan site from the north at this point, along a street roughly aligned with the existing access to the Aggregate Works. Blocks S19-20 will be sited at the end of the vista along this street. The rounded and symmetrical form of the building suggest that the two streets on either side have “equal status”. This is not the case as the street to the north is part of the local access loop around the residential quarter, whereas Milton Avenue will form the continuation of the primary street through the site area. A building form that better responds to this significant moment in the location is required.

- 12.62 Further to the above, the joined role of both One Chesterton Square and residential blocks S19 and S20 to define Chesterton Circus and direct the main routes of movement (for both cyclists and pedestrians and vehicles) needs further consideration. The current building form does little to positively frame this space.
- 12.63 The application doesn't include a full set of drawings to illustrate how elevation design, unit floor plans, cycle stores, plants and bin stores would be designed. This is understandable, as the application is for outline planning only. However, the parameter plans seek to fix the location of entrances to front doors, lobbies and cycle stores. There is a concern that any changes to envisaged layout that emerge in the Reserved Matters process may be impossible to be accommodated in the parameter plans.
- 12.64 The entrances to cycle stores are not well aligned with cycle tracks. For example, the cycle track along the guided busway is located to the south-west of the carriageway, requiring the cyclists to cross the road and manoeuvre through a line of parked cars. Conversely, there is a cycle track located on the west side of Milton Avenue, but here the entrances to cycle stores are located at the back of the building. The reasons for this are not fully understood. Fixing the location of entrances to cycle stores in parameter plans feels premature.
- 12.65 The applicant has confirmed that 24% of the residential units would be single aspect. The illustrative floor plans included in the DAS indicate that a number of these units would be either north facing or located in parts of the buildings where natural light would be limited. Although the residential element is in outline form, given the illustrative floor plans exactly match the parameter plans in terms of building footprint, it is considered that this situation will remain at Reserved Matters stage and is unlikely to be able to be designed out of the scheme.

## Full planning application proposals

### Landscape

- 12.66 This section focuses on the proposals for the landscape design of the key streets and spaces within the application.

#### Milton Avenue

- 12.67 Milton Avenue is an existing street that proposed to be retained as the primary vehicle access to Cambridge North Station and the proposed development. Milton Avenue also serves as an important route and gateway to the wider NEC area for those arriving by train and cyclists and pedestrians arriving from the southern and eastern parts of the city (including the City Centre, Cambridge Central Station area and Cambridge East).
- 12.68 The proposals retain the existing carriageway width of Milton Avenue (7.2m) however changes are proposed to other elements of the street. The green verge to the west of the carriageway is retained and will accommodate large species tree planting. The building line to the residential quarter (western side) is set back by over 12m to accommodate a bi-directional cycle lane, an (adopted) footway, an existing service zone as well as spacious additional 3m-6m pedestrian / dwell zone (providing for pavement cafes, space outside building entrances etc). The setback from the tree line to the east is almost equal to the one to the west so that the proposed large species trees that line the carriageway appear to be at the centre of the street. This is an interesting feature that is supported.
- 12.69 The width of Milton Avenue (measuring between the most forward projecting building line) is around 25m. Building heights to the recess line (as experienced at street level) vary but generally are around 22m thus create a street just over the 1:1 ratio. This is considered to be an appropriate level of enclosure considering the envisaged density and urban character of the area.
- 12.70 There are several issues / questions in relation the landscape design proposals that were raised by the Council's Urban Design consultant which the applicant sought to address in the amendment pack submitted in October 2022 (document entitled 'Response to points of clarification raised by Urban Design Officer'). As follows:

- The applicant has clarified that the design intent for the Piazza raised table is to send a message to the driver of a changed environment which requires a change in their driving style. Although this is supported in principle, concerns remain about the detailing of the raised table and the cycle crossing in particular, as the message to the road users is confusing. If the message to the driver is to slow down and treat the table as a courtesy crossing it does not follow that the cycle crossing has been made into a formal priority crossing. The design cannot be compared with the raised crossing illustrated in Figure 10.6 of LTN 1/20, as the applicant has suggested, where the raised table relates directly and only to the cycle crossing. At Milton Avenue, the ramps onto the raised table are set back a long way from the cycle crossing and the concern is that the “alert” message this sends to the driver will have worn off before reaching the cycle crossing.
- The introduction of raised tables as informal crossing points on Milton Avenue and Cowley Road North is supported, but needs to be supported by consistent materials.
- The addition of a raised table at Chester Square, following a query as to why it was not a raised table as it is a significant crossing point, is supported.
- The shape of the green verge outside of One Milton Avenue is tapered. The applicant has explained that the majority of beds in this area are tapered to conform with the ‘nose’ of 1 Milton Avenue. This explanation is accepted.
- There are currently a lot of different materials proposed on Milton Avenue and other streets. A clear and comprehensive strategy to the use of materials is required to provide a consistent message to road users about courtesy crossing, formal priority crossing and/or a shared space approach. This applies not only to Milton Avenue but all streets and spaces in the application. This could be required via an appropriately worded condition.

## Station Row

- 12.71 The role of Station Row is intended to: provide a north to south vehicle free link through the site towards the wild park; provide a front access to buildings S6 and S7 and for the ground floor of the mobility hub; create an urban space for a mix of uses including access and dwell space; and to provide a drainage function.
- 12.72 Whilst there is no objection in principle to Station Row, the Urban Design consultant has raised a number of concerns in terms how it potentially competes with Milton Avenue in terms of scale and hierarchy.

- 12.73 In the pre-application stage, Station Row was originally envisaged as a “green street” with the swale as the main feature (it was named Swale Street for much of the pre-application period), with cycling and pedestrian movement intended to be a more slow, meandering route (in comparison to Milton Avenue). This distinction has been eroded as the design progressed; the swale and landscape zones have reduced in size; hard paving has become more dominant; and the meandering nature of the cycle route has been designed out. The resulting space appears mostly as a “thoroughfare” whereas its role as a high quality public space with places to dwell and a pleasant green environment is less obvious.

#### Chesterton Square

- 12.74 The Square provides a visual and physical link between the commercial and residential quarters and increasing (potential) footfall in the square to include the residential community – and visa versa. This is supported.
- 12.75 The size and proportions of the space, in relation to the buildings that surround it are acceptable. However, there is a concern about the design and layout of the space, both in its relationship with surrounding built form and the potential lack of comfort it provides.
- 12.76 The buildings that enclose the space to the north and south have evolved significantly in the later stages of the design and now include a curving building line at 2 Milton Avenue and a meandering and stepped building line at One Chesterton Square. To the east the lab-office buildings present a much more regular and grid-like facade. The landscape design proposed includes a number of features including a grid of trees, a “kinked” planting bed, some further triangular planting beds, a water feature and a large species single tree. The space seems to lack a clear hierarchy / defining feature and there is a concern that the buildings and the landscape elements appear as a random collection of elements rather than create a distinct sense of place.
- 12.77 The purpose of the various landscape features, the zones they seek to define and the level of comfort they provide is also unclear. For example, there is a spill out zone identified on the north-west corner of 2 Milton Avenue however this doesn’t seem to relate to the landscape features. Furthermore, this space will often be shaded by the office building.
- 12.78 The lack of large trees in this square, which would assist in defining the space, and improve the micro-climate, comfort and sense of enclosure, is disappointing and is severely restricted due to the basement car park.

There is a feature tree within the square however at most times in the afternoon, it is thought that the tree will be shaded by the building to the south.

#### The Piazza

- 12.79 The Piazza is an important moment in masterplan as it is located at the conversion point of Milton Avenue and Station Row and also connects to Chesterton Gardens via the raised table crossing on Milton Avenue. Thus, the space is likely to see some of the highest levels of footfall in the Cambridge North masterplan site. With no large development to the south, the space is also well placed to catch the sun for a large proportion of the day. The current design envisages this space as a continuation of the layout of Station Row, with a focus of its role as a place for movement and “front door address” for the office block. There is a sense that the proposals do not realise the space’s potential an attractive dwell space which should make the most of the high footfall and sunny orientation.

#### The Link

- 12.80 The Council’s Landscape Officer raised concerns about the impact of the building’s basement on the tree planting proposals as the tree pits are constrained significantly by highway proposals and the basement. Revised plans submitted in the amendment pack address this through providing a stepped basement to improve the depth and width of the rooting cells.

#### Bramblefields Way

- 12.81 The north facing garden and planting areas on Bramblefields Way may struggle with light availability however the applicant has advised the chosen species, Amelanchier, is appropriate for shady locations.

#### Cowley Road North

- 12.82 Cowley Road North proposals do not feel complete due to the lack of completeness of Wild Park. The street serves primarily parking basement accesses and service accesses and ends abruptly as a turning head and a collection of trees. The position and potential of street trees are acceptable but it is unclear what is to be the character of this street upon the relocation of the Network Rail Compound and any potential extension of the development northwards.

## Spaces between mobility hub/Building S6 and S6/S7

- 12.83 These buildings are separated by relatively narrow gaps of 10m and 13m. Due to their orientation, width and the heights of the buildings they lack any real public function or assist with visual mitigation of the buildings from the east.

## Buildings

- 12.84 This section focuses on buildings proposed in the full application.

## Mobility hub

- 12.85 The height of the bulk of the building varies between 14.2m and 15.8m and is considered to be acceptable. The additional floor to floor heights allow for the future conversion into alternative uses and this is supported. The external architecture, including the external staircase, together with the design, colour and proposed materials work well to achieve a well-considered and high quality design.

## 1 and 3 Station Row (Buildings S6 and S7)

- 12.86 These buildings are almost identical and have been designed to ensure they create an attractive frontage onto all surrounding streets and spaces.
- 12.87 The buildings are articulated changes in heights, building line and materials serves to create four “bays” that appear linked to create the urban block. The bays are nicely proportioned and are successful in reducing the apparent massing and proportions of the building when viewed from relatively close up, i.e. from street level or from a passing train. However, it is less effective when viewed from further away along the eastern edge as some of the subtleties are lost, this is particularly the case with the proposed development of the Triangle Site beyond to the west.
- 12.88 Despite the large and regular floor plans with a traditional laboratory grid, the elevational design introduces a sense of depth and rhythm, and a finer grain / human scale to the buildings which is welcomed. The entrances are successfully articulated and would be easily recognised as the entrances.
- 12.89 The elevation design successfully integrates the rooftop plant.

- 12.90 The ground floor includes spaces for retail uses on Station Row. This is supported. Plans also show an area marked for “Future Activation”. It is unclear what this means or how this would be delivered.
- 12.91 The varied materials palette serves to further emphasise the articulation of the blocks. However, the predominant light grey colour is considered too bright, particularly with reference to its position on the eastern edge. The Townscape Strategy suggests a more muted, receding colour palette to help soften the impact on long distance views.
- 12.92 Concerns about the height and bulk of the buildings and the impact of this on the eastern edge are addressed earlier in this section.

#### One Milton Avenue (Building S4)

- 12.93 One Milton Avenue is an office building set over nine floors including a basement car park and integrated rooftop plant. The design of the building started as a singular block and in the course of the design process the building has become more articulated to reflect its role as a transition block between the consented office block, One Cambridge Square, and the proposed residential development. The building includes setbacks at the sixth and seventh floor to create rooftop terraces and reduce the apparent height when viewed from street level. The light brick frame that establishes the grid of window openings is cut back in places to reduce the apparent massing and visually break down the building in a series of smaller elements. A colonnaded cut-through is introduced on the southeast corner to facilitate improved visual and physical links between the residential gardens and the Piazza.
- 12.94 Although the intent of setbacks, cutbacks and cut throughs is supported, the proportions of the resulting (visually) separate elements feel unbalanced. For example, the visualisation on page 232 of the DAS helps to demonstrate this, as the colonnaded element appears too small and feeble in relation to the bulkiness of the south-eastern portion of the building. The terraces provided at different levels creates a pyramid-shaped development that appears to be an attempt to overcome issues of a bulk and massing that is just too much for its location, rather than an elegant and considered context-led response. This has resulted in a rather awkward built form, at odds with the other buildings in the application which have a more confident and positive look and feel.

## Open Space

- 12.95 An assessment of open space provision in terms of the type and amount of provision required in accordance with Policy SC/7 of the local plan is included in section 19 of this report. The assessment below considers the open space provision in terms of its design and layout.

## Wild Park

- 12.96 The use of the land to the north of Cowley Road North as a wild park was not discussed in any detail at the pre-application stage. The applicant changed the use of this land numerous times throughout the pre-application from the provision of a maths school, to public open space, to a SuDS feature, to a wild habitat with no public access and now to a wild park. The illustrative masterplan submitted indicates that some of this area may remain if and when future development comes forward. However, it is apparent that the use and function of the wild park has not been well considered by the applicant but has been more of an afterthought in terms of provision of public open space. This is evident not just through its many changes throughout the pre-application process but also in its apparent 'unfinished' form as currently proposed.
- 12.97 It is unclear what purpose the park provides to the overall development. The proposals are for the creation of Open Mosaic Habitat across a large area as well as the introduction of a wetland/pond. It is acknowledged by the applicant in the 'Landscape and Open Space Updates' (October 2022) that "there is not enough space to have larger formal areas within a 20m setback from a habitable room" within the residential development. Accordingly, the applicant has included the play equipment in the wild park, and as part of the amendment pack, included an area of amenity lawn. However, the appropriateness of layering children's play into the area at this point is questionable and in conflict with the use of the area as a mitigation for lost habitat and biodiversity. The lack of space to adequately provide play space within the residential quarter, which is appropriate to the character of the area as well as in compliance with distance requirements of LAPs/LEAPs, furthers the consideration of overdevelopment of the proposals.
- 12.98 Given its location it is considered that the wild park is for the benefit of the development as a whole and not just the residential element of the proposals. There is also a concern over the lack of overlooking of the area particularly due to it being somewhat remote from the residential quarter. Accessibility to the wild park from the residential quarter has been improved through the provision of a new path as shown in the



revised plans submitted in the amendment pack. Whilst this will help with access, due to the location of the wild park it is considered it would still feel somewhat remote from the residential quarter and requires users to cross both Milton Avenue, the main vehicular street within the site, and Cowley Road North which is unacceptable.

- 12.99 The wild park is enclosed to the west by the temporary construction and logistics area, to the north by the aggregates yard and to the east the Network Rail compound and, following the revised proposals in the amendment pack submitted in October 2022, allotments. With the exception of the allotments, these adjacent uses are not particularly harmonious with the use of the area as a wild park. In terms of screening to these adjacent uses a variety of fencing is proposed. However, particularly to the north of the wild park, the fencing does not appear to be supported by any landscaping which would assist in limiting the views into the aggregates yard. On completion of the development it is not clear what landscaping is proposed for the temporary construction and logistics area and how it will be assimilated into the wild park.
- 12.100 Overall, it is felt that an important facet of forward masterplanning has been lost for what might eventually become an urban park.

#### Chesterton Gardens

- 12.101 The landscape details of Chesterton Gardens are included within the application. The park is approximately 0.75ha in area and is centrally located within the residential quarter, surrounded by the three residential blocks. The park includes tree planting, lawn mounds, paths, planting, play areas, pergolas and seating areas and details of these have been provided in the outline application. Overall, the proposed park is considered to be of high quality, well located and provide a variety of uses and activities for the residents. However, due to its size and constraints, not all required play provision is provided within this space raising concerns about overdevelopment of the site. This is addressed further in section 19.

### Landscape and Visual Impact

- 12.102 The District Design Guide SPD (2010) recognises that all new development will have an impact on its surroundings. However, it goes on to say that *“The aim must be that any development... takes all proper care to respond to its surroundings including existing buildings, open spaces and village edges, and ensure an integrated scheme that does not harm local amenity and wherever possible, bring benefits to the area”*.

- 12.103 The SPD required that any new development *“must sit comfortably in its landscape... should not intrude upon the skyline, with the exception of specifically agreed features selected as landmarks, in the tradition of church spires or towers”*. Further, it says *“careful consideration must be given to the height and form of buildings, with the built form broken down to appear as a composition of forms, rather than one large form and utilising trees and other planting to soften the impact from long distance views”*.
- 12.104 Given the site’s location immediately adjacent to the City boundary and as it is viewed in the City context, consideration is also given to Policy 60 of the Cambridge Local Plan (2018). The Policy 60 provides a framework for assessing any proposal for a structure ‘that breaks the existing skyline and/or is significantly taller than the surrounding built form’. It acknowledges Cambridge as a City of spires and towers which emerge from the tree and building line. Policy 60 states that within the suburbs buildings of more than four storeys and above, with a height of 13m above ground level, will trigger the need to address the policy criteria. This includes demonstration through visual assessment how the proposals fit the existing landscape and townscape, quantifying any potential harm to historic assets and more detail amenity and public realm considerations. The policy reference Appendix F (Tall Buildings and the Skyline) which provides further guidance to Policy 60.
- 12.105 Chapter 12 of the ES is the Landscape and Visual chapter which assesses the Landscape and Visual Impact Assessment (LVIA) carried out for the proposed development. The LVIA has been carried out because of the scale and massing of the scheme and its sensitive location. The LVIA methodology and viewpoints were agreed by the LPA at pre-application stage and two additional receptors included at the request of the LPA (these being the residents on Fen Road and Discovery Way, Viewpoints E5 and E6).
- 12.106 Table 12.1 on page 307 of the ES Volume 1 Main Report lists the viewpoints included in the LVIA and heritage assessment. The visualisations are included in Appendix 12.4 of Volume 2.
- 12.107 The submitted LVIA concluded that the proposed development would have one residual, significant adverse effect. This is associated with the visual experience of ramblers on a public footpath to the east of the site (see Viewpoint 8). The LVIA states that the visual amenity of this receptor group is strongly associated with the appreciation of the City’s rural setting and it is considered that, due to the height and mass of the

development, it will erode the sense of rurality and extend the urban influence of the City. The proposed mitigation would not compensate for the loss of the distinctive character of this view.

- 12.108 The LVIA concludes that *“the Proposed Development does not result in any significant effects”* and that it is *“a proposal that appropriately responds to its context”*. The Council’s Landscape Officer does not agree with this conclusion and considers that this assessment is unfairly concluded. Whilst the development benefits from existing vegetative screening from several receptor sites and views, the views which result in moderate-adverse to high-adverse effects are incredibly significant and sensitive. Primarily these are related to the eastern edge and impacts on Fen Ditton, Fen Ditton CA, Ditton Meadows, Greenbelt and users of footpath, cycle path and vehicular routes in these areas. This view is shared in the LCVIA prepared as Evidence for the NEC AAP preparation.
- 12.109 The following, from the Executive Summary of the NECAPP LCVIA document, states:
- “The testing and appraisal of development height options indicates that adverse effects could be reduced through selective massing and layout of building heights across the [NECAPP] Site. The appraisal indicates there is scope for high and medium height development in the central part of the [NECAAP] Site with the majority of the Site able to accommodate low development without harm to the landscape and visual baseline. The Study allows a better understanding of where higher development could occur.”*
- 12.110 It is considered that the proposals have not applied the recommendations of the NECAPP LCVIA findings to this development as all buildings are tall when reviewed against the recommends heights strategy produced as a result of the NECAAP LCVIA findings.
- 12.111 The sensitivity to change is considered to be high despite the presence of the Novotel and office building (under construction). The River Cam’s green corridor, part of the defining character of Cambridge, and which links farmlands in the southwest of Cambridge to the fens in the north east is considered to be highly susceptible to harmful impacts as a result of change. It is considered that the hotel and office building do not set a precedent for development in the area but form the focus of a tall development cluster at the Cambridge North station, while the areas within the application site must be seen to be subservient and respectful to the existing development around it and the sensitive receptors discussed.

- 12.112 The LVIA considers that the impact on the receptors (the existing residential development) on Discovery Way is undervalued by virtue of most of the impact being formed by Outline design work and which lack the architectural detailing which will determine the adverse nature of the effects. This conclusion is not agreed. The outline application seeks to set height parameters which must be assessed and it is considered the heights constitute significant effects rather than a lack of a significant effects. Furthermore, only the residential element of the scheme is in outline form, the office building (S4) is part of the full planning application.
- 12.113 The LVIA concludes by acknowledging a noticeable change in the study area and finds that a successful landscape scheme is crucial to mitigating the impacts. However, it is the view of Officers that the proposals require more than just successful landscape mitigations, but rather wholesale review of heights and massing across the site. Table 12.6 (ES Vol, 1 Main Report page 346-349) begins to suggest this approach by recommending 'development [...] appropriate to the Site's context in terms of scale, form, materiality and landscape' however it is not agreed that the proposals have achieved this aim.
- 12.114 The criteria in Policy 60 apply to not only landscape, but townscape and heritage impacts. Applying the requirements of the criteria against the viewpoints selected for LVIA/TVIA, Heritage and Policy 60 viewpoint, it is considered that the development has been unable to demonstrate that the proposals are a high-quality addition to the Cambridge skyline and that clearly, adverse impacts are present. Landscape provided to mitigate against harm is ineffective due to the mass, scale and height of the buildings.

## Conclusion

- 12.115 The eastern edge of the site is particularly sensitive due to its long views over the River Cam towards the City and its location within the Cambridge Green Belt. It is considered that the proposals, due to their height and massing, create an abrupt, hard edge that fails to enhance or preserve the character of the area and is not in keeping with the site's sensitive context in the wider landscape.
- 12.116 The height and massing of the proposed development is not in keeping with the scale, density and massing of the surrounding areas which comprise primarily low level and low-density development. Accordingly, the development is not in keeping with the surrounding context and is considered to have an overbearing presence on the existing development

to the east of the development on Fen Road and to the west of the on Discovery Way.

- 12.117 Whilst the proposals have some merit in terms of architecture and provision of open space it is considered that the proposals lack sufficient thought and detail to make the place a high quality environment for people to live and work. In particular, Chesterton Square, the Piazza and the Wild Park are not considered to create high quality environments with a strong sense of place. Station Row is similar to Milton Avenue in terms of scale, linearity and proportion of hard versus soft landscaping, this comprises legibility of the key routes and impacts its sense of place. The spaces between the mobility hub and Building S6 and between Buildings S6 and S7 lack any real public function and do not create high quality spaces.
- 12.118 The form and shape of Buildings S8, S9 and S19-20 are not considered to respond to their locations and, due to the lack of flexibility in the parameter plans, this issue could not be addressed at Reserved Matters stage.
- 12.119 The design and articulation of One Milton Avenue (Building S4) feels unbalanced. The building is too big and bulky for its location, which its architectural detailing and articulation fails to overcome.
- 12.120 Through its over reliance on two tier cycle parking together with the poor relationship of some cycle access points in relation to cycle ways, the proposals fail to provide convenient and accessible provision for cycle parking and do not sufficiently promote active travel.
- 12.121 The application fails to demonstrate that the development can come forward with no single aspect north-facing apartments, conflicting with Policy HQ1 (l) and paragraph 153 of the NPPF.
- 12.122 Overall, the proposed development is not considered contribute positively to its surroundings and results in harm to the surrounding landscape, particularly on the eastern edge of the site, and urban areas. The proposal is therefore not in accordance with South Cambridgeshire Local Plan policies HQ/1, NH/2, NH/6, NH/8 and SS/4 and the NPPF.

### **13. Heritage assets**

- 13.1 There are no heritage assets on the site itself however there are a number of conservation areas and listed buildings in close proximity to the

site. The significance of the assets is set out below followed by the assessment of the impact of the proposals on them.

- 13.2 Policy NH/14 of the local plan states that development proposals will be supported when:
- they sustain and enhance the special character and distinctiveness of the district's historic environments;
  - they create new high quality environments with a strong sense of place by responding to local heritage character.
- 13.3 Policy HQ/1 requires all new development to be of high quality design and sets out a list of criteria which proposals must meet, of particular relevance to the impact on heritage assets are the following criterion, whereby as appropriate to the scale and nature of development, proposals must:
- a. Preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape;
  - b. Conserve or enhance important natural and historic assets and their setting;
  - d. Be compatible with its location and appropriate in terms of scale, density, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area.
- 13.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72(1) provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 13.5 Para. 189 of the NPPF advises that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance.
- 13.6 In determining planning applications para. 194 of the NPPF says that "local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their settings".
- 13.7 Para. 199 of the NPPF sets 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 significance of a heritage asset should require clear and convincing justification.

- 13.8 Para. 200 states that “any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction or from development within its setting), should require clear and convincing justification”.
- 13.9 Para. 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 13.10 As part of the evidence base for the AAP a LCVIA was produced in 2020 which was supplemented by a Heritage Impact Assessment and Townscape Assessment, produced in November 2021. These assessments informed the Townscape Strategy which was also produced in 2021.

### **Key heritage assets and their significance**

- 13.11 Within a 1.5km radius of the site Historic England has identified the following designated heritage assets:
- 10 listed buildings at grade I and II\*
  - 42 listed buildings at grade II
  - 2 scheduled monuments
  - 5 conservation areas
- 13.12 However, it is noted that this is not an exhaustive list of all the assets that might be affected beyond this radius such as Anglesey Abbey Registered Park and Garden. Historic England and the Council’s Conservation Advisor have identified the following heritage assets that would be impacted by the proposals.

### **Riverside and Stourbridge Common Conservation Area (Cambridge City)**

- 13.13 There is a conservation area appraisal for this conservation area and the area covered by the appraisal is the stretch of the River Cam from Victoria Bridge north-eastwards to the City boundary. It comprises the river frontages and towpaths and the adjacent meadows (including Midsummer and Stourbridge Commons); the ‘Brunswick area’, north of Maid’s Causeway and the north side of Newmarket Road towards the Leper Chapel and the former Barnwell Junction.

- 13.14 The boundary includes land either side of the railway river crossing i.e. Stourbridge Common and the western Ditton Meadows. These are two of the three large open spaces deemed in the conservation area appraisal to be amongst the key characteristics of the conservation area. The river corridor forms the Northern boundary here.
- 13.15 It borders other Conservation Areas to the west, and south. On the northeast side, beyond the City boundary, are the Bait's Bite and Fen Ditton Conservation Areas.

#### Fen Ditton Conservation Area (SCDC)

- 13.16 The historic core of Fen Ditton Village is set on rising ground to the east of the River Cam Valley. The principal historic building is the parish church of St Mary the Virgin (grade I listed). The conservation area appraisal, at para. 3.5 notes that the village has two distinct character areas.
- 13.17 At para. 3.2 the appraisal states that "The village has an unmistakably rural feel with its grass verges, large trees and its bucolic riverside setting. The riverside spaces are all open areas of grassland interspersed with very few buildings and some houseboats. This creates a very definite edge to the village and approaching from the west, the Church of St Mary the Virgin and the Old Rectory rise magnificently above the water meadows from behind a canopy of mature trees".
- 13.18 Fen Ditton is separated from Cambridge by the River Cam, Ditton Meadows and Stourbridge Common. The role of the river and setting is commented on at para. 5.4 which refers to the water meadows which lie between the village and the river which, combined with the surrounding fields, serve to visually separate the village from the city. Although modern development is visible on the edges of the common it is generally small in scale and the scale of the open landscape survives.
- 13.19 Vistas across the river (e.g. from the footpath running between Green End toward Bait's Bite Lock) towards the West are a feature noted on the appraisal map.

#### Bait's Bite Conservation Area (SCDC)



- 13.20 This conservation area butts the north end of Fen Ditton Conservation Area and is characterised by water meadows with drained and open fenland in agricultural use. It includes the river on its western side and the lock which is grade II listed.
- 13.21 Biggin Abbey is located on the eastern side of the conservation area. This grade II\* listed farmhouse of the late C14 - C17 is a surviving part of the residence of the Bishops of Ely and was once moated. It lies in a largely rural open landscape and consequently, this setting adds considerably to its character. This is appreciated in views from, for instance, the footpath between Horningsea Road and Baits Bite Lock.
- 13.22 The conservation areas adjoin to form a continuous chain from just south of Milton to the City centre. The river, public footpaths, towpaths and fields are very well used by runners, rowers, cyclists and walkers alike and the designation is recognition that the riverside meadowland spaces are an important component of the historic character of the city and its environs.

### **Impact on heritage assets**

- 13.23 The submitted Cultural Heritage Assessment concludes the proposals would result in non-significant adverse effects on two heritage assets, these being the Fen Ditton Conservation Area and the Riverside and Stourbridge Common Conservation Area. The report considers the mitigation measures are largely embedded, being the articulation in height and the sensitive use of materials and palette. The landscaping strategy is also considered in the assessment to soften the edges of the proposal development and, as it matures, its mitigation effects will become more effective. The impact and mitigation of the impact are discussed below.
- 13.24 The descriptions of the conservation areas above highlight the importance of the relationship between the river corridor, open space and views of meadows and fenland and views across these as components of the significance of the various heritage assets and their settings in the landscape.
- 13.25 Though the impacts affect a limited number of views or vistas from or around these assets, the components affected are of fundamental importance to their character. For this reason, the degree of change involved, even if limited, has the potential to be of significant impact on the perception of these heritage assets as sitting within a non-urban landscape.

- 13.26 The existing Novotel building and the office building under construction clearly demonstrate how such buildings intrude on the settings of the heritage assets. Both buildings are highly visible from various places within the adjacent conservation areas which are more than just glimpses through or over trees. These existing buildings, together with the views provided in the ES, demonstrate how the proposed development, due to its scale and massing, would form a further urbanising element via the intensification of the urban backdrop.
- 13.27 Buildings S6 and S7, on the eastern side of the site, have a maximum height of 22m. Although the buildings are articulated and there are some step downs in terms of height, when seen from a distance they still appear as a solid mass of building along the eastern edge. Any mitigation through the reduction in height on the eastern elevations and between the 'fingers' of the buildings would largely be lost due to the proposed buildings to the rear where the heights reach up to 30m. This is particularly apparent in View 06 (Green End) where the commercial and residential buildings to the rear would loom above S6 and S7. The scale and mass of the buildings is also apparent in Views 08 (Footpath 85/6 Fen Ditton), 09 (Field Lane byway) and 15 (Ditton Meadows) where again, attempts to mitigate the impact of buildings S6 and S7 through vertical changes in height are lost from a distance and overwhelmed by the proposed buildings to the rear. The visualisations are included in Appendix 12.4 of Volume 2 of the ES.
- 13.28 Landscaping on the buildings themselves and along the eastern boundary has been proposed in an attempt to mitigate the impact of the buildings themselves however it is not considered to be particularly effective in mitigating the visual impact of the buildings in longer views given the large scale of the buildings.
- 13.29 It is considered the buildings would constitute a permanent change to the visual quality of the heritage assets and would have a negative effect on the way in which they are experienced and appreciated. The proposals would generate increased visibility and presence of urbanising elements of development within the conservation areas and would affect the experience of their rural character. The intensification of development would affect the riverside setting which is a fundamental characteristic of the Conservation Areas and is sensitive to change. Therefore, additional negative impact ought to be assigned considerable weight.
- 13.30 The Council's Conservation Advisor, considers that the proposals result in more than a very minor detrimental alteration to the rural setting of the Fen Ditton and Riverside & Stourbridge Common Conservation Areas

which affects their significance because the appreciation of the relationship between these areas and the river corridor, open space and views of meadows and fenland is affected. Whilst this is considered to result in “less than substantial harm”, it is considered to be at a moderate level i.e. a higher level of harm than the “very lowest end of this scale” suggested with the application.

- 13.31 Historic England has advised that *“the scale and massing of the proposed development would result in profound changes to the wider setting of designated heritage assets, most notably the riverside conservation areas which we believe make a positive contribution to the visual quality and historic character of the city”*. Historic England note that although the applicant has acknowledged the development would have some impact on the historic environment, it considers the applicant has underplayed both the contribution that the riverside conservation areas make to the local distinctiveness and character of the city, and also the effect that the development would have upon that character.
- 13.32 Regarding Anglesey Abbey registered park and garden, Historic England have also noted that the view from the termination of Coronation Avenue has not been fully assessed. Concerns are raised that the wider panoramic vista from the end of Coronation Avenue may be interrupted by views of taller buildings and it has not been conclusively demonstrated that this is not the case, contrary to para, 194 of the NPPF.
- 13.33 The impact on the eastern edge of the site and the adjacent heritage assets due to the scale and massing of the proposed buildings and their visual impact has been discussed at length during pre-application discussions. Although the applicant has sought to mitigate the impact of development through articulation and reduction in heights to avoid a wall of development along the eastern edge, it is considered that these attempts are not sufficient to overcome the impacts.

## Conclusion

- 13.34 It is considered the applicant’s assessment of the impact on heritage assets has underplayed both the contribution that the riverside conservation areas make to the local distinctiveness and character of the city, and also the effect that the development would have upon that character. The proposals are considered to affect the rural setting of the Fen Ditton and Riverside & Stourbridge Common Conservation Areas which affects their significance as the appreciation of the relationship between these areas and the river corridor, open space and views of meadows and fenland is affected. Whilst this is considered to result in

“less than substantial harm”, it is considered to be at a moderate level i.e. a higher level of harm than the “very lowest end of this scale” suggested with the application.

- 13.35 In accordance with para. 202 of the NPPF the decision taker needs to reach a view as to whether the harms identified are outweighed by the benefits of the proposals. In this case, it is considered that the harm identified is not outweighed by the benefits of the scheme as set out in . section 25 of this report, the Planning Balance.

## Archaeology

- 13.36 The ES included an Archaeological Desk-Based Assessment which set out the lack of evidence of any archaeological remains within the Site however this doesn't necessarily correlate with a lack of activity on the site. It may be that the lack of evidence is down to a lack of observation during the construction of the railway and associated sidings and buildings. The Cambridgeshire County Historic Environment team advised that it had no objection or requirements, such as conditions, for the proposed development.
- 13.37 It is therefore considered that the proposed development will not have any adverse archaeological impacts, in accordance with policy NH/14 of the Local Plan.

## 14. Carbon reduction and sustainable design

- 14.1 The Councils' 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 as required by policy CC/1.
- 14.2 Policy CC/3 'Renewable and Low Carbon Energy', requires that Proposals for new dwellings and new non-residential buildings of 1,000m<sup>2</sup> or more will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies.
- 14.3 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 152 – 158 of the NPPF are relevant.

- 14.4 Policy HQ/1 part I sets out that development must mitigate and adapt to the impacts of climate change through location, form, orientation, materials, and the design of buildings and spaces.
- 14.5 The application was supported by a Sustainability Strategy and Energy Strategy. The Sustainability Strategy sets out that a number of measures are proposed to reduce operational emissions associated with the development, including seeking to utilise a number of passive measures to reduce energy demand including high levels of insulation, appropriate glazing ratios, avoiding the use of gas, and incorporation of solar photovoltaics, heat pumps, and mechanical ventilation and heat recovery systems.
- 14.6 A BREEAM pre-assessment has been included in the Sustainability Strategy which sets out that for the non-residential parts of the scheme, the scheme is targeting BREEAM 'Excellent' as a minimum with a baseline score of 84.42%, with an aspiration to achieve 'Outstanding' with a potential score of 94.77%.
- 14.7 The Energy Strategy provides further detail in relation to the full and outline elements of the scheme. This sets out that a reduction in regulated carbon emissions of 42% is predicted against the Part L 2013 baseline for the full application, and a reduction of 30-35% for the outline.
- 14.8 Water use of 110 litres per person per day will be targeted for the residential element of the proposed development through measures such as water efficient fittings and appliances, alongside a 40% reduction in water use against the industry standard baseline for non-residential uses.
- 14.9 In order to reduce the need for mechanical cooling it is proposed to use detailed dynamic modelling of the residential elements of the scheme in accordance with CIBSE TM59 assessment criteria.
- 14.10 The application was subject to formal consultation with the Council's Sustainability Officer who was supportive of several elements of the scheme, including the reduction in regulated emissions, water use, and aspiration to achieve BREEAM outstanding. Concerns were however raised in relation to some elements of the proposals. In particular, in order to minimise the overheating potential, residential units should be dual-aspect wherever possible to allow for cross ventilation and minimise the need for mechanical cooling. There were some apparent inconsistencies in the submitted information for example the Low Emissions Strategy and Sustainability strategy indicate different levels of electric vehicle charging

provision. It was also noted that although there is reference to targets such as London Emissions Transformation Initiative (LETI), no specific targets have been included. Clarification was sought on these points.

- 14.11 The amendment pack, submitted in October 2022, sought to address these concerns with the submission of addendums to the Sustainability Strategy, Energy Strategy and Low Emissions Strategy. The Council's Sustainability Officer was re-consulted and was generally supportive of the applications subject to conditions.
- 14.12 The Sustainability Strategy and Energy Strategy Addendums clarified the previous concerns as follows:
- The addendums set clear energy consumption targets for the scheme of 60 kWh/m<sup>2</sup>.year with an aspiration to reduce this to 55 kWh/m<sup>2</sup>.year. This approach, which is in keeping with the metrics used in the emerging North East Cambridge Area Action Plan (AAP). It should be noted that the targets, while in line with those for non-residential development in the emerging AAP, are still a way off the target set out in the AAP for residential development, where energy consumption of no more than 35 kWh/m<sup>2</sup>.year is sought. Accordingly, the Sustainability Officer recommended that the aspirational target be split into one for commercial floorspace, set at 55 kWh/m<sup>2</sup>.year and then a target for residential floorspace set at 35 kWh/m<sup>2</sup>.year.
  - Development of a Circular Economy Strategy for the scheme.
  - In terms of the WELL standard, the applicant has confirmed that a minimum WELL Gold standard would be achieved for all commercial floorspace.
  - In terms of overheating assessment, the applicant has agreed to undertake dynamic thermal modelling using the high emissions scenario.
  - Rainwater harvesting is to be installed to ensure that total irrigation demand will be met by non-potable water.
  - Clarification was provided on the energy approach for the Mobility Hub, which would be all-electric with no heating or cooling. LED lighting is to be utilised throughout and where ventilation is required, energy efficient systems will be used.
- 14.13 With regards to the issue of overheating, and being mindful of the commitment to undertake dynamic thermal modelling assessments for the residential units in order to achieve Part O compliance, clarity has now been provided on the number of single aspect units. 76% of units are dual aspect, with 24% single aspect. It is recognised that detailed work

on the design and layout of the apartments will take place as part of the reserved matters process, which will include design measures to reduce the level of overheating risk, informed by the detailed thermal modelling. Officers are concerned about the amount of single aspect units proposed and whether these will be capable of passing the Part O requirements without the need for some form of cooling.

- 14.14 The Council's Sustainability Officer has recommended that to ensure the proposals respond to the challenges faced by our changing climate and to safeguard the health and wellbeing of future residents, a condition stating that the maximum number of single aspect dwellings that will be considered acceptable based on the information available at the time of the outline application and include a reference to there being no single aspect north facing units as part of this condition, in line with the national model design code.
- 14.15 Whilst the Sustainability Officer's comments are noted, the parameter plans submitted are detailed in terms of development areas and closely match the illustrative floor plans provided in the DAS (pages 194-196). The illustrative floor plans indicate that a number of single aspect units would be north facing, particularly in block S17-21 and also block S11-12. For this reason, Officers are concerned that there will be little flexibility at Reserved Matters stage to meet the requirements of the suggested condition and therefore it is not considered appropriate mitigation.
- 14.16 Clarification was previously sought regarding the approach to electric vehicle charging due to inconsistencies across the submitted documents. The Low Emissions Strategy Addendum confirms that all residential and "each bay within the car parks associated with the commercial element" would benefit from EV charging provision. This clarification is welcomed.
- 14.17 The covering letter from the planning agent (dated 28 October 2022) also references provision to all basement spaces within the mobility hub (103 spaces), although this is not explicit in the Low Emissions Strategy Addendum. The remaining 622 remaining spaces in the mobility hub would not have any EV provision. As set out in the para. 2.2.6 of the Technical Notes "Response to Cambridgeshire County Council Highway Comments" there are 194 additional spaces in the mobility hub for "potential rail-related use". It is proposed that these spaces would be used by early tenants of the buildings proposed in this application for an undetermined period of time. It is therefore appropriate that these parking spaces are provided with the same level of EV charging provision as the rest of the commercial element of the scheme. It is also considered appropriate that all other remaining spaces within the mobility hub benefit

from passive charge point provision to enable easier upgrades to those spaces in the future.

## **Conclusion**

- 14.18 Most of the concerns raised by the Sustainability Officer can be adequately addressed through the use of suitably worded conditions.
- 14.19 However, without the applicant demonstrating that development can come forward with no single aspect north-facing apartments, there is conflict with Policy HQ1 (I) and paragraph 153 of the NPPF. It is not possible to address this conflict through the use of conditions.

## **15. Biodiversity and Trees**

- 15.1 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require 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 accords with Policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 15.2 Alongside Policy NH/14, Policy NH/6 'Green Infrastructure' encourages proposals which create new green infrastructure and enhance the public enjoyment of it. All new developments will be required to contribute towards the enhancement of the green infrastructure network within the district.
- 15.3 Policy SS/4 of the Local Plan states that all proposals should "Recognise the existing local nature reserve at Bramblefields, the protected hedgerow on the east side of Cowley Road which is a City Wildlife Site, the First Public Drain, which is a wildlife corridor, and other ecological features, and where development is proposed provide for appropriate ecological mitigation, compensation, and enhancement measures either on- or off-site".
- 15.4 Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment.
- 15.5 The site itself comprises of grasslands, ephemeral vegetation, tall ruderal, scrub, woodland areas, hardstanding, and bare ground. The site sits within the Impact Risk Zone of nearby statutory protected sites. These habitats support a number of protected species including plants, birds,



bats and invertebrates. As identified in the above policy, Bramblefields Local Nature Reserve is the closest statutory designation site for conservation value to the site, declared for its mosaic of habitats, and is located to the west of the guided busway. There are no non-statutory protected sites in the vicinity that are likely to be impacted directly by the application. Species data shows great crested newts and other amphibians, barn owl and other breeding birds, flowering plants, invertebrates, reptiles, bats, brown hare, badger, otter, water vole, and hedgehog have all been recorded locally.

- 15.6 The application was supported by an Ecology Survey Report, Ecological Design Strategy, Biodiversity Net Gain Report. The Environmental Statement Vol. 1 included a section on Ecology at Chapter 9. The ES, at para. 9.7, sets out the various site specific surveys that have been undertaken on the site to inform the ES.
- 15.7 In response to the initial round of public consultation, the Council's Ecology Officer advised that there was insufficient information submitted to determine the application. In particular, a fundamental issue was identified with the bat, reptile, and breeding bird surveys which have all been scoped out for further survey. All the maps and information provided within the methodology section concerning these species (section 2 of the report) and which was used as a basis for the scoping out of further surveys appears to be based on a smaller site (6.89 ha quoted in section 1.2.3 of the report) than the total application red line boundary (9.88 ha as shown in table 3.1 of the Biodiversity Net Gain Report). There is an area within the redline boundary to the northeast that appears to have not been surveyed either previously or recently for bat, reptile, or breeding bird species. A number of issues were also identified with the BNG Assessment identifying areas where there were anomalies and where further clarification was required.
- 15.8 The amendment pack, submitted in October 2022, sought to address these issues and provided an Updated Biodiversity Net Gain Assessment and an Ecology Survey Report Update 2022. The Ecology Officer reviewed the updated documents however is still of the opinion that there is insufficient information to determine the application, this is discussed in the sections below. The Ecology section of the ES, Chapter 9, was not updated as part of the amendment pack. Accordingly, the incorrect application site size of 6.89ha remains and the updated survey information has not been included or analysed.

## Ecology

- 15.9 The Ecology Survey Report Update 2022 included updated survey information for reptiles, breeding birds and bats.
- 15.10 In terms of breeding birds, the survey work found similar results to previous surveys although some additional species were recorded.
- 15.11 The reptile survey found no reptiles within the northern part of the site (which has previously not been surveyed).
- 15.12 The updated survey report has provided evidence that emergence surveys for bats are required on the structure identified as B1 within the report as it has medium suitability for bat roosting, with hibernation surveys set to take place over the winter period, and emergence surveys in early summer. In general, the site was shown to have low numbers of commuting and foraging bats and concludes that with the additional semi-natural habitat to be created there should be no overall impact to foraging and commuting bats. This will depend on what the lighting strategy is in these areas. If there is to be additional artificial light at night included within the site it could have a measurable impact to bats, including western barbastelle which was recorded by a static detector on a single occasion.
- 15.13 According to the red line plan and aerial photos, B1 appears to be within the site of the full planning application, in the area where the wild park is proposed, however, no plan of the surveyed buildings has been included within the Ecology Survey Report Update to confirm this. Therefore, the report should be amended to include the locations of the surveyed buildings and confirm if B1 is within the full application site.
- 15.14 The report states that two emergence surveys must be undertaken between May and August, and that hibernation surveys should be undertaken between December and February however no such surveys have been submitted in support of the application. All bat species are protected under schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended) and therefore the LPA must engage fully with them. Natural England guidance requires that LPAs should:
- make sure developers use a suitably qualified and licensed ecologist to carry out surveys at the right time of year using appropriate methods
  - not decide on planning applications until you have received all the necessary surveys.

- 15.15 The guidance goes on to say that LPAs should not usually attach planning conditions that ask for surveys.
- 15.16 For the application information to be sufficient the following would be required:
- Confirmation of the location of B1
  - Amend report to show locations of surveyed buildings.
  - Complete recommended surveys prior to determination of application if B1 is located within the full application site.
- 15.17 In addition to the above, it is also noted that the ES was not updated to take account of the updated surveys. Of particular concern are sections 4.4.13 to 4.4.20 which need to be updated to include the new bat survey information and provide an analysis of any new lighting that might be installed as this may have a measurable impact on bats regardless of the habitats created. This section should also include any roosting and licencing information once required surveys have been completed.
- 15.18 The updated bird surveys show that new bird species have been encountered therefore the analysis within the ES should be updated to take these species into account.
- 15.19 Natural England has commented that the new housing development is unlikely to deliver sufficient level of access high quality green infrastructure to both 1) meet the needs of new residents and 2) avoid adverse recreational pressure impacts to the existing ecological network including statutorily designated sites and locally important sites such as Milton Country Park and Bramblefields Local Nature Reserve. Further information is required to address this issue and should include provision of alternative strategic accessible natural greenspace to meet the needs of the residents without further adverse impact on sensitive sites. Whilst the proposal provides sufficient on site information open space (as discussed in section 19 below) it is not considered to meet the requirements of policy NH/6 in terms of green infrastructure.

### **Biodiversity Net Gain**

- 15.20 The Biodiversity Net Gain (BNG) Assessment (October 2022) referred to a small amount of off-site enhancement being proposed consisting of enhancements to the roof planting on the adjacent hotel (Novotel) and office (One Cambridge Square). This would add a further +1.34 units to the BNG calculation. However, further information from the applicant

advised that they are no longer relying on the off-site enhancement to the hotel and office as part of our BNG calculation or proposing this as part of the scheme proposals.

- 15.21 The BNG Assessment (October 2022) shows that a 66.79% habitat unit gain and 100% hedgerow unit gain is possible on site. The scheme therefore delivers well in excess of 10% BNG for the site. The BNG does rely heavily on the planting of 356 urban trees within the development, including 85 large trees, 112 medium trees, and 159 small trees. This does appear to be a feasible strategy; however, section 3.12 and 3.13 of the updated BNG Assessment includes several species of trees that do not match those that have been shown within the submitted Tree Strategy.
- 15.22 Clarification is required that the Biodiversity Net Gain Calculator (Urban Tree Helper) has been accurately populated based on the submitted Tree Strategy, and that (for example) 85 large trees are intended to be planted as part of that strategy. Given that the urban tree planting represents approximately half of the 66% net gain in biodiversity, and that the intention is to “bank” biodiversity units for future possible development this is a significant part of the plan and clarity is essential. As the landscaping falls within the full application site and is not a reserved matter within the outline application the LPA must be assured that the Biodiversity Net Gain Plan can be delivered.

### **Ecological Design Strategy**

- 15.23 The application is supported by an Ecological Design Strategy (EDS), issued 7 June 2022. The EDS seeks to outline the likely ecological impacts of the development and set out a strategy and design guide to provide suitable mitigation. The EDS includes an Open Mosaic Habitat (OMH) Phasing Plan which is said to show the site boundary. However, the full extent of the application boundary is not included in the plan, notably the residential element of the outline application is excluded (although it is referred to), this should be clarified.
- 15.24 Section 2.4.4 of the report outlines the conservation objectives and at bullet point 2 seeks to minimise the effects on existing population of protected and noteworthy species however bats are not included in this list and should be.
- 15.25 Habitat based mitigation is identified in section 3.2 however the tree species within this section do not match those that appear in the Tree Strategy. For example, there is no hawthorn, field maple, blackthorn,

willow (other than the pollard transplants), wych elm, rowan, or poplar listed within the Tree Strategy. There is only a single red oak species listed within the Tree Strategy, which is likely to be deemed unsuitable in this location.

- 15.26 The Protected Species Strategy at section 3.3 does not include any mention of bats in particular, how the lighting strategy will be designed to remove any measurable impact to the conservation status of commuting and foraging bats.
- 15.27 Enhancement measures are identified at 3.3.8 and 4.9 which include bat and bird boxes however no details are provided in terms of numbers. The Greater Cambridge Biodiversity Supplementary Planning Document (2022) and should have been included in this document.
- 15.28 Section 4.12.4 mentions that lighting will comply with BTC guidance and refers to details in Chapter 10 however Chapter 10 of the ES relates to flood risk assessment and drainage, not lighting. Appendix 13.2 provides the current baseline measurement, for example at the northeast corner (adjacent to the railway line) there is currently 0.3 Lux of light spill. It does not measure what the future luminescence will be, nor does it mention the BTC guidance, nor does it mention bats or the impacts on ecologically sensitive areas. Therefore, it appears that there has been no ecological input into this document, this is possibly because the bat surveys in the northeast area hadn't been undertaken when it was written.
- 15.29 The Ecology and Biodiversity Chapter doesn't quote the guidance EDS says it does, nor does it incorporate the surveys or analysis of the ecological data. The main area of concern would be the northeast section along the railway line where there doesn't appear to be any current lighting. Chapter 13.2 shows an access road along this section with new lighting that has the potential to impact commuting bats. The updated bat surveys submitted state that the activity at the east of the site was the highest recorded on site (overall low to moderate bat activity). However, the updated surveys only assess the loss of habitat not the introduction of lighting, resulting in a lack of information to assess the impacts.
- 15.30 The application has been subject to formal consultation with the Council's Ecology Officer, who has advised that there is insufficient information submitted to determine the application.
- 15.31 Section 4.16 Monitor and Remediation – monitoring must include that which is required by biodiversity net gain which will be for a period of 30 years. This section must be amended.

## Trees

- 15.32 A Tree Survey and Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan dated June 2022 was submitted with the application. The Council's Tree Officer has considered the submitted information and advised they have no objection to the application. The submitted tree Strategy is noted and is sufficient for the application however a detailed Tree Protection plan would be required should the application be approved.

## Conclusion

- 15.33 For the reasons set out above, there is currently insufficient ecological information to adequately assess the ecological impact of the application. In particular, all bat surveys must be completed if the building/structure B1 is within the full application site. The ES should be updated to take into account the new species of birds identified in the surveys. On the basis of the information submitted, Officers cannot be satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice. Furthermore, the proposal fails to provide or contribute to green infrastructure, contrary to policy NH/6.

## 16. Water management and flood risk

- 16.1 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 16.2 Policy CC/7 also specifies that all development proposals must demonstrate that there are adequate water supplies to serve the whole development, or an agreement with the relevant service provider to ensure the provision of the necessary infrastructure, in order to protect and enhance water quality. The policy specifies that the quality of ground, surface or water bodies will not be harmed and opportunities have been explored and taken for improvements to water quality.
- 16.3 Policy CC/8 'Sustainable Drainage Systems' requires that development incorporates sustainable drainage systems appropriate to the nature of the site, and CC/9 'Managing Flood Risk' requires development to minimise flood risk elsewhere, including limiting the discharge of surface water from the site to natural greenfield rates or lower.

- 16.4 Paragraph 174 (e) of the National Planning Policy Framework (NPPF), which recognises that the planning system should enhance the environment by preventing development from contributing to, or being put at unacceptable risk from, water pollution.

### **Surface Water Drainage**

- 16.5 The site is in Flood Zone 1 where there is a low probability of flooding from rivers, and as such the proposals are considered to pass the sequential test in accordance with national planning guidance. Environment Agency mapping indicates the site is generally at low or very low risk of surface water flooding. The nearest watercourse is the First Public Drain which is north-west of the site. This is an Awarded watercourse, maintained by the City and District Councils.
- 16.6 There are existing drainage networks which serve parts of the site and surrounding development. These discharge to the First Public Drain at an attenuated rate, including via a pumping station which discharges into an attenuation tank via a rising main.
- 16.7 The applicants submitted a Flood Risk Assessment and Drainage Strategy as an appendix to the Environmental Statement. This examines the risk of flooding from different sources, identifying the site is at low/very low risk of flooding from all sources, with the exception of groundwater flooding where the risk is considered to be medium.
- 16.8 The proposed surface water drainage strategy proposes to discharge water into the First Public Drain at an attenuated rate of 2 litres per second per hectare. A number of drainage features (SuDS) are proposed to reduce flows including green and brown roads, filter strips, swales, basins, and underground cellular storage crates. The storage volumes of SuDS features have been designed to accommodate a 1 in 100 year flood event, plus a 20% climate change allowance for non-residential uses and 40% climate change allowance for residential uses. Finished floor levels will be at least 150mm above surrounding ground levels to limit the potential of flooding in the event of an extreme flood event which exceeds the design criteria, or in case of a blockage.
- 16.9 To mitigate the risk of groundwater flooding, basements will be waterproofed and granular corridors will be provided underneath and around the basements to avoid impeding groundwater flows. SuDS features will be impermeable to prevent the ingress of groundwater.

- 16.10 As the predicted foul flows from the development exceed the capacity of the existing pumping station and rising main to the west, a new pumping station is proposed. The development will drain via gravity to this pumping station, with flows then conveyed via a rising main to the Anglian Water network in Cowley Road.
- 16.11 The surface water drainage system is proposed to be maintained in perpetuity by a management company, with the foul network offered for adoption by Anglian Water. Surface water drains serving the public highway will be offered for adoption by the Local Highways Authority.
- 16.12 The Local Lead Flood Authority objected to the proposals following the first public consultation period. Firstly, it commented that a climate change allowance, based on the lifetime of the development, needs to be included in the surface water management scheme for the 3.3% annual exceedance probability rainfall event. The LLPA also commented that the state of the drainage network downstream of the First Public Drain culvert is not known and it is unclear whether there is capacity to accept flows from the development.
- 16.13 The Council's Drainage Engineer also objected to the proposals. In relation to the First Public Drain they note that a condition survey of the downstream network is required at this stage to demonstrate that the discharge point is suitable, highlighting that previous investigations identified that repairs to the culvert may be required in places. Furthermore, proposals to amend the alignment of the First Public Drain where it passes under the development site introduces a number of 90 degree bends which will likely impact capacity, increase the risk of blockages, and increase the rate of degradation of the existing culvert.
- 16.14 The drainage engineer has noted that the climate change allowances should be for the lifetime of the development, which using a standard design life for the development means that higher climate change allowances based on the 2070 climate change period should be used. They have also echoed the LLFA in advising that the 3.3% annual exceedance event must be incorporated in the surface water drainage scheme.
- 16.15 In relation to SuDS the drainage engineer has advised that as this is a high density development, interception features such as green roofs and rain gardens should be used more widely to capture rainfall close to where it falls. The application also needs to demonstrate that water discharged into the drainage network will meet water quality requirements.



16.16 As part of the amendment pack submitted in October 2022, the applicant included a Flood Risk Assessment (FRA) Addendum. The Addendum includes:

- Increased surface water attenuation tank sizes and basin capacity. This is for all storage except that serving the residential units (catchment 2) to account for the increase in the climate change allowance from 30% to 35%.
- Rainwater Harvesting tank introduced taking water from the basin and circulating it back south for irrigation purposes. The tank is shown under the Temporary Logistics Area.
- Further SuDs features have been added in the form of Rain Gardens and Permeable Paving/Porous Asphalt surfaces
- The alignment of the First Public Drain Overflow culvert diversion has been amended to mitigate changes in flow direction. Hydraulic modelling data results are included to show the Site discharging to the First Public Drain Overflow in culvert surcharged conditions. A statement agreeing to future drainage survey of First Public Drain Overflow has been included.

16.17 The LLFA has responded to the amended FRA and maintains its objection in relation to climate change allowances, specifically it requires clarity on the climate change allowances utilised to be provided. It is noted that the commercial, retail and laboratory areas have only been accounted for a shorter lifetime than the surrounding residential areas, utilising a 20% climate change allowance on the 100 year storm. However, it is likely that these structures will be contributing to the impermeable areas for the lifetime of the development, either redeveloped or use of the buildings changed. Whilst it is acknowledged that the proposals include a sunken area for informal flooding, the proposed SuDS system on site should be designed to accommodate the lifetime that these areas will be impermeable and therefore contributing to the drained area.

16.18 The Council's Drainage Engineer also maintains their objection for the same reason as identified by the LLFA i.e. climate change allowance.

16.19 Anglian Water has advised that the site is in the catchment of the Cambridge Water Recycling Centre which currently does not have capacity to treat flows from the development site. However Anglian Water are obligated to accept flows from the development site and would therefore takes steps to ensure there is sufficient treatment capacity

should permission be granted. Anglian Water have recommended informatives relating to connections to the foul network.

## Water Resources

- 16.20 The Environment Agency classified the Cambridge Water operating area as an area of serious water stress. The current level of water abstraction from the chalk aquifer is believed to be unsustainable for the Greater Cambridge area, with potential to cause further environmental damage.
- 16.21 Cambridge Water has just published its draft Water Resources Management Plan 2024 (WRMP24) consultation on 24 February 2023.
- 16.22 The application was accompanied by a Water Resource Technical Note. This note refers to the Greater Cambridge Integrated Water Management Strategy which identifies that abstraction of water is currently likely to be unsustainable and needs to be reduced including through measures to reduce leakages and increase water efficiency for new developments. As set out above water use of 110 litres per person per day will be targeted for the residential element of the proposed development, alongside a 40% reduction in water use for non-residential uses against an industry standard baseline.
- 16.23 A Water Resources Addendum (dated 21 September 2022) was submitted with the amendment pack in October 2022 and includes additional references in relation to the proposed rainwater harvesting tank and to include updated plans in line with the FRA Addendum.
- 16.24 Natural England has noted the current water resource crisis and the challenges in identifying both long-term and interim solutions to enable sustainable development without further detriment to the natural environment. High water efficiency standards are required, and Natural England would expect the LPA to ensure the new housing development meets by the applicant's proposal for 110 litres per person per day.
- 16.25 The Environment Agency responded to the application on 7 November 2022 with advice on the potential risks developments in Greater Cambridge currently pose to the ecology of water bodies from potable water demands. A further letter was received on 27 February 2023 raising an objection to the application *"as it may, through the additional demand for potable water use, increase abstraction and risk deterioration to water bodies in the Greater Cambridge area. The planning application does not demonstrate that the potential impact on water resources and Water*

*Framework Directive objectives has been assessed and appropriate mitigation considered”.*

- 16.26 In addition to Policy CC/7 of the Local Plan and Para. 174(e) of the NPPF, under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, Regulation 33, public bodies must have regard to the relevant River Basin Management Plan (RBMP) in exercising their functions which affect a river basin district. The Anglian RBMP sets out the environmental objectives for the river basin district, including statutory objectives for water bodies and protected areas. It also includes a summary programme of measures required to achieve these objectives.
- 16.27 The upper River Cam and River Granta are examples of surface water catchments where river flows are failing to support Good Ecological Status/Potential and there is a risk of deterioration should abstraction increase above historic levels.
- 16.28 The Environment Agency advised that it issued licence capping guidance to all water companies in November 2021 to manage the risk of ecological deterioration and goes on to say *“The implication of this guidance is that licence caps will be required for some licences meaning that there is less licensed water available than that reflected in the Water Resource Management Plan 2019 (WRMP19) for Cambridge Water. Consequently, some of the growth included in local plans based on WRMP19 may be reliant on unsustainable sources of water, because the water used for growth risks causing environmental harm. Cambridge Water’s draft statutory Water Resources Management Plan 2024 (WRMP24) is soon to be published for consultation. Our review of the draft WRMP24 will allow us to assess if the required changes to licences have been included and sufficient water supplies are available for growth and the environment. We will maintain our objection until we have sufficient confidence in its ability to sustainably supply growth and prevent deterioration of water bodies, or the applicant demonstrates that the risks can be mitigated or removed, in the context of the evidence. We will make our views on the draft WRMP24 public when we have provided our representation to Defra. Our position is subject to change depending on the outcome of our review of the draft WRMP24. Should the draft WRMP24 demonstrate it can sustainably supply growth, we may be able to remove our objection.”*
- 16.29 The EA advises that the applicant needs to assess the potential risks to waterbodies from potable water demand both individually and in combination with other developments requiring water within the Cambridge Water resource zone. It should then identify mitigation measures to prevent the risk of ecological deterioration from water

demands. This should consider development phasing, water efficiency, water re-use and water offsetting. The assessment should be informed by the draft WRMP24.

- 16.30 Exercising their public duties under Regulation 33 of The Water Environment (WFD) Regulations 2017 both the Environment Agency and the LPA must have regard to the risk of deterioration and to ensure proposals have taken reasonable steps to assess and mitigate the deterioration risk, in order to comply with Regulation 33.

## Conclusion

- 16.31 Regarding flood risk, it is considered that the application provides insufficient clarity on the climate change allowances utilised to be provided. In particular, the commercial, retail and laboratory buildings have been accounted for a shorter lifetime than the surrounding residential areas, utilising a 20% climate change allowance on the 100 year storm. However, it is likely that these structures will be contributing to the impermeable areas for the lifetime of the development, either redeveloped or use of the buildings changed. As such the proposal is considered to not be in accordance with Local Plan policies CC/7, CC/8 and CC/9 and the NPPF.
- 16.32 Regarding water resources, there is potential for the application to harm the waterbodies from potable water demand. The recent response from the Environment Agency objects to the development on the basis that, with the Cambridge Water WRMP only recently published for consultation, and in the absence of evidence from the applicant, they consider the proposals may be reliant on unsustainable sources of water, because the water used for growth risks causing environmental harm. The Council is currently reviewing the WRMP to determine the baseline assumptions under which it has been prepared. The EA response to the WRMP is also outstanding. For that reason, it is not clear whether the impact of the development on water resources through water demand should give rise to an explicit reason for refusal of the application at this time. The potential harm to the water environment from the development is a material planning consideration that must form part of the planning balance struck by an inspector. Officers would therefore expect to explore further this specific matter with the Environment Agency and the applicant.

## **17. Highway safety and transport impacts**

- 17.1 Policy SS/4 of the Local Plan at 4.c. requires that all proposals should “ensure that appropriate access and linkages, including for pedestrians and cyclists, are planned for in a high quality and comprehensive manner”.
- 17.2 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 17.3 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 17.4 Policy TI/2 also requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan, including a Low Emissions Strategy Statement. Travel Plans must have measurable outputs related to the Local Transport Plan and include monitoring and enforcement arrangements. The policy allows for direct improvements and S106 contributions to address transport in the wider area including across the District boundary.
- 17.5 Para. 110 of the NPPF states that in assessing development proposals it should be ensured that appropriate opportunities to promote sustainable transport modes can be, or have been taken up; that safe and suitable access to the site can be achieved for all users; the design of streets, parking areas and other transport elements reflect current national guidance; and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. In paragraph 111 it states 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. Paragraph 112 then goes on to set out the priority for pedestrian and cycle movements and layouts and facilities which encourage public transport use. Paragraph 113 states that “all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be

supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed”.

- 17.6 Chapter 17 of the ES deals with Transport and includes, at Appendix 17.1, a Transport Assessment. A Framework Travel Plan is provided at appendix 17.2 and a Low Emission Strategy at Appendix 17.3.

### **NEC Transport Evidence Base**

- 17.7 The Ely-Cambridge Transport Study Preliminary Strategic Outline Business Case, which concluded in January 2018, specifically considered the NEC area and made a number of recommendations including:
- Providing a form and mix of development that enables access to many services and facilities by residents, workers and visitors to be made locally or without the need to travel by car.
  - Provision of significantly lower levels of car parking than has been traditionally provided, particularly for employment;
  - A policy of demand and parking management for developments in the area;
  - A move away from the traditional approach of predicting the level of unrestrained trip generation and then providing highway capacity mitigation to accommodate the predicted level of trip making; and
  - A move towards a vehicular trip budget for the A10 Corridor and NEC area which will help to control the number of vehicular trips accessing the sites
- 17.8 These recommendations were investigated further through work to provide a specific transport evidence base to support the AAP and the resulting report, titled North East Cambridge Area Action Plan Transport Evidence Base (“the TEB”), was prepared by Mott McDonald in September 2019.
- 17.9 The TEB refers to highway congestion issues around Milton Interchange and Milton Road in the peak hours and states that “it will be necessary for any further development to be delivered in a way that does not result in peak-period highway trip levels increasing above existing levels to the extent of creating a severe impact”. To ensure this, the TEB included a modelling exercise which established a vehicle trip budget for the NEC AAP area that it considered could take place without creating a severe impact on local highway conditions. The trip budget for the NEC area, to ensure no net increase on the baseline is: 3,900 two way trips in the AM peak hour and 3,000 two-way trips in the PM peak hour. The level of trips identified was similar to existing levels and therefore requires car driver

mode share to decrease in order for any development growth to be accommodated. Accordingly, it was recognised that to achieve the trip budget there would need to be significant investment in enhancing sustainable travel options.

- 17.10 Further work by the planning authority, LHA and various transport consultants, has sought to disaggregate the peak hour totals into development specific allocations. Although this has no formal planning status both the LHA and the applicant's transport consultants agreed to use these values to inform the TA.
- 17.11 The TEB also addresses car parking provision and includes a parking budget of no more than 4,185 'business-based' parking spaces should be provided to ensure the employment-based AM trip budget is not exceeded.
- 17.12 A Transport Position Statement was prepared in May 2020 (updated February 2022) which sets out an Approach to Planning Applications on the A10 Northern Corridor. This Statement also addresses car parking provision and refers to the 4,185 spaces identified in the TEB, but highlights that this is at an assumed 85% utilisation rate, therefore the total number of spaces across the NEC is 4,800.
- 17.13 The Transport Position Paper sets out a number of development principles to guide future applications and ensure that the piecemeal development of the area does not prejudice the future development of neighbouring sites or frustrate the delivery of the development aspirations for the wider NEC AAP area.

## **Access Arrangements**

- 17.14 Vehicular access to the site would be from the eastern extent of Cowley Road where an existing road has been constructed which serves Cambridge North Station, the Novotel hotel and the office building currently under construction at One Cambridge Square. Within the application this road is known as Milton Avenue. The carriageway of Milton Avenue will remain unchanged in the application however the footway/cycleway on the western side are proposed to be changed so that the cycleway is located closest to the carriageway. In addition, verges are proposed to accommodate disabled spaces and loading bays.

Proposed Cowley Road / Milton Avenue Junction

- 17.15 A new junction is proposed in the northern part of the site where Cowley Avenue turns south into Milton Avenue to replace the two junctions which currently exist. This provides a reconfigured access to the service road to the north serving the aggregate facility and railhead and a revised alignment of Cowley Road as it continues to towards the east. The Cowley Road arm to the east of the junction would provide access to the basement car parking in the buildings Three Station Road and One Chesterton Square. This road would also provide access to the retained Network Rail compound located on the eastern side of the site. A one-way eastbound street, Bramblefields Way, along the northern boundary of the residential site from the guided busway forms the western arm of the proposed junction.

#### Proposed Milton Avenue / The Link / Cowley Road East Junction

- 17.16 A new junction arrangement is proposed on Milton Avenue at The Link, the street between the two office buildings connecting Milton Avenue with the guided busway to incorporate an extended raised table designed to slow vehicle speeds and emphasises cycle and pedestrian priority across the minor arm. A new arm to the east of Milton Avenue is proposed north of the hotel providing access to the mobility hub and servicing to the rear of One and Three Station Row. The new junction arrangement also includes a crossing of the cycle route over Milton Avenue.

#### Pedestrian and Cyclist Access

- 17.17 An existing segregated footway/cycleway runs to the south of Cowley Road, separated from the road by the First Public Drain, providing access to Milton Road and accesses the site at the junction of Cowley Road and Milton Avenue. A footway is also provided along the northern side of Cowley Road between Milton Road and the existing industrial estate to the north west of the site. Within the site the segregated footway/cycleway continues along Milton Avenue to Cambridge Square to the south of the site.
- 17.18 The cycleway/footway is proposed to be switched from the current situation so that the cycleway is located close to the carriageway and will be a width of 3.5m. An existing footway along the eastern side of Milton Road, from Cambridge Square to the service road (the eastern arm of Cowley Road) is proposed to be retained.
- 17.19 There is an existing segregated footway/cycleway alongside the Guided Busway which provides access to the site from the west from Milton Road



and provides access to Discovery Way and Nuffield Close. The footway/cycleway continues along the western side of the site providing a connection with the footway/cycleway to Moss Bank to the south of the site. A footway is provided along the eastern side of the Guided Busway.

- 17.20 Station Row is a new segregated footway/cycleway running north to south between the proposed new buildings One and Three Station Road and Two Milton Avenue. The proposed cycleway would be 3.5m wide. It is intended that this will connect with future development phases to the north of the site, potentially providing for a direct route to link the site with the Waterbeach Greenway route to the north and the Chisholm trail to the south. Pedestrian connections are also proposed to provide for east to west movement between the proposed buildings and around the northern side of the residential block on Bramblefields Way.

### **Parking Provision**

- 17.21 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.
- 17.22 Local Plan policy TI/3 'Parking' advises car parking provision should be provided through a design-led approach in accordance with indicative standards. Cycle parking should be provided to at least the minimum standards. The policy requires that car parking provision takes into consideration the site location, type and mix of uses, car ownership levels, availability of local services, facilities and public transport, and highway and user safety issues, as well as ensuring appropriate parking for people with impaired mobility. It states that the Council will encourage innovative solutions to car parking, including shared spaces where the location and patterns of use permit, and incorporation of measures such as car clubs and electric charging points.
- 17.23 The supporting text for policy TI/3 advises that for residential purposes cycle parking should be within a covered, lockable enclosure and that for houses this could be in the form of a shed or garage, for flats either individual lockers or cycle stands within a lockable, covered enclosure are required. All cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.

### **Cycle Parking**

- 17.24 CamCycle responded to the first round of public consultation and objected to the proposals on the grounds that the proposal did not comply with Policy TI/2 of the Local Plan. The response from CamCycle set out an extensive list of issues setting out how and why the scheme was unacceptable.
- 17.25 The amended pack submitted in October 2022, included a detailed response to CamCycle's objections and addressed a number of the concerns raised through amendments to the submitted plans including. CamCycle was re-consulted on receipt of the amendment pack however no further response was received. The table below sets out the CamCycle's comments, the applicant's response and the LPA's comments on whether the issue has been addressed.

Item/issue	CamCycle's comment	Applicant's response	LPA comment
1 Milton Avenue cycle access	A clear route between the cycle track and the cycle entrance should be provided.	Minor amendment to the layout: A single planter has been re-orientated to allow a logical turn into S4/1 Milton Avenue cycle store entrance. Updated drawings submitted.	The updated drawings address this issue.
1-3 Station Row cycle access	The entrance to the building via cycle is at the rear which is the complete opposite side to the main cycle path on Station Row. This makes cycle access difficult because cyclists are required to go all the way round the building to enter which is unnecessary and does not promote cycling.	The access to the basement cycle parking provision has been re-located to the Station Row frontage of no's 1 and 3. The surface level non-standard parking is served by a separate access to seek to address Camcycle's point about the risk of it being used first by standard bikes. These areas would be clearly signed for the use of larger and non-standard cycles. Updated drawings submitted.	The updated drawings address this issue.

Visitor cycle parking location	Page 285 of the design and access statement shows the visitor parking far away from the entrance to the buildings of 1 and 3 Station Row. There should be visitor parking available at the entrance to the building for better access	Cycle parking in front of building is limited due to proximity of cycle lane. Minor amendment: visitor cycle parking has been added to Chesterton Square to improve access. Updated drawing submitted and a Cycle Strategy drawing has been added to show distances.	Cycle Strategy (East) includes visitor parking in various locations around and adjacent to the buildings. Some are a short distance from the main entrance, 13-24m, with the longest distance to the main entrance being 47m. It is considered this provision is acceptable.
Visitor cycle parking location	There is no note as to what specifications the visitor cycle parking will be and whether there will be parking for large cycles such as cargo bikes	For clarity, a Cycle Strategy drawing has been added to show Cargo and recumbent cycle stands. Cycle Strategy East and West submitted.	Cycle Strategy (East) includes Sheffield and oversize Sheffield stand in locations around the buildings for visitors.
Cycle lifts	Either an accessible ramp (1/20) should be provided down to the basement or an accessible bike lift must be provided alongside the shallow stairs that can cater for a number and range of different bikes	It is proposed to provide an automated wheel ramp alongside the stairs to facilitate access to the basement cycle parking for all users.	Although not an ideal solution, an automated wheel ramp would make accessing the basement with a bike less cumbersome and is considered to be an acceptable solution.
S8 and S9	The indicated floor plans show an unsatisfactory layout, where the steps to the cycle parking is poorly located and the racking locations would create poor circulation in the basement.	The floor plans are outline only at this stage however, options to address comments raised have been considered. This will be picked up in detailed design and refined further however, there is space within the basement to off some future flexibility on the arrangements.	This issue would be addressed at Reserved Matters stage.

Accessible and oversized cycle parking spaces	Parking on the ground floor needs to be designed to protect its intended users. The layout should be improved to clearly direct most cyclists down to the basement cycle parking to reduce the likelihood of the accessible spaces being used by others; if all cyclists must pass directly through the accessible and oversized parking, unfortunately these spaces will be taken up.	The layout in S4 has been re-organised so that the route to the basement does not pass directly 'through' the accessible parking. In addition, clear signage will be added to the new walls and suitable management of the spaces put in place to ensure adequate segregation. Amended drawing submitted.	The revised layout addresses the issue.
Proportion of Double-stacked spaces	65% of proposed cycle parking is provided by two-tier systems. The Cambridge cycle parking guide states that two-tier parking should be seen as a part solution only and on constrained sites as they are hard to use and there is a risk of hitting your head on the upper racks. As a new development we do not consider this site overly constrained. We propose that no more than 20% of cycle parking is provided by two-tier systems.	The proposed provision is in line with provision accepted elsewhere and has been accepted as appropriate for this location by the County Council in their response to this application.	This issue has not been addressed. The amount of two-tier parking proposed is excessive within a new development and has not been justified. It is considered that the amount of two tier cycle parking undermines the need to promote active travel by potentially discouraging users.
Mobility hub	The additional 194 car parking spaces for rail use were requested by the rail industry but are not supported.	The mobility hub offers flexibility to be re-purposed. The Design and Access Statement includes plans showing how	This matter is considered in more detail in section 17.35 of this report.

		<p>the structure has been designed to enable re-purposing in the future to accommodate increased cycle parking, retail space and residential uses. Please refer to the Design and Access Statement chapter 7.3 Mobility hub, pages 292 – 295. In the meantime, it is proposed that the mobility hub will accommodate car club provision and micro-mobility hire options</p>	
<p>Bus-way use by general traffic</p>	<p>Allowing private vehicles on the busway will negatively affect the public transport provision and should not be allowed</p>	<p>Chesterton Way is a private estate road that connects to the guided busway and is used by bus services to connect to the stops at Cambridge North Station. Access to the residential quarter is provided from Chesterton Way however, due to the limited car parking proposed, vehicle trips would be expected to be at a low level. To seek to enforce this, signage referring to residents only access could be installed. The masterplan proposals include traffic calming measures along this section of road to slow vehicles speeds. It is considered that these measures will make Milton Avenue a more attractive route for</p>	<p>Although increasing the number of private vehicles on the busway in this location is not ideal, the busway is privately owned therefore beyond the control of the County Council and the LPA.</p> <p>The applicant has made some improvements in this location to reduce potential conflict between different users.</p>

		<p>most vehicles circulating within the site. Dedicated bays for deliveries are proposed to avoid vehicles parking and obstructing traffic (including buses). Consequently, it is considered unlikely that there would be any delay to buses resulting from other traffic on this section of estate road.</p>	
Residential cycle parking	<p>Bike Store accesses are often shown within the courtyard when the cycle track is running alongside the outside of the courtyard. Entrances to cycle parking should be directly off the cycle routes. No detail is provided as to the location of the bike storage within the building.</p>	<p>Please refer to Design and Access Statement, chapter 6, page 206 for a marked up plan indicating bike store accesses.</p>	<p>Parameter Plan 08 Access Plan fixes the location of cyclist building access points for all buildings proposed, including the outline residential buildings. Provision is made within the Chesterton Gardens and from the cycle routes however there is no access to the residential buildings S17-21 or S11-12 or building S8 from the cycle way on Milton Avenue.</p>
Chesterton Way width	<p>Significant additional cycle flows onto the shared surface along Chesterton Way will create additional conflicts, a review of the proposed flows must be undertaken, and additional widening considered.</p>	<p>The masterplan has been amended to include a segregated route within the site. Brookgate is supportive of improvement along full length of busway which could undertaken with some of the development's S106 contribution.</p>	<p>On entering the site at the north western corner, adjacent to the busway, the path expands to a width of 5.5m to provide a segregated route within the site. However, the conflict identified by CamCycle will remain beyond the site boundary where no</p>

		Amended drawing submitted.	increased width or segregated route is provided.
Cowley Rd North	Cowley Road North provides inconsistent pedestrian provision on the southern side of the Road and creates priority to basement entrances and not to the primary north-south walking and cycling route.	Zebra marking have been added at crossing and also at basement accesses. Updated drawings submitted.	The updated drawings have addressed this issue.
Station Row	The 3-metre wide bi-directional cycle track on Station Road is probably insufficient for bi-directional use.	Guidance set out in LTN 1/20 suggests that 3m is the desirable minimum width for cycle routes with a peak hour flow of 300-1000. The proposed arrangement is therefore considered suitable	Station Row is a secondary cycle route within the site and its width is in line with LTN 1/20 guidance and is therefore considered acceptable.
Off-site infrastructure	The cycle routes that surround the site are congested...at Cambridge Regional College cyclists and pedestrians often get stuck because of the lack of path width. The Jane Coston Bridge...is already heavily congested with both cyclists and pedestrians.	These have not been identified as issues by Cambridgeshire County Council in our discussions with them. However, a contribution towards addressing these could be considered as part of the overall Section 106 package.	This is part of the wider transport issue discussed in sections 17.52-17.63 and 24 of this report.
Wider connectivity	Lack of footpath down the majority of Cowley Road. The shared path that runs parallel with the road has no crossing, meaning pedestrians are forced to walk on the verges to access Cambridge	Brookgate is supportive of the principle of delivering improvements to Cowley Road, and consider that there is a package of safety based improvements that could be delivered	This is part of the wider transport issue discussed in sections sections 17.52 - 17.63 and 24 of this report.

	Commercial Park...to access the driving range on foot pedestrians also must walk on the verges due to a lack of footpath...another bridge over the brook and onto the share use footpath that runs parallel to the road is required.	as part of the overall Section 106 package. A Section 106 contribution was made by Brookgate in connection with the One Cambridge Square office building under construction for the delivery of two bridge crossings of First Public Drain that runs parallel to Cowley Road on the southern side. From discussions with the County Council we understand that it is progressing with developing these proposals.	
More bus services	A further issue with the development plans is that there is a lack of planning regarding bus services that go to Cambridge North. There are no plans in place to add any further bus services on any routes.	Discussions regarding the package of Section 106 measures continue to progress with the LPA and LHA. Measures such as this will be considered within these discussions as part of an overall Section 106 package covering a range of transport elements, alongside other measures.	This is part of the wider transport issue discussed in sections 17.52-17.63 and 24 of this report.
Treatment of cycle route crossings	Suggestion to include zebra crossing markings at pedestrian crossings of cycle routes within the site as a recognisable feature that is widely understood.	The landscape masterplan has been amended to include zebra crossing markings at crossing points.	This issue has been addressed.
Bramblefields Way Cycle Contraflow	Camcycle requested that cycle contra-flow be accommodated	Amendments to the arrangement at the southern end of	Whilst a contra flow has not been included some improvements



	along Bramblefields Way.	Bramblefields Way have been made to provide a shared foot/cycleway on the southern side of the junction to connect with the crossing point of Chesterton Way. This would remove the conflict between cyclists and vehicles at the junction and is considered to offer a safer option. Speed tables have also been added along the link to maintain low vehicle speeds. This arrangement would be supported by signage and markings to reinforce the contra-flow arrangement.	have been made in the updated drawings to better provide for cyclists at the southern end of Bramblefields Way. In addition, Bramblefields Way is not considered a key cycle route, accordingly the lack of contraflow is considered to be acceptable.
Creche drop-off arrangements	Suggestion from Camcycle to increase the level of parking for non-standard cycles around the creche to facilitate drop-off and to re-position the vehicular drop-off bay to increase space for pedestrians and cyclists accessing the creche.	The creche drop-off bay has been re-positioned to the north, on the end of the parking bays. This removes the pinch point to the north of the creche. Further parking for non-standard cycles has been included adjacent to the creche.	This issue has been addressed in the updated drawings.

Table 7: Issues raised by CamCycle and how the issue has been addressed

- 17.26 As set out above, many of the issues raised by CamCycle were addressed by the applicant in the amendment pack. However, there are a number of issues that have not been addressed which are of concern. The high ratio of two tier parking spaces is an issue that remains a concern. The lack of off-site provision connecting with the site is also an issue and will potential create conflict with the increased number of cyclists and pedestrians. Although it is noted by the applicant that the County Council did not raise an issue with this element of the proposal,

Policy HQ/1 i of the Local Plan requires developments to “*provide safe, secure, convenient and accessible provision for cycle parking*”, this is essential to encourage its use and achieve the significant reduction in car use required in NEC. Although there is good provision within the site for larger bikes, such as cargo bikes, not all users of regular cycles are able (or willing) to use the two tier parking due to it not being convenient or accessible.

- 17.27 Accordingly, the proposal fails to comply with policy HQ/1 i of the Local Plan. The lack of connectivity and provision beyond the site will likely create conflict for users, contrary to Policy SS/4 4c which required developments to “*Ensure that appropriate access and linkages, including for pedestrians and cyclists, are planned for in a high quality and comprehensive manner*”.

### **Car parking**

- 17.28 TI/3 sets out the car parking provision for development. It requires 2 spaces per dwelling – 1 space to be allocated within the curtilage. The supporting text to the policy advises that the Council will encourage innovative solutions such as shared parking areas, for example where there are a mix of day and night uses, car clubs and provision of electric charging points and that a developer must provide clear justification for the level and type of parking proposed and will need to demonstrate they have addressed highway safety issues.
- 17.29 The Local Plan at Figure 11: Parking Provision sets out indicative parking provision for B1 uses as 1 space per 30sqm for development over 2,500sqm.
- 17.30 The NECAAP TEB report and subsequent Transport Position Statement (May 2020 revised February 2022) propose an overall car parking budget for the NEC area with 873 spaces apportioned to this site. The County Council has confirmed that the Novotel hotel and One Cambridge Square office building fall outside this budget as both were consented schemes at the time the NEC AAP TEB was prepared. The applicant has accepted the above parking budget for the site.

### **Commercial parking provision**

- 17.31 The proposed mobility hub would accommodate 725 car parking spaces, 622 of these are proposed for rail users. The 622 spaces include re-providing 428 spaces from the existing surface car park plus a further 194

spaces for future growth. The remaining 103 spaces would be provided within the basement level of the mobility hub, 20 of which would be re-providing the existing hotel spaces with the remaining 83 for the use of the commercial development.

- 17.32 Further car parking is provided primarily at basement levels of the commercial buildings (including some disabled parking provision) with some additional disabled car parking provision at surface level. For clarity, all parking provision for the commercial element of the proposed development is included in the table below.

<b>Car park location</b>	<b>Number of spaces</b>
One Milton Avenue basement	60 (including 1 disabled space)
One Milton Avenue on street disabled provision	3
One Station Row basement	60 (including 3 disabled spaces)
Three Station Row basement	60 (including 1 disabled space)
Three Station Row on street disabled provision	4
One Chesterton Square / Two Milton Avenue basement	141 (including 3 disabled spaces)
One Chesterton Square / Two Milton Avenue on street disabled provision	6
Mobility hub	725
<b>Total</b>	<b>1,059</b>

Table 8: Commercial car parking provision

- 17.33 The proposed car parking provision equates to a rate of 1 space per 175 sqm of floor space (above ground GIA) which is ambitious and considerably less than the provision set out in policy T1/3.

- 17.34 The 428 Network Rail spaces that are currently provided would be provided throughout the construction period of the proposed development in a temporary surface parking area on the Triangle Site.
- 17.35 No evidence has been provided to justify the need for the additional 194 rail related spaces. The submitted documents state they are being provided at the request of Network Rail but with no details setting out why additional spaces are required and how this number was arrived at. Prior to the pandemic the car park was not used at full capacity and observations from visiting the site over the few months has also shown it to be used well below capacity. Accordingly, the additional spaces have not been justified. However, the applicant has sought to address this in the application through making provision for the commercial uses to make use of these spaces in the intervening period, this would be secured through the S106 agreement. Whilst this runs counter to the low car parking provision for the commercial element of the proposal, it is noted that the use of these spaces by the commercial uses does not impact on the trip budget and no objection has been raised by the County's Transport Assessment Team. On that basis, it is considered that there is no reason to object to these spaces being provided.

#### Residential parking provision

- 17.36 It is proposed that the residential element of the scheme effectively operates as a car free development, with only 22 spaces available for residents of the 425 dwellings. Some disabled parking provision is made on the site, discussed in the section below.

#### Accessible parking provision

- 17.37 The application is supported by an Accessibility Statement dated June 2022 which sets out the car parking provision for disabled badge holders.
- 17.38 Six accessible disabled badge holder car parking spaces are provided for the residential quarter and are located within 50 metres of the building they serve.
- 17.39 Basement car parking within the commercial buildings is provided as follows:
- Building S4 – 60 bays proposed including 1 disabled badge holder bay;
  - Buildings S8 and S9 – 141 spaces including 3 disabled badge holder bays;

- Buildings S6 and S7 – 120 bays proposed including 4 disabled badge holder bays.

17.40 On-street disabled badge holder parking for the commercial element of the scheme is provided as follows:

- 3 bays on Milton Avenue within 50m of Building S4 main entrance;
- 3 bays on Milton Avenue within 50 of Building S8 main entrance;
- 3 bays on Milton Avenue within 50m of Building S9;
- 4 bays on Cowley Road North, one bay within 50m and remaining bays within 60m.

17.41 Within the mobility hub, 725 spaces are proposed as follows:

- 83 spaces for the commercial development;
- 20 spaces for the existing hotel;
- 622 spaces for rail passenger use including 10 disabled badge holder spaces.

17.42 A total of 21 of disabled bays are provided which exceeds the minimum requirement of 5% recommended in Inclusive Mobility (December 2021). The parking bays are, in most cases, located within 50m of building entrances. However, the use of the additional 194 rail spaces raises the issue of additional disabled badge holder spaces potentially being required. The 622 rail spaces are provided with 10 disabled badge holder spaces, 1.6% of spaces, however it is noted that 24 existing disabled badge holder spaces are provided off-site within 50m of the hotel and rail station entrances. Overall, it is considered that sufficient disabled badge holder spaces are provided for within the proposals.

17.43 The Council's Access Officer has raised concerns in relation to the parking provision and these are addressed in the table below:

Access Officer's comment	Applicant's Response	LPA's response
They are proposing 1081 parking spaces, therefore there needs to be 54 blue badge spaces spread across the site. Parking elsewhere does not affect this.	The proposed commercial uses include a total of 611 car parking spaces and 31 disabled car parking spaces (5%). The remaining car parking within the mobility hub comprises 448 spaces for use by the rail industry and hotel, the corresponding disabled car parking provision is already	The existing disabled badge holder spaces in off site are existing provision for the hotel and rail station with an additional 10 spaces provided in the Mobility Hub. The combined provision is accordance with the minimum of 5%

	in situ in Cambridge Square (24 spaces bringing, equivalent to 5% provision). The residential car parking provision (22 spaces) would be leased and available for disabled residents.	provision and is considered acceptable.
There needs to be short stay visitor parking spread throughout site, disabled people often rely on visits from health professionals, services, shopping, et cetera and long-term visitor parking tends to all be used	Parking is proposed around the perimeter of the residential quarter. Table 4.4 of the submitted Transport Assessment sets out that any bays not leased would be available for visitor use.	There is limited provision within the residential development for short term parking.
The blue badge parking shown within the commercial development is in completely the wrong places. Blue badge parking needs to be as close to lift cores as possible and the routes to them not have conflict with vehicular traffic.	The disabled parking bay within the basement of S4 is adjacent to the core. The arrangement of the parking bays in the basement space of S6 and S7 has been re-configured to relocate the two bays that were shown not adjacent to the cores to address this comment. Please see Make drawing 1818-MAKE S06-PA1949 which shows the revised arrangement.	The revised arrangement is acceptable.
In the S4 and S6 buildings there does not seem to be the correct blue badge parking.	S4 proposes three on-street spaces on Milton Avenue and one space in the basement (6% provision). Disabled car parking for S6 (three spaces equivalent to 5%) would be accommodated within the basement.	The provision is acceptable.

Table 9: Response to Access Officer's transport related comments

- 17.44 The Accessibility Statement confirms that accessible cycle parking is provided for on the site and will be designed in accordance with LTN1/20 and the guidance in 'Cycle Parking Guide for new residential development'. Ground floor and accessible cycle facilities are provided within the commercial buildings. Ground floor cycle parking is also proposed within the residential buildings.

## Trip Generation and Capacity

- 17.45 The trip budget identified in the TEB has been apportioned for each development site within the NEC area. This has been done by the NEC Transport Task and Finish Group comprising a group of transport consultants working on behalf of developers within NEC together with representatives from the LPA, LHA and National Highways. The trip budget for the AM and PM peak hours for the site is set out in the table below:

Peak hour	Arrivals	Departures	Two-Way
AM Peak (08:00 - 09:00)	214	142	356
PM Peak (17:00 - 18:00)	92	182	274

Table 10: Trip budget for Cambridge North site

## Assessment Methodology

- 17.46 There is a strong correlation between vehicle trip generation and car parking provision associated with the proposed land uses. Car parking provision formed the basis of the assessment of the vehicle trip generation, with the number of arrivals and departures being informed by previously published data sources on parking accumulation.
- 17.47 The approach taken to the vehicle trip generation for the site is taken from the amount of available car parking on the site. The office trip generation profile is taken from the TEB. The laboratory trip profile is taken from the University of Cambridge Department for Material Sciences and Metallurgy trip profile, with a sensitivity test based on Peterhouse Technology Park (as set out in section 5.7 of the TA). The assessment assumes that the car parking is 2.5% full at 0700 with a peak occupancy of 85% of the parking. This is as per the NEC Transport Evidence Base Report assumptions, accordingly the County's Transport Assessment Team agrees with these assumptions.
- 17.48 The ground floor uses around the site are assumed to support the wider office and residential developments or the local area, and no allowance of trip generation for these sites has been made. The trip generation for the dwellings has been taken from the Transport Evidence Base and the mode shares from adjusted census data. The residential development is essentially a car free development, with the exception of blue badge

spaces, and so there are very few forecast car trips to and from the development. These approaches to the methodology are agreed by the County's Transport Assessment Team.

- 17.49 Applying the above methodology and the additional car parking (a total of 611 spaces for commercial uses) the trip generation is proposed to be 171 arrivals in the AM peak with 18 departures, and 174 departures in the PM peak with 21 arrivals. This is within the trip budget for this site. However, it is noted that when the slightly higher trip rates are applied for the lab sensitivity test this shows that the trip budget is very slightly exceeded in the AM peak arrivals and PM peak departures.

#### Mode Shift

- 17.50 The trip budget addresses vehicle trips generated by the proposed development. The TA has also assessed the multi-modal impact of the proposals to understand the number of trips generated by other modes of transport. The TA assumes that 19% of trips will be by train, 8% are walk or run and 25% of trips are by cycle. The applicant also assumes that 55% of those living in the area will work in Cambridge City, 34% within South Cambridgeshire and only 10% working further afield. All of these trips will be by non-car modes as there is no car parking provided for these dwellings accordingly the mode share is projected as 48% to cycle, 23% by bus, 15% by train and 12% on foot.
- 17.51 Table 5.8 on page 58 of the TA provides a comparison of the total forecast vehicle trip generation against the proportion of the draft NEC AAP vehicle trip budget assigned to the Cambridge North site. It shows that the proposals are forecast to operate within the trip budget with allocated.

#### Transport impacts

- 17.52 The principle behind the vehicle trip budget, as stated in the TEB, is that “the maximum level of external vehicular peak-hour development trips in a future full build out year which would not result in a deterioration in the performance of the surrounding highways networks over existing levels”.
- 17.53 Following a holding objection from National Highways and an objection from the Transport Assessment Team at the County Council, further information was submitted in the amendment pack which included a Technical Note by PJA, dated October 2022, entitled ‘Response to Cambridgeshire County Council Highway Comments’. Further to this, discussions have been held regarding the use of a monitor and manage



approach, the purpose of which would be to monitor the vehicle trips to and from the development, to ensure that both are within the vehicle trip budget.

- 17.54 National Highways has now removed its holding objection as it supports the principle of the monitor and manage approach as a way of mitigating potential impacts. National Highways has sought that the monitoring strategy also includes vehicles travelling through the Milton Road/A14 interchange and that queue lengths are monitored on the off slips, as well as a potential contribution being required for mitigation at the junction should this be required. If there is an exceedance identified through the monitoring, then it is agreed that a working group would be set up to discuss this, and ascertain what measures could be implemented to reduce the vehicle trips.
- 17.55 The TA submitted, demonstrates that the trip budget can be achieved in this development proposal. However, it is entirely dependent on the mode shift identified to ensure vehicle trips are minimised. The site is within a highly accessible location and benefits from:
- The location adjacent to the Cambridge North rail station;
  - Proximity to the Cambridge North bus interchange, served by the guided busway and other bus routes; and
  - Is connected to active travel modes including the busway cycleway and the Chisholm trail.
- 17.56 In advocating a trip budget approach, applicant is required to demonstrate how they will comply with a site's vehicle trip budget allocation. Notwithstanding the existing provision, the expectation is that developers will achieve their trip budget through encouraging internalisation of trips and enabling significant public transport investment alongside delivery of measures to enable a shift to sustainable modes of transport, alongside other measures to deter car use. The TEB sets out that in order to increase the number of pedestrian, cycle and public transport trips to the site additional infrastructure is required. This is because there are some considerable barriers to movement which present severance and reduce accessibility to surrounding areas, employment hubs and local amenities. These barriers include the A14, the railway line, Milton Road and the guided busway.
- 17.57 An Infrastructure Delivery Plan has been prepared for NEC in support of the APP. This establishes the infrastructure needed to support the indicative development mix, and capacities set out in the emerging AAP, based on that identified in the TEB. Failure to secure equitable on-site

and off-site provision (i.e. through in-kind or financial contribution) on early development proposals within NEC will see the burden of infrastructure needs being carried by fewer later developments. This will impact their development viability and put at risk the future sustainable development of the wider NEC area.

- 17.58 Appendix 1 of the proposed submission AAP notes that the total floor area for the NEC AAP is planned to be 188,500sqm, with 23,500sqm within the Chesterton sidings area of this application location. This application is on a part of the Chesterton sidings area and is for 65,000sqm, or approximately 34% of the total planned development of office and lab within the whole AAP area. In considering potential mitigation, the County Council considers that whilst the Infrastructure Development Plan (IDP) is a useful guide as to the level of investment into transport infrastructure that is required to enable the AAP and any additional development over and above this to come forward its key limitation is that it is focused on the infrastructure detailed in the TEB.
- 17.59 The analysis by the applicant on the population growth in the surrounding area, and the ability for future employees in the City and South Cambridgeshire districts to switch from car driving to bus and cycling highlights that the very low car drive mode share is possible in this area. However, The County Council considers that this development is dependent on transport infrastructure outside of what is set out in the submitted draft Heads of Terms to come forward, to enable employees from the wider area to use the bus and cycle to and from the site.
- 17.60 The Greater Cambridge Partnership's ("the GCP") investment programme is oversubscribed, and with the rapid increase in construction costs, it currently highlights that there is a risk to its delivery programme. This therefore presents a risk to the NEC AAP area, as without the GCP transport infrastructure, it may not be possible to keep within the trip budget if development continues over and above the projected amount in the AAP. It is therefore imperative that sufficient developer funding is not only secured to allow the core AAP interventions to be delivered, but also allows for the increased requirements of a higher development quantum.
- 17.61 In summary, it is recognised by the County Council that if the IDP contribution sought cannot be secured, then it would compromise the wider comprehensive development of the area as sought through the Local Plan. The failure to secure sufficient funding through developer contributions will not allow sufficient transport intervention to be implemented such that the traffic impact for the area as whole can be mitigated.

- 17.62 There is significant uncertainty that the transport mitigation measures identified in the IDP can be delivered, as the measures are, for the most part unfunded, and the applicant's obligation would be a contribution towards the measures. Other measures are reliant on other development within NEC going ahead and that is uncertain until such time as the DCO is approved. The outcome of the DCO will not be known until the middle of 2024. The mitigation identified by the County Council as being necessary to make the development acceptable in transport planning terms cannot, at this time, be guaranteed, accordingly the development cannot be supported.
- 17.63 It is considered that the proposed development, in the absence of wider mitigation, does not provide the high quality and comprehensive transport solution sought in Policy SS/4 4c for the NEC area. Instead, the proposal results in piecemeal development which if brought forward, would compromise the future development of the wider NEC area through its lack of transport mitigation to enhance sustainable forms of travel. Whilst the development itself has been designed to reduce the need to travel by car it does not maximise opportunities sustainable travel to increase the mode shift to meet the reduction in car travel in this highly congested area. There is no agreement for the applicant to contribute towards the internal, local and strategic measures identified by the Local Highway Authority as being necessary to mitigate the impact of the development, as set out in Table 13 of this report in Section 22, the proposals do not provide the high quality and comprehensive transport solution sought in Policy SS/4. Accordingly, the proposal is contrary to the objectives of policies SS/4 and TI/2 of the Local Plan.

### Road Safety Audit (RSA) Stage 1

- 17.64 The applicant submitted a RSA Stage 1 to the County Council in its role as Local Highway Authority. The RSA Stage 1 has been completed and the LHA advised that there are no fundamental issues identified. There is one area of concern identified and this is the *“vehicle tracking details have not been provided for the proposed layout. A vehicle exiting the aggregates access road onto the Network Rail compound access road may block the path of an oncoming vehicle turning left from Cowley Road”*. The County Council's Principal Development Manager Engineer has advised that to mitigate this the submitted drawings are caveated that the works should broadly comply with the layouts as shown, subject to detailed design. It is considered this could be dealt with by way of an appropriately worded condition.

## Conclusion

- 17.65 The site is within a highly accessible location with access to bus, rail and active travel modes. The application seeks to support this through providing low levels of car parking across the development, at considerably lower levels than set out in policy. Car parking for the commercial buildings is provided for within basements with accessible parking bays generally provided at street level and the provision is considered acceptable. Residential parking is very limited with only 22 spaces provided for the 425 dwellings. The car parking proposed falls within the car parking budget for the site.
- 17.66 Whilst no evidence has been presented to justify the need for the additional 194 rail related spaces within the mobility hub, the County Council has advised that these spaces would not impact the trip budget, therefore no objection is raised.
- 17.67 The amount of cycle parking is acceptable, it is considered that the amount of reliance on two tier cycle parking (65% of provision) There is also a lack of access to cycle parking on the residential buildings from the cycle way on Milton Road. It is considered this undermines promotion of active travel by potentially discouraging users.
- 17.68 The provision of disabled car and cycle parking within the development is acceptable.
- 17.69 The Transport Assessment demonstrates that the trip budget can be achieved in this development proposal. However, it is entirely dependent on the mode shift identified to ensure vehicle trips are minimised. To achieve this the application relies on a range of measures including car club provision, bike and scooter provision and cycle and pedestrian links through the site. The County Council has raised no objection to the application subject to these mitigation measures plus a strategic transport contribution in excess of £13 million. If contribution sought cannot be secured, then it would compromise the wider comprehensive development of the area as sought through policy SS/4 sub-paragraph 4 of the Local Plan. as failure to secure sufficient funding through developer contributions will not allow sufficient transport intervention to be implemented such that the traffic impact for the area as whole can be mitigated.

## **18. Amenity and Environmental Health**

- 18.1 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 18.2 The District Design Guide 2010 advises that to prevent the overlooking of habitable rooms to the rear of residential properties and rear private gardens, it is preferable that a minimum distance of 15m is provided between the windows and the property boundary. For two storey residential properties, a minimum distance of 25m should be provided between rear or side building faces containing habitable rooms, which should be increased to 30m for 3 storey residential properties. It advises that a 12 metre separation is allowed where blank walls are proposed opposite the windows to habitable rooms.

### Neighbouring properties

- 18.3 Due to the distance between the proposed buildings and the nearest residential neighbours, it is not considered that there would be any impact in terms of loss of privacy or overlooking.

### Garden size

- 18.4 The District Design Guide 2010 advises that ground floor apartments should have a minimum of 10m<sup>2</sup> private amenity space immediately outside their living accommodation, or use of a communal garden, where 25m<sup>2</sup> is allowed for each apartment. Upper floor apartments should have use of a private balcony, of a minimum of 3m<sup>2</sup>, plus use of a communal garden, where 25m<sup>2</sup> is allowed for each apartment.
- 18.5 Communal gardens are provided within Chesterton Gardens and in the form of roof terraces. The ground floor units have private garden terraces, as shown in the landscaping details. Details of balcony provision could be secured at Reserved matters stage. Each property would benefit from a communal amenity space which would meet or exceed the recommendations of the Council's District Design Guide.

### Environmental health impacts

- 18.6 The land contamination, air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed

by Local Plan policies CC/6 'Construction Methods', CC/7 'Water Quality', SC/9 'Lighting Proposals', SC/10 'Noise Pollution', SC11 'Contaminated Land', SC/12 'Air Quality' and SC/14 'Odour'. Paragraphs 183 - 188 of the NPPF are relevant.

#### Land contamination

- 18.7 Chapter 16 of the ES deals with the impacts on soils and groundwater. Appendix 16.1 of the ES comprises a Phase 1 geo-environmental study which represents the first phase of land contamination assessment for the site. The study outlines the ground investigation undertaken in 2017. It goes on to consider the potential sources of contamination from the historical uses of the site comprising formal railway sidings and associated works, in addition to areas of filled ground. As a result of these land uses there is potential that soil and groundwater at the site may be contaminated with a range of contaminants (including metals, sulphates, fuels, oils and grease if uncontrolled releases to the ground have occurred. Asbestos may have been used in buildings on the site and be present in the ground. In addition, the generation of gases including carbon dioxide and methane may be ongoing.
- 18.8 The Study recommends that a ground investigation is carried out to establish ground conditions, investigate the potential contaminant linkages identified and provide the empirical data required to refine the land contamination risk assessment.
- 18.9 The Council's Scientific Officer (Contaminated Land) has considered the submitted documents in relation to risk in terms of human health and notes that the proposed residential use is sensitive to contamination from historical uses. They are in agreement with the assessment and conclusions within the ES Chapter 16 regarding the effects and implementation of mitigation measures. A number of conditions are recommended including the requirement for a detailed scheme for the investigation and recording of contamination and remediation.

#### Air Quality

- 18.10 Chapter 6 of the ES assesses the effects of the proposals in terms of air quality. The appendices for this chapter include Appendix 6.1 Construction Phase Assessment and Appendix 6.2 Detailed Dispersion Modelling Assessment Method. The application is also supported by a Low Emission Strategy prepared by PJA, dated August 2022. The Low Emission Strategy provides a package of measures to assist in mitigating

the transport impacts of development on local air quality and on climate change.

- 18.11 The Council's Scientific Officer (Air Quality) has reviewed the application. The Low Emission Strategy is considered to be acceptable. Conditions related to EV charging points and emission rating for gas fired boilers and combine heat and power systems are recommended.
- 18.12 The development site is located within the South Cambridge District Council area close to the boundary with Cambridge City Council. In relation to air quality Cambridge City Council, as a consultee, has considered the application in the context of impact on local air quality within the city council boundary and in particular inside the Air Quality Management Area (AQMA). This impact is most likely to be in response to increased traffic movements.
- 18.13 The modelling detailed in Chapter 6 of the ES confirms that pollutants remain below objective levels and that air quality is not a constraint to development. Whilst this conclusion is supported, policy is seeing a shift away from limit values towards exposure reduction and limiting impact of development. A change in approach is key if Cambridgeshire is to sustain such extensive development and population increase whilst continuing to maintain and improve air quality across the region.
- 18.14 The modelling predicts that the operational phase of the development will have an adverse impact on air quality within the Cambridge City Council AQMA, contrary to Policy 36 of the Cambridge City Local Plan (2018). The submitted Transport Assessment confirms the provision of 4 car club spaces and a commitment to active electric vehicle charge points (EVCP's) in all commercial and residential car parking spaces. This is welcomed and considered acceptable mitigation to offset the potential impact inside the AQMA.
- 18.15 It is unclear from the application documents if these EVCP's extend to the car parking associated with the operation of the Railway Station. The applicant is encouraged to install active EVCPs plus passive infrastructure to ensure the needs of future rail users is met as the demand for EVCP's increases (this was also requested by the Council's Sustainability Officer). It is far more cost effective for these installations to be carried out at point of build as opposed to retrofitting in the future.

Noise/vibration impact

- 18.16 The Construction Environmental Management Plan (as presented in Appendix 4.2 Outline Construction Environmental Management Plan (CEMP) of the accompanying Environmental Statement), provides a comprehensive overview of the works to be undertaken. However, more detailed, site-specific information will be required. This is acknowledged in Section 1 of this document where it states that prior to commencement of development a site wide Construction Environmental Management Plan (CEMP) will be submitted to and approved in writing by the LPA. The Council's Environmental Health Practitioner (Environmental Health) agrees with this approach but due to the adverse impacts that could result from such a large scale development, recommends the a condition be attached in relation to the submission of a Construction Environmental Management Plan (CEMP), initially in relation to earthworks for the whole of the site, but the content to then be replicated by individual site specific CEMPs for each detailed development parcel or subsequent development parcel at the Reserved Matters.
- 18.17 Operational noise impacts are not known as details of plans and equipment to be installed are unknown. Due to potential impacts including noise, vibration and lighting conditions would be required to ensure appropriate assessments undertaken and mitigation as necessary.
- 18.18 In relation to the outline proposals for residential development on the site, the information contained in Chapter 14 of the ES including Appendix 14.1 (Noise And Vibration Technical Appendices) and Appendix 14.2 (Noise Impact Assessment For Residential Planning), which details the noise assessment carried out and is presented in the document Land Off Milton Avenue, North Cambridge Development, T6118 Noise Impact Assessment (dated 25th May 2022) prepared by Temple Group Limited, has been considered. There is general agreement with the methodology used and conclusions drawn which is in line with what was highlighted at the scoping opinion response from the LPA. Conditions relating to noise assessments and mitigation are proposed.
- 18.19 Cambridge City Council also considered the impact of noise. It noted that the closest noise sensitive receptor locations within the city are separated from the development by the Guided Busway and no new roads / access routes are proposed near those receptor locations. As such, based on the information available, it is envisaged that noise from traffic around the completed development site will not be a significant concern.
- 18.20 For completeness, section 9 of this report has addressed the objection of the County Council as MWPA regarding as is cannot be demonstrated that the development will not prejudice the existing or future uses of the



TIA and MWA as required in Policy 16 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and the NPPF and contrary to policy SS/4 4a of the local plan.

## Odour

- 18.21 The application is supported by the Cambridge North Odour Statement (Reference: 267983-ARP-REP-OdourStatement-1.0, Issue 1.0 and dated 20 April 2022) prepared by Arup. It is acknowledged the proposed development is unlikely to generate odours once operational. However, it is located in a position that part of the site is within the 400m safeguarding zone around the Cambridge Water Recycling Centre (CWRC), including part of the outline planning area.
- 18.22 The Council's Environmental Health Practitioner (Environmental Health) agrees with the methodology and conclusions drawn in the submitted Odour Statement, however they advise that they have assessed the proposals in relation to the "Technical note on interpretation of 'Odour Impact Assessment for Cambridge Water Recycling Centre' Report / Study (Odournet, October 2018 – ref. ACC17A\_08\_final) as a material consideration in determining Planning Applications in the vicinity of Cambridge Water Recycling Centre (CWRC)" and can confirm that only a small proportion of the site in the northern outdoor landscaped area is within the lowest band of potential odour impact. The proposed buildings are beyond the potential odour impact zone. Accordingly, it is considered that the proposals will not be affected by odour impacts from the CWRC to a material degree and is therefore acceptable. Additionally, no odour mitigation is required for this proposed development.

## Artificial lighting

- 18.23 Lighting levels during the construction phase will be determined by health and safety requirements, however the effects will be temporary in nature.
- 18.24 Chapter 13 of the ES covers the impacts of lighting. Supporting appendices include a Sunlight and Daylight Assessment, Obtrusive Lighting Assessment and a Reflected Solar Glare Assessment. Section 13.74 of the ES states that the lighting design has not yet evolved sufficiently in order to carry out detailed analysis however at section 13.83 it concludes that the effects of the proposals for lighting are not significant. Concerns have been raised regarding the impact of lighting on the eastern edge of the site, noting the impact of lighting from the hotel.

- 18.25 For the avoidance of doubt a lighting impact assessment / scheme should be provided and cover such matters as: light spillage, hours of illumination, light levels, column heights, the levels of impact on any nearby dwellings including horizontal and vertical isolux contours and methods of mitigating any adverse effects. This would enable the effects of artificial lighting to be fully assessed.

#### Health Impact Assessment

- 18.26 Policy SC/2 'Health Impact Assessment' of the Local Plan requires the submission of an HIA to consider the positive and negative impacts of development on the health of different groups in the population, in order to enhance the benefits and minimise any risks to health.
- 18.27 The application is supported by a Health Impact Assessment. In accordance with the Council's Health Impact Assessment SPD the application has been reviewed using the HIA Review Package checklist. The outcome of that assessment is that the submitted HIA has been assessed as Grade B. Grade B meets the required standard of the HIA SPD.
- 18.28 One of the concerns raised was the lack of information contained regarding community engagement undertaken. However, community engagement is detailed in Section 4.20-4.28 of the Planning Statement. Whilst it is stated that details of the public consultation were posted to addresses surrounding the site there are no details of specific engagement being undertaken with identified vulnerable population groups including the Sunningdale Caravan Site. Concerns have been raised in respect of impacts on this community during the construction of the development. The above sections of this report cover potential impacts on neighbouring properties which include the caravan site as human receptors.
- 18.29 Other points and concerns raised such as impact on healthcare, education and the promotion of active travel are addressed in other sections of this report.
- 18.30 A condition to encourage local employment is proposed and mobile food outlets selling healthier food options is recommended. Additionally, a condition requiring the provision of public toilets to reduce the risks of deliberate dehydration is recommended.

## **Conclusion**

- 18.31 Whilst it is inevitable that the construction of the development will give rise to impacts on residential amenity, subject to conditions the proposal could be suitably mitigated to ensure the impacts are minimised to ensure the environmental impacts would be acceptable and in accordance with policies CC/6, CC/7, SC/9, SC/10, SC/11, SC/12 and SC/14 of the Local Plan.
- 18.32 No issues have been raised by the Council's Environmental Health team in respect of odour impact from the Cambridge Water Recycling Centre, therefore the proposal is in accordance with criterion 4b of policy SS/4 of the local plan.
- 18.33 Furthermore, when taking into account existing site conditions and environmental and safety constraints such as contaminated land, no issues have been raised therefore the proposal is in accordance with criterion 4a of policy SS/4 of the local plan.

## **19. Social and Community Infrastructure**

### **Introduction**

- 19.1 Policy SC/4 'Meeting Community Needs' requires large scale major developments to provide detailed assessments and strategies for community needs, which take account of capacity and accessibility at existing facilities in the locality. Community facilities and services to be provided can include:
- a) Education
  - b) Community Meeting Places
  - c) Health Facilities
  - d) Libraries
  - e) Open Space, Productive Space, Children's Play Space and Sports Facilities
  - f) Commercial Facilities Important to Community Life
  - g) Provision for Faith Groups
  - h) Provision for Burials
  - i) Provision for Waste and Recycling
  - j) Community Development Workers and Early Development Collaborative Support
  - k) Public Realm / Public Art
  - l) Outdoor Performance Space

- 19.2 Such facilities should be provided in accessible locations with opportunities sought for joint provision or co-location of compatible services and facilities. The timely delivery of services and facilities will be required, including consideration of early phase requirements of the development.
- 19.3 Policy SC/6 requires that all housing developments will contribute towards the provision of indoor community facilities to meet the needs generated by the development.

## **Education**

- 19.4 Local Plan Policy SC/4 requires all new housing developments to contribute to the timely provision of the services and facilities necessary to meet the needs of the development, including primary and secondary schools. The County Council has considered the application and requested the following contributions:
- 19.5 Early Years – a contribution to off-site facility at a cost of £17,441 per place totalling £261,615 or, where proposed by the Developer and agreed by the LPA, an obligation to market a site for nursery use at market value.
- 19.6 No contribution is required for primary provision as there is sufficient capacity.
- 19.7 Secondary School – A financial contribution of £24,013 for new school places at an extension to an existing school at North Cambridge Academy totalling £118,864.35.
- 19.8 Special Educational Needs and Disabilities – A financial contribution of £95,932 towards the Martin Bacon Academy, the area special school at Northstowe.
- 19.9 The applicant has agreed to the payment of these contributions.

## **Community Meeting Places**

- 19.10 Policy SC/6 requires that all housing developments will contribute towards the provision of indoor community facilities to meet the needs generated by the development. The applicant has indicated they would accept an obligation to provide a room for community use provision as part of the development.

## Health Facilities

- 19.11 Local Plan Policy SC/4 requires that all housing developments contribute towards the provision of health facilities to meet the needs of that development.
- 19.12 The NHS Cambridgeshire and Peterborough Integrated Care System has advised that the developments sits within the catchment for the Nuffield Road Medical Centre which does not have the capacity to support the new residents. A planning obligation to mitigate the impact of this new growth of £298,003.00 is sought.
- 19.13 The applicant has agreed to pay a contribution however the amount is yet to be agreed using the applicant's population multipliers for the scheme.

## Library

- 19.14 A contribution of £37,642 to off-site provision is sought with reference to the County Council. The applicant has agreed to this contribution.

## Open Space

- 19.15 SC/6 'Indoor Community Facilities' and SC/7 'Outdoor Play Space, Informal Open Space and New Developments' require all housing developments to contribute towards indoor community facilities and outdoor playing space (including children's play space, formal outdoor sports facilities) and informal open space. There is a minimum but no maximum standard for this provision. This is reinforced by the NPPF, which highlights the importance that access to open space has to the health and wellbeing of a community.
- 19.16 Policy SC/7 sets out the requirements for outdoor play space (including children's play space, formal outdoor sports facilities) and informal open space in accordance with the following minimum standards:
- Outdoor sports – 1.6 ha per 1,000 people;
  - Formal children's play space – 0.4 ha per 1,000 people;
  - Informal children's play space – 0.4 ha per 1,000 people; and
  - Informal open space – 0.4 ha per 1,000 people.
  - Allotments and community orchards – 0.4 ha per 1,000 people.
- 19.17 Based on the mix of housing provided the following would be required to be provided on the site:

- Outdoor sports space;
- Formal children's play space;
- Informal children's play space;
- Informal open space; and
- Allotments and community orchards.

- 19.18 In respect of outdoor sports space, Sport England support the proposals subject to securing a financial contribution in the sum of £299,762 consisting of sports hall provision (£149,485) and swimming pool provision (£150,277). This would need to be secured through a S106 agreement. The applicant has agreed this.
- 19.19 In terms of formal children's play space, a total of 0.17ha of space is required in order to meet policy requirements. Whilst some of this space is provided within Chesterton Gardens (0.074ha), over half the provision is within the wild park (0.096ha). Whilst provision within Chesterton Garden is acceptable the applicant has advised there is insufficient space within the residential quarter to adequately provide play space which is appropriate to the character of the area as well as in compliance with distance requirements of LAPs/LEAPs etc. Accordingly, it appears that the proposal is reliant on space that is not well related to the residential development, as accessing it would require the crossing of two roads from the including the main vehicular access through the site, and fails to comply with the distance requirements. There is no justification for this, other than the applicant saying the residential quarter is constrained by two existing roads. Furthermore, the provision within the wild park is within the public realm element of the proposal as part of the wider development.
- 19.20 In terms of the overall provision of informal open space provision, policy would require 0.27ha of space to be provided. Officers are satisfied the provision within Chesterton Gardens of 0.531ha is sufficient to satisfy the requirements of the residential development. It is noted that amenity space in the form of roof gardens is also provided.
- 19.21 Community growing space is now provided, following the submission of revised plans, in the form of allotments located in the north eastern corner of the wild park. Provision for up to 40 no. plots of 125 sqm plus accessible table plots have been proposed in the allotment location together with associated cycle parking and blue badge parking. The allotment provision is supported and details of a programme of delivery and management could be addressed via a S106 agreement.

- 19.22 In addition to the allotments, small areas of community growing provision are located within Chesterton Gardens. Additional community growing areas are proposed as part of the meanwhile uses.

### **Commercial facilities important to community life**

- 19.23 Local Plan Policy SC/4 'Meeting Community Needs' requires development to meet community needs and ensure the delivery of commercial facilities important to community life such as childcare nurseries, local shops, restaurants, cafes, and public houses. Such uses are only likely to come forward in response to market demand.
- 19.24 There is potential for a childcare nursery to come forward as part of this development, if market demand allows for it. Floorspace on the ground floor of the residential units could be provided. Alternatively, a contribution towards early years is required, as set out above.
- 19.25 The proposal seeks to provide a mix of uses at ground floor level the flexible Use Classes E/F which would allow for the delivery of commercial uses including restaurants, shops and cafes.

### **Provision for faith groups**

- 19.26 There is no specific provision for faith groups. However, as indicated above, the applicant is willing to agree provision within the development for community use which could include use by faith groups.

### **Burials**

- 19.27 There is no provision for burials within the site. However, the IDP states that 2 ha land requirement has been identified (section 7.48). The Council estimated land purchase costs to be £620,000/ha and establishment costs at £250,000/ha, thus the cost is £870,000/ha. With just over 2 ha required the cost to the NEC AAP area is £1,75m.

### **Public art**

- 19.28 Policy HQ/2 'Public Art in New Development' states that the Council will encourage the provision or commissioning of public art that is integrated into the design of development as a means of enhancing the quality of development proposals. The provision of high quality visual arts and crafts as part of new developments can bring social, cultural, environmental, educational, and economic benefits, both to new development and the local community. The provision of public art must involve the local community and could be community-led, potentially

relating to the former use of the site. The South Cambridgeshire Council's Public Art Supplementary Planning Document (January 2009) provides further details of the requirements.

- 19.29 The application is supported by a Public Art Strategy prepared by Commission Projects and dated June 2022. The Strategy includes three major landmark commissions, a programme of neighbourhood projects and a series of 'meanwhile projects' to be delivered. The public art programmes builds on the two major works linked to the development of the Cambridge North station, hotel and office building.
- 19.30 A major landmark sculpture is proposed for Chesterton Square with three smaller neighbourhood projects propose responding to the themes of wayfinding, transport history and community connections.
- 19.31 The delivery and management of public art would be agreed as part of the S106 agreement. This would include the agreement of a site wide public art delivery plan and then phase specific public art delivery plans for the phases that are to include public art provision. This is agreed by the applicant.

### **Waste and Recycling**

- 19.32 The Greater Cambridge Shared Waste Service has considered the proposals and considers that application has not demonstrated a comprehensive and integrated approach for household-type material that is collected from domestic and commercial premises (irrespective of which commercial waste collector is utilised). As the residential element is wholly comprised of apartments the provision of underground bin systems would be preferred, this would avoid the need for 11 bin stores and their associated issues. Such provision could also allow for the collection of separated waste such as food waste. However, in the absence of any policy requirement for underground waste provision it is considered that this cannot be required.
- 19.33 Contributions are sought for refuse collection vehicles and household waste receptacles. Further discussions are required with the applicant who, to date, has not included the BTR units in this contribution.
- 19.34 There are a number of issues regarding vehicle tracking of refuse vehicles which would need to be addressed. These could likely be resolved through conditions if permission was to be granted.



- 19.35 The County Council seeks a contribution of £13,698 towards additional capacity at Milton Household Recycling Centre.

### **Community Support Worker**

- 19.36 The County Council has requested a contribution towards community development support workers to meet the needs of the new population generated through the early phases of the development in accordance with policy SC/4. The workers would be related to the community on the site and wider NEC. The applicant has agreed to the obligation however the amount of contribution is yet to be agreed.

### **Meanwhile uses**

- 19.37 Provision is made within the site for some meanwhile uses. This is in the form of a pocket park in the area where building S8 is proposed. The submitted drawing includes the following:
- Food truck areas plus associated turning area
  - Seating
  - Pergolas
  - Raised planters
  - Lawn area/flexible space
  - Open mosaic habitat
  - Community growing area
- 19.38 Trees in planters were omitted following concerns raised by the Council's Landscape Officer. The community growing provision has been retained with added rain-catching structures. The applicant has advised that this has support of the local Nuffield allotments as a possible 'meanwhile' addition to Nuffield.

### **Conclusion**

- 19.39 Overall, the applicant has committed to the provision of community infrastructure either on site or through financial contributions. However there are a number of areas which have been identified above that need to be addressed further through S106 discussions. There is also insufficient provision of formal open play space within the site.

## **20. Utilities**

- 20.1 Policy TI/8 'Infrastructure and New Developments' states that "*Planning permission will only be granted for proposals that have made suitable*

*arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. The nature, scale and phasing of any planning obligations and/or Community Infrastructure Levy (CIL) contributions sought will be related to the form of the development and its potential impact upon the surrounding area”.*

- 20.2 The application is supported by a Utilities Statement prepared by Noveus, dated June 2022 which addresses the provision of water, gas, electricity, telephone and communications to the site.

#### Electricity

- 20.3 UK Power Networks is the electricity provider in this area. The electricity connections for the Novotel and office building are in place and live. The connections are to be extended to the site and agreed with UKPN.

#### Gas

- 20.4 Cadent Gas is the gas provider in this area and have no objection to the proposal. Cadent Gas requested an informative is attached to any permission in relation to gas easements and other rights.

#### Waste Water

- 20.5 Anglian Water has confirmed that Cambridge Water Recycling Centre does not currently have capacity to treat flows from the development site. However, Anglian Water is obligated to accept foul flows from development with the benefit of planning permission and would therefore undertake the necessary steps to ensure there is sufficient treatment capacity should the application be granted.

#### Potable Water

- 20.6 This is addressed in section 16 of this report.

#### Digital Infrastructure

- 20.7 Policy TI/10 requires new development (residential, employment and commercial) to contribute towards the provision of infrastructure suitable to enable the delivery of high-speed broadband services across the district. The Utilities Statement confirms the application has consulted with Openreach for the provision of telephone and communications.

## 21. Response to third party representations

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

Issue raised	Officer response / report section
Design, landscape and visual impacts	<p>Section 12 deals with the design, height and massing issues associated with the proposed development.</p> <p>Section 12, sub-heading 'Landscape and Visual Impact', deals with the visual and landscape issues.</p>
Environmental impacts- water, air quality, carbon footprint, light pollution, odour, noise (particularly during construction)	<p>Section 16.20 – 16.30 deals with water resources.</p> <p>Section 14 deals with the impact of the development in terms of sustainability, including carbon footprint.</p> <p>Section 18.23 – 18.25 deals with light pollution.</p> <p>Section 18.16 – 18.20 considers the impacts of noise.</p> <p>Section 18.22 considers the impact of odour from the Waste Water Treatment Works.</p>
Infrastructure and services – lack of infrastructure, services, open space	<p>Section 19 considers the provision of infrastructure and services.</p> <p>Section 19.15 – 19.22 deals with the provision of open space.</p>
Heritage impacts – impact on Fen Ditton and Stourbridge conservation areas, historic setting of the City	<p>Section 13 considers the impact of the development on heritage assets, including the Riverside and Stourbridge Common Conservation Areas.</p>
Need – questions regarding need post Covid and with empty shops in the city	<p>Section 10 assesses the need for the development in terms of uses and amount of development.</p>
Transport and access – A14 and Milton road already congested, pedestrian access on Cowley Road.	<p>Section 17 assesses the transport impacts of the development.</p>
Comprehensive development / impact on AAP	<p>Section 5.3 – 5.15 addresses status of the AAP.</p> <p>Section 24 considers the impact of the development on the wider NEC AAP area.</p>

Other matters – hybrid application	The LPA accepted the submission of the hybrid application.
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Table 11: Officer response to third party representations

## 22. Planning obligations (S106)

- 22.1 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.
- 22.2 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 and negotiations have commenced between the LPA, applicant and County Council.
- 22.3 Policy TI/8 'Infrastructure and New Developments' states that Planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. The nature, scale and phasing of any planning obligations and/or Community Infrastructure Levy (CIL) contributions sought will be related to the form of the development and its potential impact upon the surrounding area.
- 22.4 Draft Heads of Terms (HoTs) of the Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) were submitted with the application. Initial discussions have taken place with some agreement reached between the parties. Discussions are ongoing and the tables below reflect this.

### Obligations sought

- 22.5 The table below sets out the obligation sought together with a brief description of the details for the obligation and why it is required and in the third column, whether agreement has been reached on the obligation.

### Community Development/Infrastructure

Obligation sought	Relevant details	Comments	CIL reg 122 comments
<b>Housing</b>			
40% of the for sale element of the residential development to be affordable housing.	On-site provision of 40% of the for sale element of the residential development to be affordable housing. Tenure mix anticipated to be 70% rented and 30% intermediate. There will be a mix of unit sizes. (Policy H/10)	Agreed in principle.	Housing provision necessary to meet the needs of the new population generated by the development. On-site provision. Policy H/10 requires a minimum of 40% affordable homes on sites of 11 dwellings or more.
20% of the Build to Rent element of the residential development to be Affordable Private Rent	On-site provision of 20% of the Build to Rent element as Affordable Private Rent at 20% market discount on rent. To be managed by the Private Build to Rent operator. There will be a mix of unit sizes. (Greater Cambridge Housing Strategy)	Agreed in principle.	Housing provision necessary to meet the needs of the new population generated by the development. On-site provision. Greater Cambridge Housing Strategy and National Guidance requires 20% of the BTR units will be affordable
Build to Rent controls	Control on use of build to rent to ensure it operates as intended. Controls to be in place before occupation of the Built to Rent Units.	Agreed in principle.	Controls requires to cover tenancies, allocations, covenants to ensure the scheme operates as BTR as set out in the Greater Cambridge Housing Strategy.
<b>Community</b>			
Meanwhile uses	Agree a scheme for meanwhile uses. Implement approved scheme during the construction of that phase as appropriate.	Agreed in principle.	Uses to provide public realm, external informal meeting areas, growing spaces to meet the needs of the new

	To cover public open space, growing areas and allotments.		community in accordance with policy SC/4.
Community Development Support Workers	Contribution towards community development support workers to meet the needs of the new population generated through the early phases of the development. The workers would be related to the community on the site. The scale to be determined with reference to SCDC Policy SC/4. Trigger point for contribution to be agreed.	Agreed in principle. Amount of contribution to be agreed.	Community support workers to support the new community. Scape to be determined with reference to policy SC/4.
Community use provision	Contribution to off-site facility or where proposed by the Developer and agreed by the LPA, an obligation to provide a room for community use provision as part of the Development.	On site provision is preferable.	Community meeting space necessary to meet the needs of the new population generated by the development. On-site or off-site provision. Scale determined with reference to policy SC/6.
Library contribution	Contribution of £37,642 to off-site provision – the scale of which has been determined with reference to County Council guidance and local plan policy SC/4.	Amount agreed with consultation with County Council.	Library facilities necessary to meet the needs of the new population generated by the development. Off-site provision. Scale determined with reference to County Council guidance and local plan policy SC/4.
Burial plots	Contribution towards burial plots.	Not yet discussed.	Burial plots required for to meet the needs of the new community. Off-site provision.

			Scale determined with reference to policy SC/4.
<b>Sports and Recreation</b>			
Off-site sports provision	<p>Contribution to off-site sport provision in line with Sports England and Local Plan requirements in the sum of £299,762 consisting of:</p> <p>a) Sports Hall – £149,485</p> <p>b) Swimming Pool - £150,277</p>	Amount agreed.	<p>Outdoor sports facilities are necessary to meet the needs of the new population generated by the development. Off-site provision to include sports hall and swimming pool. Scale determined by Sport England.</p>
Informal open space and public realm	Obligation to manage and maintain by a management company in accordance with an approved management scheme.	Agreed in principle.	<p>Outdoor facilities are necessary to meet the needs of the new population generated by the development. Quantum in accordance with policy SC/7.</p>
Play space provision	On-site provision. Obligation to manage and maintain by a management company in accordance with an approved management scheme.	Agreed in principle.	<p>Formal play facilities are necessary to meet the needs of the new population generated by the development. Quantum in accordance with policy SC/7.</p>
Allotments	On-site provision. Obligation to manage and maintain by a management company in accordance with an approved management scheme.	<p>Agree provision in principle. Applicant seeks the flexibility to relocate the allotments where the Council is satisfied with the alternative provision. Not discussed or agreed.</p>	<p>Allotments and growing spaces are necessary to meet the needs of the new population generated by the development. Quantum in accordance with policy SC/7.</p>

<b>Health</b>			
Primary healthcare provision.	<p>Contribution to off-site primary healthcare provision or where proposed by the Developer and agreed by the LPA, an obligation to market a site for primary healthcare provision at a market value for such uses</p> <p>Amount to be agreed with the Council &amp; NHS using correct population multipliers for scheme.</p>	Amount of contribution to be agreed.	Provision of primary health facilities to meet the needs of the new population generated by the development. Flexibility provided for monies to be used for a scheme/project at any practice within the Primary Care Network (PCN), including on-site. Scale determined with reference to NHS England advice.
Ambulance	The Ambulance Service has requested a contribution, but this has not yet been justified to the Council's or Applicant's satisfaction.	Awaiting further response from the Ambulance service.	Does not meet the CIL tests at this stage, awaiting further response from the Ambulance service.
Air quality monitoring station	Obtain approval of Air Quality Management Plan and implement the approved plan.	Agreed in principle.	Air quality monitoring required to ensure impacts on the community are monitored.
<b>Biodiversity</b>			
Biodiversity net gain - delivery and management	On-site provision of biodiversity net gain requirement under the application. Included in the s.106 agreement to the extent it cannot be appropriately dealt with by condition.	Agreed in principle.	Biodiversity mitigation necessary to offset the impact of the development. On-site provision.
<b>Public art</b>			



Public art	<p>A public art strategy has been submitted with the application.</p> <p>Agreement of a site wide public art delivery plan and then phase specific public art delivery plans for the phases that are to include public art provision. Delivery and management of public art in accordance with the phase specific public art delivery plan.</p>	Agreed in principle.	Local Plan policies seek to secure public art as an integral part of development. On-site provision. Scale determined with reference to policy SC/4.
<b>Waste Management</b>			
Refuse Collection Vehicles	Per dwelling contribution in accordance with LPA formula.	<p>Not agreed.</p> <p>Applicant considers no contribution for BTR dwellings as they will have private collection. LPA position is that BTR properties are residential and therefore would be subject to Council waste collection services accordingly contribution for all dwellings is required</p>	Waste contributions have been identified as necessary to meet the needs of the new population generated through the development, in accordance policy SC/4. The money would be spent on infrastructure related directly to the site and the development.
Household Waste Receptacles	Per dwelling contribution in accordance with LPA formula	<p>Not agreed.</p> <p>Applicant considers no contribution for BTR dwellings as they will have private collection. LPA position is that BTR properties are residential and therefore would be subject to Council waste collection services accordingly contribution for the</p>	Waste contributions have been identified as necessary to meet the needs of the new population generated through the development, in accordance policy SC/4. The money would be spent on infrastructure related

		BTR dwellings is also required	directly to the site and the development.
Household Recycling Centre contribution	A contribution to Household Recycling Centre provision has been requested by the County Council at a cost of £269 per dwelling.	Not agreed. Further discussions required.	CIL compliance statement required from County Council.
<b>Education</b>			
Early years, Secondary, SEND and Post-16 Education Facilities	Early Years – contribution to off-site facility at a cost of £17,441 per place totalling £261,615 or where proposed by the Developer and agreed by the LPA, an obligation to market a site for nursery use at market value.	Contributions sought by County Council. Triggers for contributions to be agreed with County Council.	Education provision necessary to meet the needs of the new population generated by the development. On-site or off-site provision, to be agreed. Scale determined with reference to County Council guidance and multipliers and policy SC/4.
	Secondary School – Financial Contribution of £24,013 for new school places at an extension to an existing school at North Cambridge Academy totalling £118,864.35	Contributions sought by County Council. Triggers for contributions to be agreed with County Council.	Education provision necessary to meet the needs of the new population generated by the development. Off-site provision. Scale determined with reference to County Council guidance and multipliers and policy SC/4.
	SEND – Financial Contribution of £95,932 towards the Martin Bacon Academy, area special school at Northstowe.	Contributions sought by County Council. Triggers for contributions to be agreed with County Council.	Education provision necessary to meet the needs of the new population generated by the development. Off-site provision. Scale determined with reference to County Council guidance and

			multipliers and policy SC/4.
<b>Other</b>			
Section 106 monitoring	A contribution towards the costs of monitoring the planning obligations is required.	To be agreed.	Contribution directly related to achieving the implementation of the planning obligations.

Table 12: Community / Infrastructure Obligations

### Transport obligations

- 22.6 The transport mitigation package includes the provision of strategic solutions in collaboration with Cambridgeshire County Council. The mechanisms and timing of these off-site improvements and financial contributions would need to be secured by way of Section 106 Agreement and appropriate planning conditions, with all triggers to be agreed by the County Council.
- 22.7 County Highways Officers have confirmed that the agreed transport mitigation package accords with the relevant tests of the NPPF and the CIL Regulations. Specifically, the tests are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

<b>Proposed Transport Mitigation Measure</b>	<b>Financial Contribution/Provision to be agreed</b>	<b>Trigger</b>
Transport Contribution towards the transport measures as identified in table 9.1 of the NEC AAP Infrastructure Delivery Plan. This is for the items as detailed below: <u>Internal Measures</u> 1 Segregated crossing points on Milton Road including: 2 Green Bridge over Milton Road and 3 Underpass of Milton Road 4 Crossing points on the busway	The County's Transport Assessment Team has requested a contribution of £13,465,000 based on the floor area of 65,000sqm and 425 dwellings and the amounts as advised in the IDP. This includes elements for Local, Internal and Strategic infrastructure as defined within the Transport Evidence Base.  The applicant has calculated a sum of £3,544,200 towards	Not agreed, further discussions required.

<p>5 Pedestrian/cycle Bridge over railway line</p> <p>6 Highway site access improvements</p> <p>7 Intra-site shuttle system</p> <p>8 NEC Parking Strategy including introduction of <u>Local Measures</u></p> <p>9 Travel Plan Measures and Travel Monitoring</p> <p>10 New segregated link from Milton Road P&amp;R to site</p> <p>11 Additional P&amp;R spaces at Milton P&amp;R</p> <p>12 Explore Park and cycle opportunities at P&amp;R locations</p> <p>13 Milton P&amp;R shuttle system</p> <p>14 Variable Message Signage (VMS) at key locations</p> <p>15 Consolidation hubs at three locations</p> <p><u>Strategic Measures</u></p> <p>16 Provision of additional bus services to/from NEC area</p> <p>17 Provision of additional rail services to/from Cambridge North Station</p> <p>Delivery of already planned cycle improvements:</p> <p>18 Waterbeach Greenway including A14 Underpass</p> <p>19 The Chisholm Trail</p> <p>20 Plugging gaps in the wider cycle network to enhance routes to key residential areas</p> <p>Delivery of the wider Public Transport network including:</p> <p>21 Waterbeach to Cambridge Better Public Transport</p> <p>22 Milton Road GCP Scheme</p>	<p>strategic transport measures, based on the NIA of 53,700sqm of Class E floor space. However, these contributions are included in the draft HoTs set out below.</p> <p>Discussions are ongoing with the applicant regarding the need for the transport interventions set out in column 1 and the amount of contribution sought.</p>	
Monitor and manage of trips	Monitor and management plan to be agreed. Agreed in principle.	To be agreed.
That development progresses in stages subject to monitoring.	To be agreed.	To be agreed.
A14/A10 interchange improvements.	To be agreed with County Council and National Highways.	To be agreed.

Mobility Hub – Car Club Provision	Enter into an agreement with a car club provider to provide and maintain relevant car for a period of 3 years (for each car). A space in the mobility hub is to be reserved for each car. Delivered by applicant. Agreed in principle.	Occupation of Red phase.
Mobility Hub – Bike/Scooter Provision	Initial pump priming of bike/scooter provision and provision of parking space to the extent necessary. Delivered by applicant. Agreed in principle.	Occupation of Red phase.
On-site Cycle Routes – Milton Avenue (west side)	To be included within the s.106 agreement to the extent in cannot be appropriately dealt with by condition. Delivered by applicant. Agreed in principle.	In relevant phase of development.
On-site Cycle Routes – Station Row	To be included within the s.106 agreement to the extent in cannot be appropriately dealt with by condition. Delivered by applicant. Agreed in principle.	In relevant phase of development.
On-site Cycle Routes – Connection between Milton Avenue and Chesterton Way	To be included within the s.106 agreement to the extent in cannot be appropriately dealt with by condition. Delivered by applicant. Agreed in principle.	In relevant phase of development.
Crossing provision on Milton Avenue	To be included within the s.106 agreement to the extent in cannot be appropriately dealt with by condition. Delivered by applicant. Agreed in principle.	In relevant phase of development.
Traffic calming on Chesterton Way as the Busway enters Cambridge North site	To be included within the s.106 agreement to the extent in cannot be appropriately dealt with by condition. Delivered by applicant. Agreed in principle.	In relevant phase of development.
Off-site works to Cambridgeshire Guided Busway - Vehicle trap removal/ANPR installation	To be included within the s.106 agreement to the extent in	Occupation of Green phase.

	cannot be appropriately dealt with by condition. Delivered by applicant. Agreed in principle.	
Cowley Road highway improvement works to enhance route to and from the station from Milton Road and adjacent neighbourhoods / employment areas	To be included within the s.106 agreement to the extent in cannot be appropriately dealt with by condition. Delivered by applicant. Discussions with other developers/landowners proposed. Agreed in principle.	To be agreed.
Monitoring of local car parking	Undertake initial parking survey for baseline. Undertake second survey upon notice from the County Council. If the survey outcome requires, pay a contribution of up to £75,000 to assist the County Council with implementing a residents parking scheme. Agreed in principle.	To be agreed.
Wayfinding scheme	Implement an agreed wayfinding scheme on site. Delivered by applicant. Agreed in principle.	To be agreed.
Provision of public transport information in publicly accessible area	Pay contribution for LPA to deliver. Amount of contribution to be agreed. Agreed in principle.	To be agreed.
Extended bus shelter provision at Cambridge North Station	Scheme to be agreed with the County Council. Delivered by applicant. Agreed in principle.	To be agreed.
Multi storey car park (Mobility Hub)	Obligation to replace the existing rail parking with the Mobility Hub with 194 additional spaces for rail industry to call upon. Management of car parking in accordance with a car parking management plan. Agreed in principle.	Occupation of red phase.
Improvements to existing lighting on Station Square and Milton Avenue	Implement an agreed lighting scheme or pay contribution.	To be agreed.

	Agreed in principle.	
Travel Plan	To be delivered by applicant. Agreed in principle.	To be agreed.

Table 13: Transport obligations

- 22.8 For clarification, it is noted on the first page of the County Council's Transport and Assessment Team's response, dated 22 February 2023, under the 'Mitigation Required' section that it states the obligations sought "have been agreed with the applicant", however as set out in Table 13 above this is not the case. The applicant has not agreed the total transport contribution of £13,465,000 at this time and discussions are ongoing between the applicant and County Council.

## Summary

- 22.9 The planning obligations are necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the required planning obligation(s) passes the tests set by the Community Infrastructure Levy Regulations 2010 and are in accordance with Policy TI/8 of the South Cambridgeshire Local Plan (2018). In the absence of an agreed S106 the necessary mitigation cannot be secured.

## 23. Other matters

- 23.1 Given the proximity to Cambridge Airport, the application has been considered by Cambridge Airport Limited and the Ministry of Defence in terms of aerodrome safeguarding. Cambridge Airport has requested conditions be attached to any permission and these are also required by the Ministry of Defence.
- 23.2 The Council's Access Officer raised some concerns in terms of accessible facilities within the development. The applicant provided further information in the amendment pack to address these issues as set out in the table below:

Access Officer's comment	Applicant's Response	LPA's response
There should be changing places toilets/accessible changing room in each building.	A wheelchair-accessible changing room is provided on the ground floor of each building next to the accessible cycle store; and additionally, a wheelchair-	The proposed provision is acceptable and meets current standards.

	<p>accessible WC is provided on the basement where there is further accessible cycle parking. Access between the cycle store at basement and the accessible facilities on the ground floor is via a passenger lift. While it is AD M requirement having an accessible toilet on each sanitary provision, is not a requirement having an accessible shower in each changing rooms provision.</p> <p>A Changing Place has not been provided as the development does not fall under the categories stated in AD M Volume 2, Paragraph 5.7, as amended in July 2020.</p>	
All toilet doors should open outwards.	All doors to wheelchair-accessible WCs and wheelchair-accessible changing rooms, and WC for ambulant disabled people have an opening outward door. Doors to standard WC cubicles have an inward door and will be capable of opening outwards in case of emergency, to be detailed at a later stage.	The provision is acceptable.

## 24. Comprehensive Development

- 24.1 As set out in para. 3.31 of the supporting text for policy SS/4 of the local plan requires planning applications submitted in advance of the AAP being adopted are to be considered on their own merit *“subject to ensuring that they would not prejudice the outcome of the AAP process and the achievement of the comprehensive vision for the area as a whole that will be established by the AAP”*. This is written into policy SS/4 in criterion 4e which required proposals *“Ensure that the development would not compromise opportunities for the redevelopment of the wider area”*.



- 24.2 This criterion is key to the development of the wider area as it recognises and seeks to avoid the harm of piecemeal development within the NEC area to the realisation of the redevelopment potential of the wider area. The policy recognises that an AAP is the appropriate mechanism by which to secure co-ordinated development over the wider area. The policy does not offer an alternative or in any way suggest that the planning application process is capable of providing that mechanism. As such, the policy states that planning applications are to be determined on their merits but establishes a further the test of a proposal's acceptability in Part e that the development '*would not compromise opportunities for the redevelopment of the wider area*'. When read as a whole, Policy SS/4 is requiring an individual development to demonstrate that it would not result in harm that would require a co-ordinated development approach to satisfactorily mitigate.
- 24.3 As discussed in section 17 above, the TEB states that "*for development aspirations for NEC to be achieved, a significantly reduced car mode share for journeys to and from the area will be required*". It goes on to say that "*Internal measures are considered crucial to address travel demand behaviours and trends and these would need to be introduced and maintained from the outset*". These internal measures would include intra-site shuttle system, crossing points on the busway, increasing trip internalisation, masterplan promoting connectivity and permeability for public transport, cycling and walking. Compliance with the trip budget would include, at least partially, the implementation of some strategic measures including additional public transport services, plugging gaps in the wider cycle network and delivery of the wider public transport network.
- 24.4 As discussed in section 17 above, the Transport Assessment Team at the County Council has advised that the transport impacts of the development can be mitigated through transport interventions requiring a contribution in excess of £13M. The mitigation includes internal, local and strategic measures which are set out in the table in section 22 above. The County Council, in its response, states that "*failure to secure sufficient funding through developer contributions will not allow sufficient transport intervention to be implemented such that the traffic impact for the area as a whole can be mitigated*".
- 24.5 The development must provide for the infrastructure etc which is necessary to make the development acceptable by itself (i.e. regardless of whether the rest of the area covered by policy SS/4 is developed). The development must also make a contribution towards infrastructure which is necessary for the overall development of the area covered by policy

SS/4. A failure to do this risks undermining the comprehensive development of the area covered by policy SS/4. For example, works to the primary substation have been identified as necessary to meet the load demand for the NEC development. Whilst the applicant has advised that UKPN can provide electricity to the site (therefore being acceptable on its own merit). If this continues with other developments coming forward ahead of the AAP the lack of contribution towards the upgrade would shift the cost onto other developers in the NEC area and, at some point, become unviable for the developers in the later stages of development thus frustrate the opportunities for redevelopment of the wider area – or for the necessary contributions to other community and related infrastructure to come forward to serve this and other proposed development within the area covered by policy SS/4 (or the emerging AAP). A comprehensive S106 agreement is accordingly required, providing sufficient funding to ensure that the comprehensive development of the area covered by policy SS/4 is not undermined by the development on this site. At the present time, there is no finalised/agreed S106 agreement and for that reason, as long as the matter remains unresolved, the failure to agree a comprehensive S106 agreement must remain a reason for refusal.

## **25. Planning balance and conclusion**

- 25.1 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).
- 25.2 The NPPF is a material consideration which must be taken into account where it is relevant to a planning application. This includes the presumption in favour of sustainable development found in paragraph 11 of the NPPF, which requires approving development proposals that accord with an up-to-date development plan without delay.
- 25.3 The applicant's Statement of Case provides a summary of the benefit of the scheme using a scale for weight (in ascending level of benefit) as follows: Slight, Limited, Moderate, Considerable, and Great. The applicant concludes the benefits should be given great weight. The summary is included in the table below:

Summary of Benefit	Weight to be applied

Need for Offices, Labs and R&D space	Great
The 'cluster' Effect	Considerable
Additional Employment	Considerable
Housing Need	Considerable
Public Realm and Open Spaces	Considerable
Amenity and Meanwhile Uses	Moderate
Wellbeing and Social Inclusion	Moderate
High Quality Architecture	Great
Making effective use of land	Considerable
Accessible and sustainable location	Great
Response to the climate emergency	Great
Response to the biodiversity emergency	Considerable
<b>Cumulative total</b>	<b>Very Great</b>

Table 14: Applicant's summary of benefits

- 25.4 The benefits must be balance against the harm, or dis-benefits, generated by the proposals which are set out in the report and summarised below.
- 25.5 Due to the height and massing of the proposals and the resultant landscape and visual impacts on the eastern edge of the site, the City skyline, together with the overbearing presence on adjacent development, the proposals are contrary to policies HQ/1, NH/2, NH/6, NH/8 and SS/4 of the Local Plan and Policy 60 of the Cambridge Local Plan.
- 25.6 The development would affect the riverside setting, which is a fundamental characteristic of the conservation areas and is sensitive to change. The development proposals would result in a less than substantial harm to the significance of the Fen Ditton and Riverside and

Stourbridge Conservation Areas at a moderate level. The harm identified is contrary to policies HQ/1 and NH/14 of the Local Plan.

- 25.7 The development does not provide the high quality of design sought in HQ/1 of the Local Plan and fails to provide sufficient formal play space as required by policy SC/7. Furthermore, the applicant has not demonstrated that the development can come forward with no single aspect north-facing apartments, accordingly there is conflict with Policy HQ1 (I).
- 25.8 The application does not explain, in the absence of a comprehensive and appropriate S106 agreement, how the requirements of the development plan for comprehensive development of the areas would be achieved, and the proposal is accordingly considered to be contrary to the objectives of policies SS/4, TI/2 and TI/8 of the Local Plan. In addition, the absence of an agreed S106 agreement the necessary mitigation to make the proposals acceptable cannot be secured in accordance with policies SC/4, SC/6 and TI/8 of the Local Plan.
- 25.9 The application does not provide sufficient clarity on the climate change allowances use and as such it does not accord with policies CC/7, CC/8 and CC/9 of the Local Plan.
- 25.10 Insufficient information has been provided to adequately assess the ecological impact of the proposals, in particular the necessary bat surveys, contrary to policy NH/4 of the Local Plan.
- 25.11 Insufficient information has been submitted in the noise report to demonstrate that the interaction between the proposed commercial use and the Aggregates Railhead (a Transport Infrastructure Area) will not prejudice the existing or future uses of the Transport Infrastructure Area as required in Policy 16: Consultation Areas of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and the 'agent of change' as set out in para. 187 of the NPPF and contrary to criterion 4a of policy SS/4 of the South Cambridgeshire Local Plan.
- 25.12 Furthermore, it is considered the applicant may have overstated the role of the site in meeting employment need for this reason, officers consider that the level of harm identified as arising from the development, is not justified on the basis of a public benefit in meeting market need for new floorspace on this site.
- 25.13 It is clear, as set out in this report and summarised above, the application does not accord with the development plan. The benefits identified by the applicant do not outweigh the harm caused by the proposals.

## Heritage Balance

- 25.14 Paragraph 202 of the NPPF is engaged therefore the “less than substantial harm” to the significance of the heritage assets must be weighed against the public benefits of the proposal. The proposals would result in a number of public benefits identified above. Given officers’ assessment of the proposals overall, it is not considered however that the benefits are sufficient justification to outweigh the “less than substantial” harm to the heritage assets.

## Overall Planning Balance

- 25.15 Overall, the proposed development will bring a range of measurable economic, social and environmental public benefits that accord with the three dimensions of sustainable development set out in the NPPF. However, the proposals will also result in social and environmental harm as identified in the report above. In exercising the planning balance, it is considered that on the basis of the current proposals as submitted, the planning harm outweighs the positive benefits arising from the development.

## 26. Recommendation

- 26.1 **A: That the Council response to the planning appeal is that the application should be REFUSED** for the following reasons:

### 1. Visual and landscape impact

Policy HQ/1 of the South Cambridgeshire Local Plan provides that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context. Sub-paragraph (a) provides that proposals must preserve or enhance the character of the local urban and rural area and respond to its context in the wider landscape. Sub-paragraph (b) provides that proposals must conserve or enhance important natural and historic assets and their setting. Sub-paragraph (d) provides that proposals must be compatible with their location and appropriate in terms of scale, density, mass, form, siting, design, proportion and other matters in relation to the surrounding area.

Policy NH/2 provides that development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located.

Policy NH/6 provides that the Council will aim to conserve and enhance green infrastructure within the district. Proposals that cause loss or harm to this network will not be permitted unless the need for and benefits of the development demonstrably and substantially outweigh any adverse impacts on the district's green infrastructure network.

Policy NH/8 provides that development on edges of settlements which are surrounded by Green Belts must include careful landscaping and design measures of a high quality.

Policy SS/4 sub-paragraph 4a provides that all proposals should take into account existing site conditions and environmental and safety constraints.

Policy 60 of the Cambridge Local Plan (2018) provides a framework for assessing any proposal for a structure that breaks the existing skyline and/or is significantly taller than the surrounding built form and requires proposals to demonstrate how they fit within the existing landscape, townscape and historic environment.

The NPPF, at Paragraph 130(c), seeks to ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change

The eastern edge of the site is particularly sensitive due to its long views over the River Cam across the Green Belt towards the City. It is considered that the proposals, due to their height and massing, create an abrupt, hard edge that fails to enhance or preserve the character of the area and is not sympathetic to or in keeping with the site's context in the wider landscape including the setting of the City.

The height and massing of the proposed development is not sympathetic to the scale, density and massing of the surrounding areas which comprise primarily low level and low-density development. Accordingly, the development will not result in a well designed place that responds positively to the surrounding context and is considered to have an overbearing presence on the existing development to the east of the development on Fen Road and to the west of the development particularly on Discovery Way.

Overall, the proposed development is not considered to result in high quality development that delivers a well designed place contributing positively to its surroundings. Instead, the proposals result in harm to the surrounding landscape and Green Belt, particularly on the eastern edge of

the site, and to the adjacent urban areas and its relationship with the wider North East Cambridge Area, the City skyline and the landscape beyond. The proposal is therefore not in accordance with South Cambridgeshire Local Plan policies HQ/1, NH/2, NH/6, NH/8 and SS/4 and Policy 60 of the Cambridge Local Plan and the NPPF.

## **2. Heritage**

Policy HQ/1 of the South Cambridgeshire Local Plan provides that all new development must conserve or enhance historic assets and their settings

Policy NH/14 provides that development proposals will be supported when they sustain and enhance the special character and distinctiveness of the district's historic environment including its countryside and create new high quality environments with a strong sense of place by responding to local heritage character. It continues that development proposals will be supported when they sustain and enhance the significance of heritage assets, including their settings, as appropriate to their significance and in accordance with the National Planning Policy Framework. The proposed development fails to accord with these objectives.

It is considered the proposed buildings, due to their height and massing, together with their siting in a row along the eastern edge with minimal gaps between the buildings, would constitute a permanent change to the visual quality of the Fen Ditton and Riverside & Stourbridge Common Conservation Areas and would have a negative effect on the way in which they are experienced and appreciated. The proposals would generate increased visibility and presence of urbanising elements of development within the conservation areas and would affect the experience of their rural character. The intensification of development would affect the riverside setting which is a fundamental characteristic of the conservation areas and is sensitive to change. The development proposals would result in a less than substantial harm to the significance of these heritage assets at a moderate level. The public benefits of the proposal do not outweigh this harm.

In addition, there is insufficient information to demonstrate that the proposals do not harm the setting of Anglesey Abbey registered park and garden. Accordingly, the proposals are contrary to South Cambridgeshire Local Plan policies NH/14 and HQ/1 of the local plan and is not in accordance with the NPPF.

## **3. Design**

Policy HQ/1 of the South Cambridgeshire Local Plan provides that all new development must be of high quality design, with a clear vision as to the positive contribution the development will make to its local and wider context. Sub-paragraph c provides that proposals must include variety and interest within a coherent, place-responsive design, which is legible and creates a positive sense of place and identity whilst also responding to the local context and respecting local distinctiveness. Sub-paragraph e provides that proposals must deliver a strong visual relationship between buildings that comfortably define and enclose streets, squares and public places, creating interesting vistas, skylines, focal points and appropriately scaled landmarks along routes and around spaces. Sub-paragraph i provides for safe, secure, convenient and accessible provision for cycle parking and storage within the development. Sub-paragraph l provides that proposals mitigate and adapt to the impacts of climate change on development through location, form, orientation, materials and design of buildings and spaces. Sub-paragraph m provides that proposals include high quality landscaping and public spaces that integrate the development with its surroundings, having a clear definition between public and private space which provide opportunities for recreation, social interaction as well as support healthy lifestyles, biodiversity, sustainable drainage and climate change mitigation.

Policy SC/7 provides that all housing developments will contribute towards Outdoor Playing Space and Informal Open Space to meet the need generated by the development in accordance with minimum standards including 0.4ha. per 1,000 people.

The NPPF, at Paragraph 130(d) seeks to ensure that developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

The planning application fails to provide high quality public open space or a public realm which would result in a well-designed coherent sense of place that contributes to local distinctiveness. The proposals fail to provide sufficient formal children's play space which is convenient for residents to use, clearly distinguished from the public realm and not bisected by vehicular routes.

The shape and form of buildings within the outline application are not considered to appropriately respond to their locations, resulting in potential incompatible building designs fronting streets and open spaces. The lack of flexibility in the parameter plans potentially precludes, or at least limits, this incompatibility being resolved at Reserved Matters stage.



Building S4 (One Milton Avenue) is overly large and bulky for its location, which its architectural detailing and articulation fails to overcome.

The proposed development, through its over reliance on two tier cycle parking together with the poor relationship of some cycle access points in relation to cycle ways, fails to provide convenient and accessible provision for cycle parking and does not sufficiently promote active travel.

As such the proposal is considered to be contrary to South Cambridgeshire Local Plan policies HQ/1 and SC/7 and the NPPF.

Furthermore, without the applicant demonstrating that development can come forward with no single aspect north-facing apartments there is conflict with Policy HQ1 (I) and paragraph 153 of the NPPF.

#### **4. Comprehensive development**

Policy SS/4 of the South Cambridgeshire Local Plan allocates an area, including the application site, for high-quality mixed-use development primarily for employment uses as well as a range of supporting uses, commercial, retail, leisure, and residential uses (subject to acceptable environmental conditions). The amount of development, site capacity, viability, time scales and phasing of development is to be established through the preparation of an Area Action Plan ('AAP'). The policy provides at criterion 4c that proposals should ensure that appropriate access and linkages, including for pedestrians and cyclists, are planned in a high quality and comprehensive manner. Criterion 4e of policy SS/4 requires that proposals should ensure that the development would not compromise opportunities for the redevelopment of the wider area. The supporting text to the policy at 3.31 provides that Planning applications submitted before the adoption of the AAP will be considered on their own merits and subject to ensuring that they would not prejudice the outcome of the AAP process and the achievement of the comprehensive vision for the area as a whole that will be established by the AAP.

The application does not explain, in the absence of a comprehensive and appropriate S106 agreement, how the requirements of the development plan for comprehensive development of the areas would be achieved, and the proposal is accordingly considered to be contrary to the objectives of policies SS/4, TI/2 and TI/8 of the Local Plan.

#### **5. S106**

Mitigation in the form of financial contributions and obligations are required to mitigate the impacts of the proposed development. Alongside the use of planning conditions, the development generates a requirement for a range of community infrastructure on the site or in the locality. This would be secured by way of a legal agreement. In the absence of an agreed S106 agreement the necessary mitigation to make the proposals acceptable cannot be secured in accordance with policies SC/4, SC/6 and TI/8 of the South Cambridgeshire Local Plan.

## **6. Flood risk**

Policy CC/7 provides that all development proposals must demonstrate that there are adequate land drainage systems to serve the whole development. Policy CC/8 provides that development proposals must incorporate appropriate sustainable surface water drainage systems appropriate to the nature of the site. Policy CC/9 sub-paragraph b provides for an allowance for climate change where appropriate.

The application provides insufficient clarity on the climate change allowances utilised. In particular, the commercial, retail and laboratory buildings have been accounted for a shorter lifetime than the surrounding residential areas, utilising a 20% climate change allowance on the 100 year storm. However, it is likely that these structures will be contributing to the impermeable areas for the lifetime of the development. Whilst it is acknowledged that the proposals include a sunken area for informal flooding, the LLFA has advised that the proposed SuDS system on site should be designed to accommodate the lifetime that these areas will be impermeable and therefore contributing to the drained area.

As such the proposal is considered to be contrary to South Cambridgeshire Local Plan policies CC/7, CC/8 and CC/9 and the NPPF.

## **7. Ecology**

Policy NH/4 provides that new development must aim to maintain, enhance, restore or add to biodiversity. Where there are grounds to believe that a proposal may affect a Protected Species, Priority Species or Priority Habitat, applicants will be expected to provide an adequate level of survey information and site assessment to establish the extent of a potential impact. This survey information and site assessment shall be provided prior to the determination of an application.

The application provides insufficient information to adequately assess the ecological impact of the proposals. In particular, the bat surveys must be

completed if the building/structure B1 is within the full application site. In addition, the impact of the additional bird species identified has not been assessed. On the basis of the information submitted, the application is contrary to South Cambridgeshire Local Plan policy NH/4, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

## **8. Safeguarded sites**

Policy SS/4 of the South Cambridgeshire Local Plan criterion (a) provides that proposals should take into account existing site conditions and environmental and safety constraints. Policy 16 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 requires applications to demonstrate they will be compatible with the safeguarded sites identified in the Plan.

Insufficient information has been submitted in the noise report to demonstrate that the interaction between the proposed commercial use and the Aggregates Railhead (a Transport Infrastructure Area) will not prejudice the existing or future uses of the Transport Infrastructure Area as required in Policy 16: Consultation Areas of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and the 'agent of change' as set out in para. 187 of the NPPF and contrary to criterion 4a of policy SS/4 of the South Cambridgeshire Local Plan.

- 26.2 **B: In the event that new information to address any reasons for refusal is forthcoming that Members authorise the Joint Director of Planning and Economic Development, in consultation with the Chair and Vice Chair, to review the Councils reasons for refusal and make representations on the Councils behalf accordingly.**
- 26.3 A number of the reasons for refusal relate to insufficient information being provided by the applicant. The procedural guidance on planning appeals is clear that ongoing discussion between the applicant and the local planning authority should ensure that the applicant has the opportunity to respond to any issues/concerns before the local planning authority's decision is made. This will mean that there should be no unexpected issues raised by that decision.
- 26.4 In this case, the applicant chose to submit their intention to appeal against non-determination only two days after the consultation period ended on a large amount of new information.

- 26.5 The Appellant has therefore lost the opportunity to work constructively with the local planning authority on addressing the matters raised in the consultation responses.
- 26.6 The procedural guidance is clear that new evidence will only be exceptionally accepted where it is clear that it would not have been possible for the party to have provided the evidence when they sent their full statement of case.

### **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.

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework SPDs

### **Appendices**

Appendix 1 – Application documents  
Appendix 2 – Submitted drawings  
Appendix 3 – Legislation and planning policies  
Appendix 4 – Area covered by the AAP  
Appendix 5 – Summary of consultation responses  
Appendix 6 – Quality Panel report