

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

10 July 2019

AUTHOR/S: Joint Director of Planning and Economic Development

Application Number: S/0768/18/FL

Parish(es): Orchard Park, Impington

Proposal: Erection of two new private rented residential blocks comprising a total of 93 apartments

Site address: Western side of Land Parcel COM4, Neal Drive, Orchard Park

Applicant(s): Marchingdale Developments Limited

Recommendation: Delegated Approval Subject to S.106

Key material considerations: Principle of Development
Housing Density
Affordable Housing
Housing Mix
Developer Contributions
Character and Appearance of the Area
Design Considerations
Trees/Landscaping
Biodiversity
Parking
Highway Safety
Neighbour Amenity
Noise
Contaminated Land
Renewable Energy
Archaeology
Flood Risk

Committee Site Visit: 11 June 2019

Departure Application: No (Advertised)

Presenting Officer: Luke Simpson, Consultant Senior Planning Officer

Application brought to Committee because: The Local Member has requested that the application is determined by the Planning Committee

Date by which decision due: 21 June 2018

Executive Summary

1. The Application Site is located within the development framework of Orchard Park. It is situated on the Cambridge Northern Fringe to the north of the city of Cambridge and south of the A14 road and the villages of Histon and Impington. The site forms part of the plot known as 'COM4' (as described in the Orchard Park Design Guidance SPD, 2011).
2. The Applicant has amended the Proposed Development in order to seek to address comments from Consultees. The proposal, as amended is for the erection of 93 build-to-rent apartments. The residential development would comprise 22 one-bedroom apartments and 71 one-bedroom studio apartments.
3. Build-to-rent developments are defined in the glossary of the NPPF 2019 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".
4. A vehicle parking area would be situated between the buildings at ground level and in the basement. A total of 52 parking spaces would be provided that would include four disabled spaces and four spaces with electric vehicle charging points. 144 cycle parking spaces would be provided within secure buildings at ground level. Four additional larger cycle parking spaces could be provided to the south of the public right of way.
5. Planning Officers have concluded that the Proposed Development would comply with all relevant Development Plan policies with the exception of Policy H/9 (Housing Mix). However, it is considered that the conflict with Policy H/9 only arises given that the housing mix breakdown detailed in this policy is catered towards all residential development (of 10 dwellings or more) in the District. The Local Plan sub-text makes it clear that one of the objectives of this policy is to increase the number of smaller residential units in the District. This scheme does exactly that, through the provision of 93 one-bedroom units.
6. No affordable housing has been provided within the scheme. The National Planning Policy Framework states that affordable housing on build to rent schemes should be provided by default in the form of affordable private rent, a class of affordable housing specifically designed for build to rent. Affordable private rent and private market rent units within a development should be managed collectively by a single build to rent landlord.
7. The NPPG states that 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any build to rent scheme. The guidance on viability permits developers, in exception, the opportunity to make a case seeking to differ from this benchmark.
8. A viability assessment has been submitted with the application. The Council instructed the District Valuer to advise whether the evidence submitted was correct and whether the proposal would be viable with any affordable housing. The District Valuer has confirmed that the scheme is not viable. The applicant has advised that the proposal is a long-term investment which is why such losses can be accommodated within the scheme. Orchard Park Community Council requested a copy of the viability assessment and were provided with this on 26th June 2019.

9. Whilst a viability assessment has been submitted that justifies the lack of affordable housing within the scheme, it is considered appropriate to secure a section 106 legal agreement to ensure that the units are Build to Rent for a certain period of time, there is a review mechanism to monitor the rental income, and if the units are sold on the open market, the value of affordable housing provision is recouped if the units are sold on the open market within 15 years (known as a 'clawback').
10. Consultees have raised concerns in relation to design. However, Planning Officers, for the reasons set out within this report, consider that the design of the Proposed Development accords with all the relevant Development Plan Policies. NPPF Paragraph 130 states that where design accords with relevant policies, design should not be used by the decision-maker as a valid reason to object to a development. Planning Officers conclude that there would be some conflict with the Orchard Park Design Guide SPD. However, this is outweighed by other material considerations as in this instance (as discussed below).
11. Concerns raised by consultees in relation to the proposed landscaping/planting measures can be dealt with through a suitably worded condition requiring submission of details for approval by the Local Planning Authority prior to commencement of development.
12. Planning Officers consider that the Proposed Development complies with all other relevant Development Plan policies in respect of issues raised by consultees and objectors, including policies on noise, amenity, transport, design, landscaping, flood risk, contamination, biodiversity, heritage, housing density, affordable housing and developer contributions.
13. The provision of 93 residential units is a benefit of significant weight and this is a material consideration in determining this planning application. More specifically, the contribution that the Proposed Development would make to the Council's housing land supply is a significant material consideration. The current extant consent for residential development on the Application Site would deliver 42 dwellings. This is the number of units which is included within the Council's Annual Monitoring Report (2017) and which feeds into the current 5 year housing land supply (5YHLS) calculation.
14. As Members may be aware, NPPF Paragraph 73 requires that the Council updates the 5YHLS position on an annual basis. The Applicant has confirmed that this scheme is deliverable within five years and has confirmed that the flats will be occupied within two and a half years of any planning consent being granted. Therefore, this Proposed Development would make a contribution of an additional 51 units, over and above that included for this site in the Council's current 5YHLS calculation. Planning Officers consider that this is a benefit of significant weight.
15. In summary, the proposed development accords with all relevant development plan policies with the exception of Policy H/9. However, the scheme is in accordance with the objectives of this policy. There is considered to be no harm associated with this conflict. Turning to material considerations, the Proposed Development would make a significant contribution towards significantly boosting the supply of housing, in line with the requirements of NPPF Paragraph 59. More specifically the scheme would make a significant additional contribution, of 51 units, to the Council's 5YHLS, which is updated annually. The scheme would also provide private rented housing which is in short supply within the District. For these reasons, Planning Officers consider that planning permission should be granted subject to conditions and an appropriately

worded Section 106 Agreement.

Planning History

16. S/3983/18/FL - Erection of two new private residential blocks comprising 168 student rooms and associated facilities – Pending decision

S/3039/17/RM - Application for approval of reserved matters (Access, appearance, landscaping, layout and scale) following planning permission S/2948/16/VC for the development of 82no. units for an Apart/Hotel with restaurant and gym facilities – Approved (Site to directly east of Application Site)

S/2948/16/VC - Variation of conditions 1 (reserved matters), 2 (time scale), 3 (implementation), 5 (detailed view), 6 (detailed plans), 7 (road and footways), 9 (travel plan), 10 (car and cycle parking) and 11 (noise mitigation) pursuant to planning permission S/2975/14/OL for the erection of up to 42 No. 1,2,3 and 4 bedroom apartments on the smaller site within Land Parcel Com 4 and 82 No. units for an Apart / Hotel with a restaurant and gym facilities on the larger site on Land Parcel Com 4, Neal Drive, Orchard Park Development - Approved

S/2975/14/OL – Outline planning application for the erection/development of 42no apartments on the smaller site within the COMM 4 land parcel, and 82no units for an Apart/Hotel with a restaurant and gym facilities on the larger site on land parcel COMM 4 within the Orchard Park Development - Appeal Allowed

S/2248/14/OL - Outline planning application for the erection/development of 132 flats on Land Parcel COM4 (both Sites) at Orchard Park - Appeal Dismissed

S/1734/07/F - Erection of 182 dwellings (56 affordable) and associated infrastructure - Appeal Dismissed

S/2298/03/F - Strategic Infrastructure Comprising Spine Roads and Footways, Cycle ways, Surface Water Drainage, Foul Water Drainage and Strategic Services - Approved

S/2379/01/O - Development Comprising Residential, Employment, Retail, Leisure, Social/Community Uses, Open Space, Educational Facilities and Associated Transport Infrastructure - Approved

National Guidance

17. National Planning Policy Framework 2019
National Planning Practice Guidance

Development Plan

18. South Cambridgeshire Local Plan 2018
S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/6 The Development Strategy to 2031
S/7 Development Frameworks
S/8 Rural Centres

SS/1 Orchard Park
 HQ/1 Design Principles
 H/8 Housing Density
 H/9 Housing Mix
 H/10 Affordable Housing
 H/12 Residential Space Standards
 NH/2 Protecting and Enhancing Landscape Character
 NH/4 Biodiversity
 NH/8 Mitigating the Impact of Development In and Adjoining the Green Belt
 CC/1 Mitigation and Adaptation to Climate Change
 CC/3 Renewable and Low Carbon Energy in New Developments
 CC/4 Water Efficiency
 CC/7 Water Quality
 CC/8 Sustainable Drainage Systems
 CC/9 Managing Flood Risk
 SC/6 Indoor Community Facilities
 SC/7 Outdoor Play Space, Informal Open Space and New Developments
 SC/9 Lighting Proposals
 SC/10 Noise Pollution
 SC/11 Contaminated Land
 SC/12 Air Quality
 TI/2 Planning for Sustainable Travel
 TI/3 Parking Provision
 TI/8 Infrastructure and New Developments
 TI/10 Broadband

Supplementary Planning Documents

19. Orchard Park Design Guide SPD – Adopted March 2011
 Open Space in New Developments SPD - Adopted January 2009
 Biodiversity SPD - Adopted July 2009
 Trees & Development Sites SPD - Adopted January 2009
 Landscape in New Developments SPD - Adopted March 2010
 Affordable Housing SPD - Adopted March 2010
 District Design Guide SPD - Adopted March 2010

Consultation

20. **Orchard Park Community Council** – Recommends refusal. Comments, as amended, included in full at Appendix 1.
21. **Impington Parish Council** - Recommends refusal, as amended, on the following grounds: -
 - i) Insufficient parking provision, forecasted levels of bicycle ownership are ambitious
 - ii) Overdevelopment of site
 - iii) Noise reflection, impact on residents of Histon & Impington
 - iv) No affordable housing provision

Comments that if SCDC are minded to approve, noise absorbing materials should be considered to limit the impact noting the reflective barrier adjacent to the site.
22. **Affordable Housing Officer** – The Council's affordable housing officer has reviewed the information provided on viability and notes the deficit for the scheme which confirms that the application cannot sustain any affordable housing.

However, they would like it noted that the Housing Team are disappointed that the developers have decided to provide such a high specification which has increased the costs substantially.

With regard to the 'clawback' proposal, the Affordable Housing Officer would be seeking a covenant period of 15 years minimum with a mechanism in place to recoup affordable housing contributions of 40% in the event of the covenant being broken. Details to be refined in the S106.

23. **Urban Design Officer** – Comments, as amended, that the applicant has not addressed the key issues raised and refusal is recommended in design terms on the grounds of inappropriate scale and massing of the 5 storey proposal; the impact of the layout and height of the 5 storey apartment block on the street scene, enclosure and views along the E-W route; the lack of direct entrances along the street frontages; and concern over residential amenity, particularly a lack of amenity space for residents and interlocking from the Travel Lodge corridor windows.

The applicant was asked to make 5 key changes in the previous comments however these have not been addressed. With reference to previous concerns, the applicant has not reduced the height from 5 storeys to 4 storeys; has still not provided sufficient amenity space in terms of balconies or provision of communal amenity space nor have the frontages been sufficiently animated. A positive change has been made to the E-W route which measures 8m in width from the southern boundary fence to the proposed block A and B; however, the proportion of the 5 storey block adjacent to the 3 storey houses still presents an issue of overbearing.

Scale & Mass: As per previous comments, the scale of 5 storeys is not policy compliant; furthermore, the mass created by the footprint of a 5 storey apartment block adjacent to 3 storey dwellings, just 8m, does not respect the scale of the adjacent 3 storey dwellings and is overbearing in nature.

Building Lines, Enclosure: & Views: This site is located on the edge of Orchard Park and a key part of the site is providing an east-west visual link through to the square in Topper Street, a key legibility principle. The principle of enclosure, looking at the ratio of building height to street width has meant officers have expressed a desire to open up this space which acts as a pinch point whereas here Orchard Park SPD is looking for a clear visual link for way finding purposes. In addition, the proposal places two rows of trees which prevents a clear view through. Buffer planting along the southern boundary would alleviate this and create a clearer link, create a threshold space between the fence whilst retaining a tree lined route.

The existing Travel Lodge Hotel and proposed Hotel-Apartment block on the northern part of Topper Square share a route along the northern edge of the development and a general building line with a visual stop on the western side of Topper Street/Square (and described in Orchard Park SPD).

The proposed built form interrupts this strong visual link and creates a new visual stop on the western elevation. However, the corner of Block A creates a poor visual stop with no special elevational qualities to acknowledge the visual stop on this corner, just height. In urban design terms the current elevational treatment is not effective in creating a sufficiently different way finding point through the use of entrances/openings, balconies and detailing with different materials (as per policy HQ/1 South Cambridgeshire Local Plan 2018 and the District Design Guide 2010).

The applicant has failed to address the lack of outdoor amenity space for residents;

the District Design Guide (2010) sets out expectations for both communal (gardens) and private (balcony) amenity space for apartments.

Entrances: Following on from above, the creation of a key corner on Chieftain Way would suggest that an entrance should be considered at this point. Entrances have been internalised within the block resulting in a lack of activity along the streets; active frontages require entrances from the street and there is no reason why this can't be achieved at ground floor, for example the ground floor studios onto Topper Square and which would also provide a small outdoor amenity space within the threshold space.

In addition, the following key design principles have not been addressed as set out policy HQ/1: South Cambs Local Plan 2018 and South Cambridgeshire District Design Guide 2010.

Amenity & Overlooking: There are corridor windows on the eastern elevation of the Travel Lodge which will interlock Block A apartments; given these are studio flats there is a sensitivity issue with interlocking into bedroom space. 12.5m is insufficient in terms of distance between the proposed building and the Travel Lodge and does not meet South Cambridgeshire Design Guidance (2010) of 25m between habitable rooms. Light levels and the outlook for residents of the ground floor of Block A will be poor especially those closest to the substation where a habitable room is 3 metres from the wall. This is unacceptable and does not comply with the District Design Guide which sets out a min of 12m to a blank wall so internal re-configuration is required; office, storage etc would be better placed here.

Layout & Parking Provision: Whilst the layout looks to follow the alignment of the urban form given by the housing to the south of the development the number and size of the apartment blocks does not allow the site to accommodate sufficient surface level parking which is out of the public realm; the proposal has the parking sticking out into the new east west access route running along the south of the site which is unacceptable in design terms (parking should be accommodated out of the street scene).

Appearance: The elevational treatments have been little altered since the previous comments. Whilst generally balanced more work is required to address entrances, elevations which stop views by looking at the proportions of window openings, use of balconies to break up elevations or overlook spaces eg Chieftain Way/Topper Street, and how materials and corners could be detailed to draw the eye along the new route.

24. **Landscape Officer** – Comments, as amended, that some minor improvements have been made to the layout – The southern elevation of block B has now been moved north by approximately 3.5m to create a wider space – approximately 7.5m between the block and the existing dwellings to the south.

However, objections remain to the current proposals in terms of layout, landscape and drainage.

Drainage

The indicative drainage layout drawing 2204-03 Rev B shows Aquacell system and storm BR manholes (1.2-1.5m) situated over the underground car park. The sections drawing OP/168/18 show the total cover over the underground car park at approximately 0.75m deep, so it is unlikely that this arrangement will work.

The majority of the parking area tree planting is shown in sealed pits above the underground car park. These pits extend beneath the levels of surface water drainage and Aqua cell areas, so it is difficult to see how they can be drained. This will result in waterlogging of the tree pits.

Layout

A large tied planting structure – approximately 5.0m tall has been introduced in response to comments about views to the A14 and noise from the road being channelled into the site. This structure is shown as tied into the brickwork of block A (east elevation) but it is difficult to see how it could satisfactorily be tied into the cycle parking/compound wall to the west, where it would add to the clutter on the north-east boundary. The structure itself sits over the underground car park, and is likely to have difficulties with drainage and restricted growing areas. A raised bed – offering a larger growing space - with layered vegetation (eg groundcover/hedge/pleached trees and a rear (planted) wall at 2.5m would be wall would be preferable

Although now slightly wider, the proposed amenity open space is located within this corridor, and beyond the fence to the development. This is not acceptable as amenity space.

The proposed arrangement of the proposed refuse store with the existing pumping station compound, car parking and turning head to Neal Drive results in very unattractive boundaries to the north and east.

Planting

As far as I am aware, apart from the specification of Birch trees, no planting details have been provided. We would require additional tree species in the planting scheme, not just Birch.

There are existing trees – maturing Field Maple - within 2-3m of the western boundary of block A and proposed Birch trees within 2m of dwellings at 7 and 54 Neal Drive. These trees will grow far larger than the present or planted size and are likely to impact on the buildings.

Actions Required

Proposals to show how the surface car parking, drainage, tree planting and underground car park can work together.

Proposals for planting, amenity open space and the planting structure on the northern boundary (which will also sit over the underground car park)

25. **Trees and Landscapes Officer** – Comments, as amended, that significant concerns are raised over the limitations of the proposed landscape with no detail to establish its viability. There are trees on or adjacent to site with no statutory protection. Although small/young, these trees have future potential amenity value.

The existing trees around the site have not been identified on proposed plans, neither is a projection of their size in ten years' time. This is disappointing as the proposed development would make the trees impracticable/unsustainable.

The proposed landscape scheme is limited by the allotted space and the podium planting (on top of an underground car park) in an urban canyon. There is very little

detail relating to the landscape and how this will provide a pleasant environment or be established or maintained. It is suspected this landscape is going to provide a very limited contribution to the amenity of the proposed residents, let alone the wider neighbourhood. It is certainly possible to provide a landscape in these harsh situations but to provide a good landscape is very hard and needs consideration upfront. The lack of detail makes me think the soft landscaping has not been given much consideration. It is very difficult to retrofit landscape infrastructure on these types of buildings/sites.

It was expected that detailed planting plans, cross sections of tree planting pits, details on irrigation and shade analysis would be provided. The landscape plans should include CCTV points (with visual splay) and lighting columns over 3m. There should be some reference between the landscape architect and the drainage consultant to confirm the trees will receive sufficient water to establish and flourish in maturity.

It is believed that the viability of the proposed landscape is a critical aspect of this proposed development successfully fitting into the neighbourhood and providing a nice place to live for the residents. The landscape should be shown to be viable with reasonable amenity.

26. **Ecology Officer** – Has no objections, as amended. Comments that the applicant has submitted a Preliminary Ecological Appraisal (MKA Ecology, February 2019) in support of the application. The document has confirmed the suitability of the site for common reptiles and engaged with local stakeholders regarding previous surveys undertaken. The document is sufficient to remove the previous holding objection.

Is in general agreement with the recommendations made by the submitted report and suggests a condition to cover this. Also advises of a separate condition regarding further reptile surveys to be undertaken prior to works commencing. The submitted report highlights that there will be very little suitable habitat left on site for any reptiles to remain; and therefore, a suitable receptor site will need to be found should translocation of reptiles be necessary. As this will likely be located outside of the redline boundary of this application site, this must be secured through a Section 106 Agreement.

Lastly in accordance with NPPF and the Adopted South Cambridgeshire District Council Local Plan Policy NH/4, applications should look to enhance, restore and add to biodiversity. Opportunities should be taken to achieve a net gain in biodiversity through the form and design of development. This should include the incorporation of a significant number of bat and bird nesting boxes within the development, use of native planting mixes and wild grasses, the inclusion of green and brown roofs, the inclusion of green walls, or the inclusion of features such as log piles, insect hotels and hedgehog connectivity. Using tools such as the DEFRA Biodiversity Impact Assessment Calculator can help to clearly show that the development is creating a positive gain in biodiversity. Recommend an ecological enhancement condition.

27. **Environmental Health Officer** – Has no objections providing noise levels from road traffic on the A14 are adequately assessed and controlled. It is anticipated that any adverse impacts can be satisfactorily mitigated at this location with the appropriate employment of noise mitigation schemes and careful consideration of layout/room orientation, etc. It would be expected that the process contained within the ProPG Planning and Noise guidance document (May 2017) be followed and an Acoustic Design Statement (ADS) be submitted detailing how good acoustic design has been incorporated throughout the development. Initial noise levels on site can be obtained

by prediction or measurement. The 'Calculation of Road Traffic Noise' (CRTN) produced by the Department of Transport / Welsh Office provides a method for the prediction of noise from road traffic. The Highways Agency Design Manual for Roads and Bridges, Volume 11, Section 3, Part 7 Had 213/11 Noise and Vibration, provides guidance on the assessment of noise impacts from roads and contains guidance for assessing the likely impact on amenity of noise generated by road traffic in the Long Term.

Requires conditions in relation to a noise insulation scheme for the protection of the units from noise from the road and informative to ensure the internal noise level within the habitable rooms, and especially bedrooms comply with British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice" derived from the World Health Organisation Guidelines for Community Noise: 2000.

28. **Air Quality Officer** - Has no objections. Comments that the development is very sensitive in terms of air quality as it is located within the designated Air Quality Management Area associated with the A14. Recommends conditions in relation to the provision of an electrical vehicle charging point for 5% of the total car parking spaces, provision of one Rapid electric vehicle charging point dedicated to low emission taxis, priority parking for electric vehicles, secure cycle storage with power for electric cycle charging, a car sharing scheme and car sharing spaces. .
29. **Contaminated Land Officer** – No objection, as amended, subject to condition.
30. **Sustainability Officer** - Comments that the Planning Statement makes reference to the appropriate local plan policy requirements and states that the application is supported by a Sustainability and Renewable Energy Statement which demonstrates how, through a mixture of ground source heat pumps, solar panels and efficient building design, these standards will be met and far exceeded.
31. **Drainage Officer** – Has no objections, as amended. Comments that the proposals have demonstrated suitable surface water and foul drainage provision. Requires a condition to agree details of the maintenance and management of the surface water drainage scheme.
32. **Section 106 Officer** - Comments that planning permission for Orchard Park (formally Arbury Camp) was granted on 14 June 2005 pursuant to a section 106 agreement completed on the same day. Orchard Park was planned as a development comprising residential, employment, retail, leisure, social/community uses, open space, educational facilities and associated transport infrastructure. There were to be 900 dwellings on the site and appropriate mitigation was secured to address the needs of the new residents (including play, sports and indoor meeting space).

Since then a small number of applications have been received for residential development on parcels that were previously identified for commercial or employment uses which have secured financial contributions towards such education, transport and health. A small number of these also have contributions towards infrastructure that a Parish Council would deliver however these are small sums for discrete projects for example planning permission at parcel L2 (S/1294/16/FL) for 63 x 1 bed units granted on 5 September 2017 secured £12k for an outdoor gym at the Community Centre.

COMM 4 land parcel, and 82no units for an Apart/Hotel with a restaurant and gym facilities on the larger site.

What was (and what was not) secured under this extant permission is material in determining what may be secured under the new application for 99 (amended to 93) apartments.

Planning permissions S/2975/14/OL and S/2948/16/VC secured the following:

- i) Affordable Housing
- ii) Education (early years, primary and secondary)
- iii) Monitoring Contribution
- iv) Transport Contribution
- v) Waste Receptacles Contribution

It is noted that the outline permission was allowed following an appeal. Notwithstanding this no contributions towards offsite play space, sports space or indoor meeting space were secured presumably no projects were identified or any projects that were identified were not considered necessary by the LPA.

This leads to the conclusion that the LPA could not reasonably introduce obligations associated with the new application unless something material had happened in the locality in the intervening period. Is not aware of any material change in local circumstances that would warrant this.

The s106 Officer is aware that the applicant has demonstrated that the scheme is currently not viable and so, even if qualifying projects were to be identified, it is unlikely that funding would be able to be secured.

33. **Local Highways Authority** - Has no objections, as amended. Requires conditions in relation to the submission of a traffic management plan during construction, the provision of pedestrian visibility splays either side of the access, the proposed access points shall be constructed so that they fall and levels are such that no private water from the site drains across or onto the adopted public highway (the use of permeable paving does not give the Highway Authority sufficient comfort that in future year's water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided) and the proposed access points shall be constructed using a bound material to prevent debris spreading onto the adopted public highway. Also requests an informative regarding works to the public highway.
34. **Cambridgeshire County Council Transport Assessment Team** – Has no objections, as amended subject to a contribution of £80,000 towards cycle route improvements on Histon Road between Kings Hedges Road and Hazelwood Close secured through a section 106, provision of a car club bay and a travel plan condition.

The new proposal includes an underground car park which raises the parking provision from the 24 previously proposed to 52 car parking spaces, of which 4 will be for disabled use giving 48 spaces for 98 flats of which 77 are studios and 21 are 1 bedroom flats. This results in a ratio of 0.5 car spaces per flat.

With a provision of 0.5 spaces per dwelling there is the chance that typical car ownership for this type of dwelling will result in overspill parking onto the public highway. The applicant has provided evidence based on census data of the local area to analyse this further. This analysis suggests that whilst at the time of the 2011 census the car ownership data would suggest that the site would require 66 spaces, there is evidence that this requirement will be reduced. The applicant proposes a car club bay, which will encourage residents not to own a car, and could reduce the demand for residents to own a vehicle by up to 15 vehicles.

The applicant notes that neighbouring wards have lower car ownership and need for parking, and suggests that Orchard Park could now have similar car ownership for the size of dwellings provided. Young people own fewer cars than they once did. Another similar scheme in the south of Cambridge has a similar provision of parking, and this is shown to adequately meet the demand from its residents.

This rationale combined is accepted by the Transport Assessment Team. As a result, the risk of overspill parking onto the public highway is considered not to be significant.

The CCC Transport Assessment Team have commented that the provision of cycle parking spaces has been reduced from the previous 160 to 144. This still allows parking for the expected number of occupants of each flat, effectively a provision of circa one space per occupant. This allows for one person per studio, two people per one bed unit. The CCC Transport Assessment Team consider that the cycle parking provision is acceptable.

35. **Highways England** - Has no objections.
36. **Cambridgeshire County Council Flood and Water Team** - Has no objections, as amended. Comments that the submitted documents demonstrate that surface water from the development can be managed through the use of tanked permeable paving, restricting surface water discharge to an Anglian Water surface water sewer beneath Neal Drive at a rate of 2.0 litres/second. Requires a condition in relation to a detailed surface water drainage scheme based on the submitted Surface Water Drainage Strategy along with its long term maintenance arrangements.
37. **Environment Agency** - Comments that the application falls within the Flood Risk Standing Advice. Requests informatives in relation to surface water drainage, pollution control, foul water drainage and contaminated land.
38. **Anglian Water** - Comments that the development is within 15 metres of a sewage pumping station would be at risk of nuisance from noise, odour or general disruption from maintenance work. The development should take this into account and provide a 15 metre cordon sanitaire. Foul drainage from the development will be within the catchment of Cambridge Water Recycling Centre that will have available capacity for these flows and the sewerage system at present has available capacity for these flows. Requires a surface water drainage condition.
39. **Cambridgeshire Fire and Rescue Service** - Comments that no additional supplies for firefighting are required. Fire service access should be provided.
40. **Police Crime Prevention Team** – Has reviewed Police incidents for the last few months in regards to anti-social and inappropriate parking across the Orchard Park area and regularly calls are received to our Control Room. Supports the additional parking but requests a condition should planning approval be obtained to ensure the applicant considers security – especially regarding entry/exit from car park, access control from car park to other floors etc.
41. **Cambridgeshire County Council Growth Team** - Comments that no contributions towards education places is sought as the expected yield from the development is low and there is sufficient local capacity to accommodate this need.
42. **Cambridgeshire County Council Historic Environment Team** - Comments that the

application area was included within a parcel of land subject to archaeological evaluation in 1991 (Cambridgeshire Historic Environment Record ref ECB353). The associated report indicates that the boundary ditches of a field system of medieval/post-medieval date cross the application area, however a further archaeological investigation on the scale permitted by the proposed application would be unlikely to contribute substantially to bettering our understanding of this site, therefore we have no objections or requirements for this development as proposed.

43. **District Valuer** - The applicant has provided the requested build costs information, and this has been reviewed and accepted by the District Valuer. In all other matters in the report, the District Valuer is content with the assumptions. The appraisal initially showed a significant deficit of some £1,209,220 when tested against the benchmark land value of £550,000. However, a significant change has been made to the scheme with the provision of an underground car park (to address Highways concerns) and the VOA were requested to update the appraisal taking this into account. The underground car park with 37 spaces including two passenger lifts has an associated total cost of £1,563,750. This cost has now been included in the appraisal along with professional fees and finance which shows an increased deficit from -£1,209,220 reported in November 2018 to -£2,802,025 detailed in the updated appraisal of March 2019.

Representations

44. 10 representations have been received from local residents that raise the following **concerns**: -
- i) Lack of parking on site and increase in on-street parking.
 - ii) Increase in traffic.
 - iii) Guided bus unreliable.
 - iv) Increase in noise and air pollution to Histon and Impington- requests sound barrier to the north of the A14 and absorptive materials.
 - v) Height of building and quantity of development on the site.
 - vi) Potential increase in crime.
 - vii) Lack of services in area- surgery, roads, public transport etc.
45. 1 representation has been received from a local resident that **supports** the development as the site is wasteland. This resident likes the design of the proposed development.
46. **Orchard Park Wildlife Project** – Advises of a population of lizards on the site and would like to ensure appropriate monitoring and translocation of any found to a suitable alternative local habitat.

Site and Surroundings

47. The Application Site is located within the development framework of Orchard Park. It is situated on the Cambridge Northern Fringe to the north of the city of Cambridge and south of the A14 road and the villages of Histon and Impington. The site forms part of the plot known as 'COM4' (as described in the Orchard Park Design Guidance SPD, 2011).
48. The site area is 0.26 hectares. The Application Site currently comprises of an area of grassland. There are a number of small trees adjacent to the western boundary of the site. The Application Site is situated within flood zone 1 (low risk).
49. The A14 road is situated to the north. A vacant plot that has planning permission for a

six-storey aparthotel and public open space is situated directly to the east. Three storey residential properties are situated to the south. A three/four storey hotel (Travelodge) is situated to the west.

Proposal

50. The Applicant has amended the Proposed Development in order to seek to address comments from Consultees (as discussed later in this report in relation to design and amenity). The proposal, as amended is for the erection of 93 build-to-rent apartments. The residential development would comprise 22 one-bedroom apartments and 71 one-bedroom studio apartments. Build-to-rent developments are described in more detail in this report under the subtitle 'Housing Mix'.
51. The scheme would comprise two linear blocks arranged on the eastern and western boundaries of the site with a north to south orientation. The buildings would be 5 storeys and measure a maximum of 14.2 metres in height. The design would include the fifth storey being set back, projecting elements to the north, south and central area elevations and window surrounds to the east, west and central elevations. The materials of construction would be Cambridge gault brick, bricks with recessed courses, glazed bricks, metal panels and corrugated metal panels. Windows and door frames would be grey and some windows would have precast cornices.
52. A vehicle parking area would be situated between the buildings at ground level and in the basement. A total of 52 parking spaces would be provided that would include four disabled spaces and four spaces with electric vehicle charging points. 144 cycle parking spaces would be provided within secure buildings at ground level. Four additional larger cycle parking spaces could be provided to the south of the public right of way.
53. Vehicular access to the site would be from Neal Drive to the east. A public right of way for pedestrians and cyclists would be provided to the south of the site between Chieftain Way and Neal Drive that would link to the pathways within the site.
54. Landscaping that includes tree planting would be provided to the south of the site within the public right of way and within the parking area. Landscaping in the form of hedges would surround the buildings to create public/private spaces. No public space would be provided on site but there is a public open space immediately to the east.

Planning Assessment

55. The key issues to consider in the determination of this application relate to the Principle of Development, Housing Density, Affordable Housing, Housing Mix, Developer Contributions, Character and Appearance of the Area, Design Considerations, Trees/Landscaping, Biodiversity, Parking, Highway Safety, Neighbour Amenity, Noise, Contaminated Land, Renewable Energy, Archaeology and Flood Risk.

Principle of Development

56. The Application site is wholly located within 'Orchard park' as defined on the Adopted Local Plan Policies Map (2018). The policy relevant to the principle of development in this location is Local Plan Policy SS1 (Orchard Park).
57. Policy SS/1 states that Orchard Park is allocated for a sustainable housing-led mixed-use development providing a minimum of 900 dwellings. When Orchard Park was

originally allocated in 2004, it had been envisaged that the plots adjacent to the A14, including the Application Site, would be used for commercial development. However, since then, the principle of residential development on the Application Site has been established through the extant outline planning permission S/2948/16/VC for 42 apartments. This consent was granted on 21 March 2017, with the submission of reserved matters to be made within 3 years (by 21 March 2020). This was a variation to planning permission S/2975/14/OL.

58. In addition, the principle of residential development on this site is referred to within the Orchard Park Design Guidance SPD (2011). Paragraph 2.9 of the SPD explains that the principle of residential development has been established on the COM4 site.

59. Part 3 of Policy SS/1 also makes provision for additional residential development. It states in part:

'Additional residential development may be granted planning permission but only where this would be compatible with the objective for the development as a whole of providing a sustainable housing-led mixed-use development'.

60. For the reasons set out in this report, Planning Officers consider that the proposed development would be compatible with policy objectives for Orchard Park. Policy SS/1 also sets out specific assessments which must be provided in relation to development under Part 3 of the policy, these include:

- A Noise Assessment
- Air Quality Assessment
- Transport Assessment

61. These issues are discussed separately within this report.

62. For the reasons outlined above Planning Officers consider that the principle of the proposed development is acceptable and accords with Local Plan Policy SS/1.

Housing Density

63. The site measures 0.26 of a hectare in area. The provision of 93 apartments would equate to a density of 358 dwellings per hectare. This would comply with the requirement of at least 40 dwellings per hectare for developments on the edge of Cambridge.

64. Whilst this is a very high density of development on a small site, it would make the most efficient use of the land.

65. The proposal would therefore comply with Policy H/8 of the Local Plan.

Housing Mix

Relevant Policy

66. Policy H/9 (Housing Mix) sets out the Council's policy on the type and mix of housing which will be provided to meet the needs of the community. Part 1 of this policy states that a wide choice, type and mix will be provided including 'people seeking private rented sector housing'. Part 1 also sets out the mix of homes to be achieved in developments of 10 or more homes, as follows:

- a. At least 30% 1 or 2 bedroom homes;
- b. At least 30% 3 bedroom homes
- c. At least 30% 4 or more bedroom homes;
- d. With 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.

Proposed Mix

67. The Applicant proposes a build-to-rent scheme comprising:
 - 22 one bedroom apartments; and
 - 71 one bedroom Studio Apartments
68. The Applicant originally proposed a number of 2 bedroom units but these were removed in order to comply with the residential Space Standards set out under Local Plan Policy H/12.

Build to Rent housing

69. Build to Rent is defined in the glossary of the NPPF 2019 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”.
70. Build to rent forms part of the private rented housing sector. It has seen significant growth in the UK recently from 11% of households in 2004/5 to 19% of households in 2014/5. Of the 11% in 2004/5, 24% of those aged 25-34 lived in the private rented sector and of the 19% in 2014/5, 46% of those aged 25-34 lived in the private rented sector. However, home ownership has decreased with 54% of those aged 25-34 with mortgages in 2004/5 to 34% of those aged 25-34 with mortgages in 2014/5.
71. Private sector accommodation is normally required for those aged 20 to 35, single people, couples, young professionals, students and short-term work contractors. They are usually looking for flatted units either on their own or with sharers and in an urban location.
72. In the district, currently 12% of housing falls into the private rented sector.
73. The proposal for build to rent housing would provide a different type of accommodation, that is currently not highly available within the District, to meet the needs of the community. It would be a suitable home for people that: cannot access affordable housing due to a less urgent need; can't afford to buy a property due to the high costs in the area; and/or are working on short contracts in the area.
74. The mix and size of units in this location would cater for the specific need for the majority of people looking for private sector housing.
75. This is evidenced by a similar scheme of the applicants on the southern edge of the city that comprises 90% of occupants in the age range of 20 to 35 and 10% in the age range of 36 to 55, 76% single occupants and 24% couples and 92% employed and 8% students.

Policy compliance

76. The Proposed Development does not technically comply with the requirements of Policy H/9, insofar as the policy specifies the split of housing mix required and there are no 2, 3 or 4 bedroom units proposed. However, Planning Officers consider that there are several material considerations which are relevant, and which indicate that this development provides a housing mix which is broadly consistent with the objectives of Policy H/9.
77. Firstly, Planning Officer's do not consider that the housing mix contained within Policy H/9 is directly applicable, in a ridged manner, to high density apartment developments. For example, it would be very unusual for apartment blocks to comprise 3 and 4 bedroom flats. It is relevant to note for example, that the Council approved a development comprising solely of one-bedroom flats on the 'L2' site in Orchard Park.
78. Secondly, build-to-rent development is a relatively recent concept which is not necessarily reflected by Policy H/9. However, it is referred to in the Policy H/9 subtext at paragraph 7.36 which states in part:
- 'Affordability within the private sector is a major concern for the District. The increase in the size of deposit required for both market and shared ownership means there is likely to be a significant demand for private rented accommodation from low to middle income households. **We will support the private rented sector to grow through build to let**, to meet the growing demand for rented homes as part of the market element of housing developments.'*
79. Finally, the Applicant has submitted evidence, in the form of a detailed and referenced report, to demonstrate that there is a demonstrable demand for additional housing in the Cambridge area of a type and tenure that is affordable to young households that make up a considerable proportion of the population. The report demonstrates that these are people who often do not meet the criteria for social rented housing but cannot afford to buy their own home.
80. Planning Officer's concur with the assessment and evidence provided by the applicant. There is a clear need for smaller dwellings in the District, with housebuilders traditionally favour larger detached and semi-detached dwellings. Indeed, Local Plan paragraph 7.37 supports this assertion. It states:
- 'Our housing stock has traditionally been dominated by larger detached and semi-detached family houses. Whilst recent developments have helped to increase the stock of smaller properties available, the overall imbalance of larger properties remains. The Census 2011 for example identifies that 75% of the housing stock are detached and semi-detached houses and bungalows, with 18% terraced homes and 6% flats and maisonettes.'*
81. For these reasons Planning Officers consider that, although technically in conflict with Policy H/9, the mix proposed through this build-to-rent proposal would accord with the broad policy objectives of Policy H/9 and would be acceptable. This conflict is also outweighed by other material considerations as discussed in the 'Planning Balance' section of this report.

Affordable Housing

82. No affordable housing has been provided within the scheme.

83. NPPF Paragraph 64 states in full:

'Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

*a) **provides solely for Build to Rent homes;***

b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);

c) is proposed to be developed by people who wish to build or commission their own homes; or

d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.' (emphasis added)

84. The National Planning Policy Framework states that affordable housing on build to rent schemes should be provided by default in the form of affordable private rent, a class of affordable housing specifically designed for build to rent. Affordable private rent and private market rent units within a development should be managed collectively by a single build to rent landlord.
85. The NPPG states that 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any build to rent scheme. The guidance on viability permits developers, in exception, the opportunity to make a case seeking to differ from this benchmark.
86. A viability assessment has been submitted with the application. The Council instructed the District Valuer to advise whether the evidence submitted was correct and whether the proposal would be viable with any affordable housing. The District Valuer originally advised that the scheme was viable subject to further information on build costs. Further information on the build costs was submitted by the Applicant. This information was reviewed and accepted by the District Valuer, who confirmed that the scheme was no longer being viable. In addition, further amendments to the scheme involving the provision of further vehicle parking at basement level and a reduction in the number of units has resulted in an increased deficit and questions over whether the scheme is deliverable. The applicants have advised that the proposal is a long-term investment which is why such losses can be accommodated within the scheme.
87. Orchard Park Community Council have made representations requesting that the viability assessment be made public in order that they can review it. The Applicant provided a copy of the assessment directly to the Community Council on 26th June 2019.
88. Whilst a viability assessment has been submitted that justifies the lack of affordable housing within the scheme, it is considered appropriate to secure a section 106 legal agreement to ensure that the units are Build to Rent for a certain period of time, there is a review mechanism to monitor the rental income, and if the units are sold on the open market, the value of affordable housing provision is recouped. More details in respect of this mechanism, known as a 'clawback', are discussed under the subtitle 'Section 106'.
89. Planning Officers therefore consider that the proposal would comply with Policy H/10 of the Local Plan.

Developer Contributions

90. Local Plan 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.
91. The Council's S106 Officer has commented that Planning permissions S/2975/14/OL and S/2948/16/VC (which include the Application Site) have secured the following contributions:
- i) Affordable Housing
 - ii) Education (early years, primary and secondary)
 - iii) Monitoring Contribution
 - iv) Transport Contribution
 - v) Waste Receptacles Contribution
92. This leads to the conclusion that the LPA could not reasonably introduce obligations associated with the new application unless something material had happened in the locality in the intervening period. The only additional contribution identified is that requested by the Cambridgeshire County Council Transport Assessment Scheme (£80,000 towards cycleway improvements). This contribution should be secured by an appropriately worded Section 106 Agreement.
93. Cambridgeshire County Council have confirmed that they do consider there to be any requirement to seek education contributions in respect of the Proposed Development.
94. The Council's S106 Officer has confirmed that monitoring contributions are not typically sought where the contributions relate solely to financial contributions.
95. The Council's Waste Service Officer has requested a contribution of £7000 towards waste receptacles.
96. The Council's S106 Officer has commented that the applicant has demonstrated that the scheme is currently not viable and so, even if qualifying projects were to be identified, it is unlikely that funding would be able to be secured.
97. Planning Officers consider that the proposed development would comply with Local Plan Policy TI/8 (Infrastructure and New Developments).

Character and Appearance of the Area/Design Considerations

98. Local Plan Policy HQ/1 (design principles) sets out various design criteria that must be met in respect of new development. This policy is supplemented by the District Design Guidance SPD (2010) and the Orchard Park Design Guidance SPD (2011). Each of the criteria outlined in Policy HQ/1 are dealt with in turn below.
- a. Preserve and enhance the character of the local urban and rural area and respond to its context in the wider landscape*
99. The proposed development is for 93 Apartments, comprising two 5 storey buildings. This type of development in this location is not considered to be out of character with the local area. The site is located centrally to the northern edge of the site between Chieftain Way/Neal Drive on parcel COM4 west. It falls within 'The Hedges' character area. The layout of the area comprises the aparthotel to east and hotel to west both

sited parallel with the A14 with residential developments to the south following the street pattern. The surrounding scale of buildings includes an aparthotel to the east that would have six storeys, the Travelodge hotel to the west that has three/four storeys and residential development to the south that has three storeys. Public views to the site are from Chieftain Way, Neal Drive and the adjacent public open space and Topper Street between existing buildings and the A14. Planning Officers consider that the development would be in-keeping with the existing character of the surrounding area.

b. Conserve or enhance important natural and historic assets and their setting

100. It is not considered that there are any natural or historic assets which would not be conserved or enhanced by the proposed development. Issues in relation to archaeology and ecology are discussed separately in this report.

c. Include variety and interest with 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

101. The siting of the buildings would have a north to south orientation and would not reflect the majority of the developments along the northern edge of the development that run east to west and parallel to the A14. However, this is considered acceptable in design terms as it would follow the urban grain of development along Chieftain Way, Topper Street and Neal Drive and there would be limited views of the A14 through tree screening from a small part of the public link to the south of the site, between the buildings on Topper Street and from Neal Drive and the adjacent public open space. This would be an improvement to the existing site, which currently has open views to the A14 from Chieftain Way and Neal Drive across the site and from between the buildings on Topper Street and the public open space.

d. Be compatible with its location and appropriate in terms of scale, density, mass, siting, design, proportion, materials, texture and colour in relation to the surrounding area.

102. The proposed buildings would be 14.2 metres in height. Planning Officer's consider that development of this scale generally reflects the of primary blocks on the site. However, it should be noted that the fourth floor is set back to reduce the scale and mass of the building and the height of the main bulk of the building would be 12.2 metres. The height of the building is considered suitable given the greater height of buildings along the northern edge. Another mitigating factor is that the buildings would be situated between three/four storey and six storey buildings. The height in relation to the three storey buildings to the south is also considered satisfactory given that these are 11 metres high and the proposed development would not be located immediately adjacent to these buildings, with a gap of approximately 9 metres. Whilst the Urban Design Officer has suggested that the proposals, at 5-storeys, would not be policy compliant, Planning Officers consider that the building height does comply with the parameters set out in the Orchard Park Design SPD (15 metres).
103. The maximum length of the buildings would be 44 metres and the maximum width of the buildings would be approximately 18 metres. This scale reflects the character of other buildings in the area, particularly along the northern edge of the development. The materials proposed would include a range of different types of bricks and metal cladding.
104. The bricks would be mainly Cambridge gault bricks that would reflect the buff bricks

on the adjacent developments. The materials are considered to be of high quality and would replicate those found in the surrounding area.

e. 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;

105. An area is proposed between the proposed buildings and the adjacent development to the south in order to provide an appropriate area for the key public realm link from Chieftain Way to Neal Drive and the adjacent open space. The space would comprise a shared pedestrian and cycle path along with landscaping that would soften the impact of the buildings and provide an attractive thoroughfare. Windows at ground floor level would face directly on to the link and windows would face east to west from projecting elements. Above ground floor level there are no windows proposed facing south, other than those which are set back on the fifth floor. The use of the vehicle parking and amenity area between the blocks would also provide some surveillance. Given the width of the space the higher development to the north and existing housing to the south and its position close to the existing road alignment, it is not considered to reduce the legibility of the development. It would also significantly improve the existing well-used route through a narrow link to the south between Chieftain Way and the back of dwellings in Topper Street.

106. The design of the buildings would be in the form of two linear blocks. The buildings would have projecting elements to the central western elevation with narrow projecting elements to the north and south elevations. This would create interest and break up the mass of the buildings. The area has a variety of different buildings that include pitched roofs, monopitch roofs and blocks. The block form and design of the building is not out-of-keeping with the character and appearance of the area and is therefore supported.

f. Achieve a permeable development with ease of movement and access for all users and abilities, with user friendly and conveniently accessible streets and other routes both within the development and linking with its surroundings and existing and proposed facilities and services, focusing on delivering attractive and safe opportunities for walking, cycling, public transport and, where appropriate, horse riding.

107. As noted above, the Proposed Development incorporates a pedestrian link between Chieftain Way and Neal Drive. At present there is no pedestrian link between Chieftain Way and Neal Drive. The introduction of a landscaped pedestrian link as part of the Proposed Development is therefore a benefit of the scheme which is compliant with criterion (f) of Local Plan Policy HQ/1. The development also incorporates pedestrian links within the development itself providing access between the blocks and with the area of parking and amenity space between the blocks.

g. 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.

108. The buildings are private and not public. However, the Proposed Development will include 3 disabled parking spaces. For these reasons the development is considered to comply with criterion (g).

h. Ensure car parking is integrated into the development in a convenient,

accessible manner and does not dominate the development and its surroundings or cause safety concerns;

109. The proposed development includes provision of 52 parking spaces including spaces between the two proposed buildings and a basement car park. The parking provision is discussed in detail in relation to the Local Plan policy TI/3 later in this report. However, in design terms this is not considered to be a parking dominated scheme and the parking is located in an accessible manner and integrated into the development. The Applicant has sought to locate much of the marking below ground, reducing the visual impact. Furthermore, parking is located between the two proposed buildings and will not be a prominent feature when viewed from the surrounding area. Planning Officers therefore consider that the Proposed Development would comply with Local Plan Policy HQ/1(h).

i. Provide safe, secure, convenient and accessible provision for cycle parking and storage, facilities for waste management, recycling and collection in a manner that is appropriately integrated with the overall development

110. Secure cycle parking would be provided in a number of different locations that include part of the ground floor of the buildings and within a building to the north. This would ensure that secure and covered cycle parking would be provided on site. A secure refuse store would be provided on part of the ground floor of the building. It would be accessed from within the site and off Neal Drive. For these reasons Planning Officers consider that the Proposed Development would comply with Local Plan Policy HQ/1(i).

j. Provide a harmonious integrated mix of uses both within the site and with its surrounding that contributes to the creation of inclusive communities providing the facilities and services to meet the needs of the community;

111. Planning Officers consider that the proposed Build-to-Rent apartment would assimilate well with the surrounding uses which comprise residential development and hotel accommodation. For these reasons Planning Officers consider that the proposed development would comply with Local Plan Policy HQ/1(j).

Criteria 'k,l': Climate Change, 'm': Landscaping, 'n': Amenity and 'o' crime

112. These criteria are all met and addressed within other sections of this report in relation to 'Sustainability', 'Landscaping', 'Residential Amenity' and 'Other Matters'.

Summary of compliance with Local Plan Policy HQ/1 (Design Principles)

113. Planning Officers consider that the Proposed Development would comply with all of the relevant criteria contained within Local Plan Policy HQ/1 in terms of design. The Council's Urban Design Officer has various concerns in relation to design and these primarily relate to the consistency between the development and the supplementary planning guidance, namely the District Design Guide and the Orchard Park Design Guide. This supplementary planning guidance is discussed below. These SPD's are a material consideration in the determination of this planning application.

Orchard Park Design Guide (SPD) (March, 2011)

114. The overall vision for the area was set out in the Arbury Camp Design Guide 2007. The Orchard Park Design Guidance SPD 2011 sets out the vision for the remaining plots to contribute to making Orchard Park an attractive, vibrant and contemporary

new neighbourhood. New development should take its context from the unique Cambridge context of linking high quality public open spaces and buildings that are formal with fine grain and domestic scale streets in order to create opportunities for a high quality of life.

115. Page 34-34 of the Orchard Park Design Guide sets out design guidance specific to the wider COM4 site. This is included at Appendix 2 of this report. Each of the criteria are addressed in turn below.
116. Scale and Massing: The design guidance refers to various appropriate building heights for the COM4 plot. Including 15m for a primary block, 12m for buildings overlooking the open space and 9m for other buildings. It is not explicitly clear which of these standards applies to the Application Site. The illustrative figure on page 35 of the SPD does not include any building heights for the Application Site. On balance, and given the surrounding development (both approved and developed), the proposed development with a building height of approximately 14 metres is considered to comply with this guidance. In addition, the fifth storey of the proposed development would be set back, reducing the perceived height of the buildings when viewed from surrounding areas.
117. Built Quality: The design guidance requires high quality landmark buildings with strong frontages which define and contain the open space and street. Planning Officer's considered that the proposed buildings would represent high quality landmark buildings which incorporate materials which are sympathetic to the character of the surrounding area. The relationship between the buildings proposed and the surrounding development, particularly to the south, would aide to create legibility and assist in wayfinding in respect of the proposed pedestrian link between Neal Drive and Chieftan Way.
118. Acoustic Attenuation and Air Quality: These matters are addressed separately within this report. However the SPD does state that buildings should be orientated in such away that they act as a noise barrier to the A14. Planning Officer's consider that the orientation of the buildings in two linear blocks, reflecting the residential development to the south, is appropriate in urban design terms. This is not what is envisaged in the SPD but it should not be a requirement of future development to mitigate against noise impacts that potentially already exist on between a source (A14) and receptor (existing residential properties). These impacts would have been considered at the time that the residential development to the south was approved. For these reasons, whilst the development does not comply with the SPD in this respect, it is considered that the orientation of the buildings is acceptable in design terms.
119. Frontages/Public Realm: The SPD requires active frontages and usable entrances from adjacent public realm areas. The Proposed Development does not incorporate many active frontages to the south, east, west or north, with the active frontages and entrances facing inwards towards the car park and amenity space area. For this reason the development does not accord with this SPD requirement. However, Planning Officers consider that the conflict with the SPD in this respect is outweighed by compliance with development plan policy and other material considerations as discussed in the 'Planning Balance' section of this report.
120. Access/Circulation and Parking: The SPD requires vehicular access in this location from Neal Drive. The Proposed Development complies with this guidance. The Proposed Development also integrates parking appropriately as discussed earlier in this report. The Urban Design Officer has commented that pedestrian access is limited to the adjacent access point with Neal Drive. However, the SPD actually

requires that all pedestrian access is from the street and in these terms it is considered that the Proposed Development complies with this aspect of the SPD.

121. Landscaping: The SPD advises that appropriate landscaping is provided along the boundaries to create a quality environment and protect privacy. Planning Officers consider that the Proposed Development meets this guidance, with planting proposed to the north, east, south and west of the site and within the site between the proposed apartment blocks. The SPD also advises that there is landscaping provided to the north to terminate views of the A14 barrier. The Proposed Development does include some landscaping to the north.
122. In summary there would be some conflict with the guidance contained within the Orchard Park Design Guide SPD. However, Planning Officers consider that the development broadly complies with the SPD and that any conflict is outweighed by other material considerations as discussed in relation to the 'Planning Balance' later in this report.

District Design Guide SPD (2010)

123. The District Design guidance should be read in conjunction with the Local Plan and Orchard Park Design Guidance SPD. The Urban Design Officer has commented that there is an issue of interlooking from the Travel Lodge corridor windows into the bedrooms of Block A where there is a separation distance of 14m (using the Block Plan scale) whereas policy seeks 25m in the District Design Guide 2010 between habitable rooms. Planning Officers are of a different opinion. Page 114 of the District Design Guide confirms that these standards are only applicable to 'habitable rooms'. Given that the Travelodge windows serve corridors it is considered that there would be no unacceptable impact on residential amenity arising from the design of the proposed development. Amenity impacts are also discussed further in relation to 'residential amenity' later in this report.
124. The District Design Guide also includes standards for private amenity space. These standards would not be met by the Proposed Development. The Proposed buildings would not include balconies, primarily due to the potential for noise impacts associated with the adjacent A14. Despite this, Planning Officer's consider that other material considerations outweigh the conflict with this SPD. This includes the fact that there is a large area of Public Open Space directly to the east of the Application Site.

Conclusions

125. Planning Officers consider that the Proposed Development complies with Local Plan Policy HQ/1 (Design Principles). The Urban Design Officer has outlined a number of concerns but these primarily relate to the guidance contained within the Orchard Park Design Guidance SPD. As outlined above, Planning Officers consider that whilst there are conflicts between the design of the proposed development and the SPD guidance, these are minor conflicts and are outweighed by other material considerations as discussed within the 'Planning Balance' section of this report.

Trees and Landscaping

126. Local Plan Policy HQ/1(m) requires development proposals include high quality landscaping and public spaces which integrate the development with its surroundings.
127. The plans submitted in respect of this application show that planting and landscaping proposals are achievable on this site, taking into account the proposed building and

parking layout. The Ground Floor plan shows planting interspersed within the proposed surface level car park, and to the southern (frontage) along the proposed pedestrian link which runs east to west. Whilst the Council's Landscape Officer has concerns in respect of the proposals, they have acknowledged that appropriate and acceptable landscape proposals are 'certainly possible'. It is considered that these issues can therefore be addressed by appropriately worded conditions, with details of both hard and soft landscaping provided for approval in writing. In particular the Council's Landscape Officer has raised concerns about the longevity of the proposed planting given its proposed location and lack of drainage. Planning Officers consider that appropriate species and tree pit design/location can be agreed through the submission of details required by condition.

128. Planning Officers consider that the proposed development therefore complies with Local Plan Policy HQ/1(m), subject to appropriately worded conditions.

Biodiversity

129. The application site consists of an area of rank grassland which is likely to have been unmanaged since the site was cleared. The site falls within the impact zone of a nearby SSSI; however it does not currently meet the cited criteria which would result in an automatic consultation with Natural England.
130. The Council's Ecologist was originally satisfied that an ecological assessment was not required in respect of this planning application. However, Orchard Park Wildlife Project advised of a population of lizards on the site. Local Plan Policy NH/4 (Biodiversity) requires that Applicants provide an adequate level of survey information where there are grounds to believe proposals may affect a protected species.
131. The Council's Ecologist requested that the Applicant undertake and submit a Preliminary Ecological Appraisal (PEA). The PEA confirmed the suitability of the site for common reptiles and engaged with stakeholders regarding previous surveys undertaken. The Council's ecologist subsequently confirmed that the PEA was sufficient and recommended various conditions, including a reptile survey prior to commencement of development.
132. Local Plan Policy NH/4 also requires that new development maintains, enhances or adds to biodiversity with opportunities taken to achieve a positive gain (net gain) in biodiversity. The Council's ecologist has concluded that a net gain in biodiversity is achievable subject to an appropriately worded condition requiring a scheme for biodiversity enhancement to be submitted to and approved by the Local Planning Authority.
133. For the reasons outlined above, Planning Officers consider that the Proposed Development accords with Local Plan Policy NH/4 (Biodiversity).

Highway Safety and Parking

Car Parking Provision

134. Local Plan Policy TI/3 (Parking Provision) states that car parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 included at Appendix 3 of this report. Figure 11 requires 2 spaces per dwelling for residential dwellings. On this basis the indicative parking standards for the proposed development are for a requirement of 186 spaces. The Applicant had originally proposed 24 parking spaces to serve the 99 apartments originally proposed.

The Cambridgeshire County Council Transport Assessment Team commented that this level of parking provision was not acceptable. The Applicant subsequently revised the parking proposals to incorporate a basement car park. The number of apartment units proposed has also been reduced to 93.

135. The current proposals include 52 car parking spaces, of which 4 would be for disabled use. This means that the level of parking provision proposed is approximately 0.5 car parking spaces per flat. In addition, the Applicant submitted a Supplementary Transport Statement which included details of a proposed car club scheme. The Applicant proposes to allocate one space at surface-level for a car club vehicle. The car club would be controlled/implemented through a s106 agreement.
136. It should be noted that the parking standards set out at Local Plan Figure 11 are indicative. Local Plan Policy TI/3(2) states that car parking provision will take into consideration site location, type and mix of uses, car ownership levels, availability of local services, facilities such as public transport, highway safety and user safety issues as well as ensuring parking for people with impaired mobility. Policy TI/3(5) also sets out that developers must provide a clear justification for the type and level of parking proposed.
137. The CCC Transport Assessment team commented that with a provision of 0.5 spaces per dwelling there is the chance that typical car ownership for this type of dwelling will result in overspill parking onto the public highway. The applicant has provided evidence based on census data of the local area to analyse this further. This analysis outlines that whilst at the time of the 2011 census the car ownership data would suggest that the site would require 66 spaces, there is evidence that this requirement will be reduced. The applicant proposes a car club bay, which will encourage residents not to own a car, and could reduce the demand for residents to own a vehicle by up to 15 vehicles.
138. The applicant has shown that neighbouring wards have lower car ownership and need for parking, and suggests that Orchard Park could now have similar car ownership for the size of dwellings provided. The information provided indicates that young people own fewer cars than they once did.
139. This rationale combined is accepted by the Transport Assessment Team. As a result, the risk of overspill parking onto the public highway is considered not to be significant. In any case, the Applicant has undertaken a Parking Survey which has demonstrated that there are approximately 12 available parking spaces on Neal Drive and some parts of surrounding streets.
140. Planning Officer's and the CCC Transport Assessment Team are satisfied that the Applicant has justified the level of parking provision proposed. The additional measures proposed, including car park management, provision of a travel plan (required by condition) and a car club (implemented by s106), are such that the level of parking provision proposed is acceptable. In addition, the site is considered to have good access to public transport for an urban fringe location. For these reasons, subject to a s106 agreement in relation to the provision of a car club, Planning Officers consider that the proposed development would comply with TI/3 (Parking Provision) in relation to car parking provision.

Cycle Parking Provision

141. The indicative standards for cycle parking are set out at Local Plan Figure 11. These standards suggest an indicative provision of one cycle parking space per bedroom.

Based on these standards the development would require 93 spaces.

142. The Applicant proposes 144 covered Cycle Parking Spaces. This exceeds the standards set out at Figure 11. Furthermore, the CCC Transport Assessment Team have commented that this level of cycle parking will be sufficient to accommodate the expected number of occupants of each flat.
143. Planning Officers therefore consider that the cycle parking provision is therefore considered to comply with Local Plan Policy TI/3 (Parking Provision).

Highway Safety

144. The Applicant submitted a Transport Statement which included an assessment of the likely impact of the Proposed Development upon the Transport Network. This Assessment compared the consented scheme for 42 units with the current proposals. The consented scheme would not be developed if the currently proposed scheme was developed as both schemes relate to the same site. The Transport Statement takes into account the transport movements detailed within the Transport Assessment submitted in respect of the extant planning permission. The current assessment concludes that although there would be a 50% increase in absolute terms over the currently approved development, this would only equate to an increase of approximately 4 or 5 vehicle movements per hour. The statement concludes that if a high propensity to cycle is taken into account the increase in vehicular movements would be no more than 15-20%.
145. The Transport Statement concludes that there would be no noticeable impact upon junction capacity or upon the wider transport network as a result of the Proposed Development.
146. Consultees, including CCC Transport Assessment Team and the Highways Development Management Team have reviewed the Transport Statement submitted in respect of this planning application. There were no objections received from Highways England. The Local Highway Authority do not object to the Proposed Development subject to conditions requiring submission of a Traffic Management Plan, pedestrian visibility splays and access falls and levels.
147. Planning Officers therefore consider that there would be no unacceptable impact upon highway safety as a result of the Proposed Development.

Air Quality

148. Local Plan Policy SS1 (Orchard Park) requires the submission of an Air Quality Assessment in respect of planning applications for additional residential development at Orchard Park. The site is located within an Air Quality Management Area (AQMA). Local Plan Policy SC/12 (Air-Quality) outlines that development will not be permitted where it would adversely affect air quality in an AQMA.
149. The Applicant submitted an Air Quality Assessment in respect of this planning application. The assessment concluded that there would be no significant effects on local air quality during either the construction or operational phases of development. Furthermore, the assessment concluded that the Proposed Development would not result in future occupants being exposed to poor ambient air quality.
150. The Council's Air Quality officer has no objections to the proposed scheme subject to conditions.

151. For these reasons Planning Officers consider that the Proposed Development complies with Local Plan Policy SC/12 (Air Quality) and the relevant part of Local Plan Policy SS1 (Orchard Park).

Noise

152. Local Plan Policy SS/1 (Orchard Park) requires that planning applications for additional residential development in Orchard Park include a noise assessment which demonstrates that the development takes account of, and where necessary mitigates, any impacts of noise on achieving satisfactory external and internal residential noise environment. In addition, Local Plan Policy SC/10 (Noise Pollution), outlines that planning permission will not be granted for development which (amongst other criteria) would be subject to unacceptable noise levels from existing noise sources. The Application Site is in close proximity to the A14.
153. The Applicant has submitted a Noise Assessment as required by Policy SS/1.
154. The Council's Environmental Health Officer has no objection subject to conditions controlling the construction and operational impacts of the development and requiring a scheme to be provided for approval to ensure that the residential units are sufficiently protected from noise impacts from the adjacent A14.
155. For these reasons Planning Officers consider that the Proposed Development would comply with Local Plan Policy SC/10 (Noise Pollution) the relevant part of Local Plan Policy SS1 (Orchard Park).

Neighbour Amenity

156. Local Plan Policy HQ/1(n) (Design Principles) requires that developments protect the health and amenity of occupiers of surrounding uses. Considerations include, overlooking, overbearing, loss of daylight and noise, dust, odour, emissions and dust impacts.
157. The proposed apartment buildings would be located approximately 8 metres to the north of the existing three storey residential blocks located on Chieftan Way and Neal Drive. The development would be separated from these neighbouring residential buildings by a proposed pedestrian link between Chieftan Way and Neal Drive. There are no living space windows in the north facing elevations of these neighbouring dwellings, with the existing habitable rooms facing east and west. The only windows within the proposed apartment blocks which face these neighbouring dwellings would be located at ground floor level and at fifth storey level (set back). For these reasons it is considered that there would be no adverse impact upon amenity of the neighbouring dwellings to the south. Furthermore, as identified in relation to 'noise' earlier in this report, the Environmental Health Officer is satisfied that there would be no adverse impacts related to noise associated with the proposed development, subject to appropriate conditions attached to any consent granted. The relationship between the proposed development and these three storey residential buildings is not considered to result in development which has an overbearing impact, as detailed in relation to 'Design' earlier in this report.
158. There is a Travelodge hotel located approximately 12.5 metres to the west of the nearest proposed apartment building. There are three windows, serving corridors, in the eastern elevation of the hotel, facing the proposed development. The majority of the hotel rooms have windows facing north and south. Given that these windows

serve corridors it is considered that there would be no unacceptable adverse impact on the amenity of occupiers of this neighbouring development.

159. To the east of the application site there is currently a vacant plot which has outline planning permission for an 82 unit apart/hotel with restaurant and gym facilities. An application for reserved matters was approved under reference S/3039/17/RM. The approved plans for this neighbouring development show that the apart/hotel would be located approximately 37.5 metres to the east of the nearest proposed apartment building. This distance is considered sufficient to ensure that there would be no adverse impact upon amenity to the east of the Application Site. If a planning application is submitted for a different development on this neighbouring site then the impact upon the amenity will need to be considered at that stage and it is not considered that the Proposed Development would prejudice the potential development opportunities on this adjacent site.
160. For these reasons Planning Officers consider that the proposed development complies with Local Plan Policy HQ/1(n) (Design Principles).

Contaminated Land

161. The Contaminated Land Officer has commented that the whole of Orchard Park was granted consent under approval S/2379/01/O, with a requirement as a condition for a contamination investigation. The Contaminated Land Officer has therefore recommended a condition requiring that where any contamination is identified during construction works, no further development is commenced until a remediation strategy has been submitted to and approved by the local planning authority. Planning Officers therefore consider that the same condition should be included on any decision notice issued, should planning permission be granted.

Flood Risk/Surface Water

162. The site is located in Flood Zone 1 (low risk). The Applicant submitted a Surface Water Drainage Strategy, revised drainage details and other correspondence in relation to drainage. Based on the information submitted the Cambridgeshire County Council Lead Local Flood Authority confirmed that they do not object to the proposed development, subject to conditions.
163. Planning Officers therefore consider that the Proposed Development would accord with Policy CC/9 (Managing Flood Risk).

Renewable Energy

164. Sustainability measures were detailed within the Planning Statement submitted in respect of this planning application. The Planning Statement makes reference to the appropriate local plan policy requirement's and states that the application is supported by a Sustainability and Renewable Energy Statement which demonstrates how, through a mixture of ground source heat pumps, solar panels and efficient building design, these standards will be met and far exceeded. The Council's Sustainability Officer has recommended conditions to ensure that the measures are delivered.
165. Planning Officers therefore consider that the Proposed Development would comply with Local Plan Policy CC/3 (Renewable and Low Carbon Energy in New Developments).

Archaeology

166. The Archaeology Officer has raised no objections or requirements as the sufficient archaeological work was undertaken under the original approved application.
167. The Proposed Development would therefore comply with Local Plan Policy NH/14 (Heritage Assets).

S106

15-year affordable housing clawback

168. As specified earlier in this report, the NPPG requires that 20% of Build to Rent units are affordable private rented units. However, given that the developer has demonstrated, through the submission of viability evidence, that the scheme is not financially viable with affordable housing contributions, there are no affordable rent units proposed as part of this application.
169. In order to ensure that this scheme remains as Build to Rent housing it is proposed that a covenant is included in a suitably worded Section 106 Agreement. Build to Rent schemes are common in London and elsewhere in the South East of England. They are less common in the East of England. The Draft London Plan deals specifically with Build to Rent schemes and addresses the issue of affordable housing provision.
170. The draft London Plan requires that, in order to qualify as a Build to Rent scheme, homes are held as Build to Rent under a covenant for at least 15 years. A clawback mechanism is also required in order to ensure that additional affordable housing contributions are made should this covenant be broken.
171. It is therefore proposed that a Section 106 Agreement includes a covenant with a clawback mechanism requiring that if the units are released on the open market within the first 15 years then 40% affordable housing contributions will be secured.
172. This approach is supported by the Council's Affordable Housing Officer. It is also an approach advocated within the NPPG. The NPPG (007 Reference ID: 60-007-20180913) states:

'Circumstances may arise where developers need to sell all or part of a build to rent scheme into owner occupation or to multiple landlords or, exceptionally, to convert affordable private rent units to another tenure. The section 106 should consider such scenarios and, in particular, include a mechanism to recoup ('clawback') the value of the affordable housing provision that is withdrawn if affordable private rent homes are converted to another tenure.

Consideration should also be given to a covenant period for the retention of private market rent homes in that tenure and potential compensation mechanisms in the event that private market rent homes are sold before the expiration of an agreed covenant period.

Planning authorities should recognise that build to rent operators will want sufficient flexibility to respond to changing market conditions and onerous exit clauses may impede development. However, the sale of homes from a build to rent development should not result in the loss of affordable housing without alternative provision being made.'

173. Planning Officers therefore recommend that if permission is granted a suitably worded

Section 106 Agreement is required to include the clawback mechanism, as set out above.

Developer Contributions

174. Planning Officers recommend that any planning permission granted is subject to a suitably worded Section 106 Agreement to include the developer contributions detailed within this report.

Car Club

175. Planning Officers consider that a suitably worded Section 106 Agreement is required in order to implement, control and maintain a car club scheme in respect of this proposed development.

Reptile habitat

176. Planning Officers consider that a suitably worded Section 106 Agreement should include provision for an alternative site for any reptiles found that require translocation to a new habitat. This is consistent with the recommendations of the Council's Ecologist.

Cycle Route Improvements

177. The Transport Assessment Team requested a contribution of £80,000 towards cycle route improvements on Histon Road between Kings Hedges Road and Hazelwood Close. Planning Officer's recommend that provision is made within a suitably worded Section 106 Agreement for this contribution.

Other Matters

Viability

178. The Applicant, in their viability evidence, has assumed that there will be £750,000 in planning obligations associated with this development. However, this is not the case and contributions of £87,000 are sought. Despite this, given the deficit associated with this development (£2,802,025), Planning Officers, in consultation with the Council's S106 Officer, do not consider that this impacts upon the viability of the scheme such that it would alter the position in terms of the provision of affordable housing. Even taking into account the additional £670,000, there would still be a deficit of approximately £2,132,025.

Pumping Station

179. Anglian Water have recommended a 15 metre cordon sanitaire around the Pumping Station adjacent to the Proposed Development. Planning Officer's consider that there were no issues raised by the Environmental Health Officer in respect of the proximity of this adjacent pumping station. Furthermore, in terms of noise, the pumping station will be assessed as part of a noise assessment required by condition, with a scheme to implement any required mitigation measures implemented.

Planning Balance

180. Planning Officers have concluded that the Proposed Development would comply with

all relevant Development Plan policies with the exception of Policy H/9 (Housing Mix). However, it is considered that the conflict with Policy H/9 only arises given that the housing mix breakdown detailed in this policy is catered towards all residential development (10 dwellings or more) in the District. The sub-text makes it clear that one of the objectives of this policy is to increase the number of smaller residential units in the District. This scheme does exactly that, through the provision of 93 one-bedroom units.

181. Consultees have raised concerns in relation to design, however Planning Officers, for the reasons set out within this report, consider that the design of the Proposed Development accords with all of the relevant Development Plan Policies. NPPF Paragraph 130 states that where design accords with relevant policies, design should not be used by the decision-maker as a valid reason to object to a development.
182. The provision of 93 residential units is a benefit of significant weight and this is a material consideration in determining this planning application. More specifically, the contribution that the Proposed Development would make to the Council's housing land supply is a significant material consideration. The current extant consent for residential development on the Application Site would deliver 42 dwellings. This is the number of units which is included within the Council's Annual Monitoring Report (2017) and which feeds into the current 5 year housing land supply (5YHLS) calculation.
183. As Members may be aware, NPPF Paragraph 73 requires that the Council updates the 5YHLS position on an annual basis. The Applicant has confirmed that this scheme is deliverable within five years and has confirmed that the flats will be occupied within two and a half years of any planning consent being granted. Therefore, this Proposed Development would make a contribution of an additional 51 units, over and above that included in the Council's current 5YHLS calculation. Planning Officers consider that this is a benefit of significant weight.
184. In summary, the proposed development accords with all relevant development plan policies with the exception of Policy H/9. However, the scheme is in accordance with the objectives of this policy. There is considered to be no harm associated with this conflict. Turning to material considerations, there would also be some conflict with the Orchard Park Design Guide SPD. However, Planning Officers consider this conflict to be minor. In addition, this conflict is outweighed by other material considerations. The Proposed Development would make a significant contribution towards significantly boosting the supply of housing, in line with the requirements of NPPF Paragraph 59. More specifically the scheme would make a significant additional contribution, of 51 units, to the Council's 5YHLS, which is updated annually. The scheme would also provide private rented housing which is in short supply within the District. For these reasons, Planning Officers consider that planning permission should be granted.

Recommendation

185. Delegated approval subject to the following conditions with the final wording to be agreed with the Chairman of the Planning Committee and a section 106 to secure:
 - A five-year clawback mechanism in relation to affordable housing
 - An alternative site for any reptiles found that require translocation to a new habitat
 - Implementation and maintenance of a car club scheme

- Developer Contributions.

Conditions

- (a) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:
- Location Plan
 - OP/168/1 – Block Plan – Rev.01
 - OP/168/2 – Site Plan – Rev.01
 - OP/168/3 – Ground Floor Plan – Rev.01
 - OP/168/4 – First to Third Floor Plan – Rev.01
 - OP/188/5 – Fourth Floor Plan – Rev.01
 - OP/168/6 – Self Contained Student Room
 - OP/168/7 – Cluster Type Student Room
 - OP/168/8 – Block A Elevations
 - OP/168/9 – Block B Elevations – Rev.01
 - OP/168/10 – Street Scenes & Sections Block A
 - OP/169/11 – Street Scenes & Sections Block B – Rev.01
 - OP/168/12 – Street Scene & Section South
- (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) No development above base course level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy HQ/1 of the adopted Local Plan 2018.)
- (d) No development shall be occupied until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the adopted Local Plan 2018.)
- (e) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that

originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the adopted Local Plan 2018.)

- (f) All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (MKA Ecology, February 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

(Reason - To minimise disturbance, harm or potential impact upon protected species in accordance with Policies HQ/1 and NH/4 of the adopted Local Plan 2018 and their protection under the Wildlife and Countryside Act 1981.)

Prior to the commencement of the development, a reptile survey shall be carried out within the site by a licensed ecologist. A report of the findings including a suitable mitigation strategy if required, should reptiles be found, shall be submitted to the local planning authority and approved in writing. Thereafter the development shall be carried out in accordance with the approved details.

(Reason - To minimise disturbance, harm or potential impact upon protected species in accordance with Policies HQ/1 and NH/4 of the adopted Local Plan 2018 and their protection under the Wildlife and Countryside Act 1981.)

- (g) Prior to the commencement of development above slab level a scheme of biodiversity enhancement shall be supplied to the local planning authority for its written approval. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

(Reason - To enhance ecological interests in accordance with HQ/1 and NH/4 of the adopted Local Plan 2018.)

- (h) No construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The principle areas of concern that should be addressed are:
- i. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway)
 - ii. Contractor parking; provide details and quantum of the proposed car parking and methods of preventing on street car parking.
 - iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.

The development shall be carried out in accordance with the approved details. (Reason - In the interests of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

- (i) Prior to the first occupation of the development, pedestrian visibility splays measuring 2 metres x 2 metres shall be provided each side of the vehicular access measured from and along the highway boundary within the site area. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adopted public highway.

(Reason - In the interests of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

- (j) The proposed access points shall be constructed so that they fall and levels

are such that no private water from the site drains across or onto the adopted public highway (the use of permeable paving does not give the Highway Authority sufficient comfort that in future year's water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided).

(Reason - In the interests of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

- (k) The proposed access points shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.
(Reason - In the interests of highway safety in accordance with Policy HQ/1 of the adopted Local Plan 2018.)
- (l) Development shall not commence until a detailed surface water scheme for the site based on the agreed Surface Water Drainage Strategy prepared by MTC Engineering Ltd. (ref. 2204-DS- Rev A) dated January 2019 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/8 and CC/9 of the adopted Local Plan 2018.)
- (m) Details for the long term maintenance arrangements of the surface water drainage system (including all SUDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub catchments, SUDS components, control structures, flow routes and outfalls. In addition, the plan must clarify access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies CC/8 and CC/9 of the adopted Local Plan 2018.)
- (n) A Carbon Reduction Statement, which demonstrates that at least 10% of the developments total predicted carbon emissions will be reduced through the implementation of on-site renewable and/or low carbon energy sources, shall be submitted to and approved in writing by the local planning authority. The statement shall include the following details:
- (o)
 - a) SAP calculations demonstrating the total energy requirements of the whole development, set out in Kg/CO₂/annum based on a Part L Compliant Scheme;
 - b) A schedule of how the proposed on-site renewable and/or low carbon energy technologies will impact on the carbon emissions presented in (a) above.
- (p) The proposed renewable energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions (South Cambridgeshire Local Plan 2018 Policy CC/3).

- (q) No development shall take place until a water conservation strategy detailing water conservation and management measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail water efficiency measures sufficient to ensure that residential development achieves a minimum water efficiency standard of 105 litres per person per day (additional 5 litres for outdoor use).

(Reason: There is a high demand for limited water resources in the East of England; therefore it is necessary to manage water use (South Cambridgeshire Local Plan 2018 Policy CC/4)

- (r) No development shall commence until details of a scheme for the provision of 5% car park spaces to have electric vehicle charge points have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be provided in accordance with the approved details prior to the first occupation of the development/first use of the car park and shall be retained thereafter.

(Reasons: In the interests of encouraging more sustainable forms of travel/transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF) and South Cambridgeshire Local Plan 2018 Policy TI/3. In the interest of reducing carbon dioxide emissions, in accordance with policy South Cambridgeshire Local Plan 2018 SC/12).

- (s) If during the development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.

(Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with South Cambridgeshire Local Plan (2018) Policy SC/11.)

- (t) No construction work and/or construction related dispatches from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday, 08.00 to 13.00 hours on Saturdays and no Construction works or collection/deliveries shall take place on Sundays, Bank of Public Holidays unless otherwise agreed in writing by the local planning authority

(Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/10)

- (u) In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report/method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and vibration. Potential noise and vibration levels at the nearest noise sensitive locations, shall be predicted in accordance with the provisions of BS

5528 2009 – Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 – Noise and 2 – vibration (or as superseded).
Development shall be carried out in accordance with the approved details.

(Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/10)

- (v) No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and suppression provisions) from the site during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance in writing.

(Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/12)

- (w) No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development and confirming construction activities to be undertaken in each phase of the development and a timetable for their execution submitted to and approved in writing by the Local Planning Authority in writing. The development shall subsequently be implemented in accordance with the approved programme unless any variation has first been agreed in writing by the Local Planning Authority.

(Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/10)

- (x) During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

(Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/12)

- (y) Before any development is commenced, a scheme for protecting the approved apartment units from noise from the road (A14) shall be submitted to and approved in writing by the Local Planning Authority and all works which form part of the approved scheme shall be completed before any of the permitted apartment units are occupied.

Reason: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/10)

- (z) Before any development is commenced, a noise assessment should be carried out and submitted to the Local Planning Authority for approval in writing, including an assessment of operational noise emanating from the adjacent substation, any external plant and equipment on the adjacent hotel building, internal levels within the apartment blocks and external levels for existing residential properties, associated with the operation of plant and equipment. A scheme shall also be submitted for approval in writing by the Local Planning Authority for insulation and protection of the approved units from noise sources

identified within the submitted noise assessment. The scheme as approved shall thereafter be maintained in strict accordance with the approved plans.

(Reason: To protect the amenities of residential properties in accordance with South Cambridgeshire Local Plan (2018) Policy SC/10)

- (aa) Prior to commencement of the development an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting and an assessment of impact on any sensitive residential premises on and off site, shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site, on the boundary of the site and at adjacent properties, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light GN01:2011".
- (bb) The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the Local Planning Authority gives its written consent to any variation.

(Reason: To protect local residents from light pollution / nuisance and protect / safeguard the amenities of nearby residential properties in accordance with NE/14 – Lighting Proposals.)

Informatives

- (a) This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated
- (b) Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.
- (c) To satisfy the noise insulation scheme condition for the building envelope and traffic noise, the applicant / developer must ensure that the apartment units

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
- Planning File reference S/076818/FL

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