

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5th August 2009

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0622/08/RM – ORCHARD PARK

Provision of Local Centre (Retail Units), 20 Residential Flats, Additional Commercial Units (B1 use: 2312sqm), Associated Parking, Public Open Space and Associated Infrastructure. Land North of Chieftain Way between Land Parcels E1 and E2 Adjacent A14, for Gallagher Estates and Lands Improvement

Recommendation: Approval

Date for Determination: 30th June 2008

Notes:

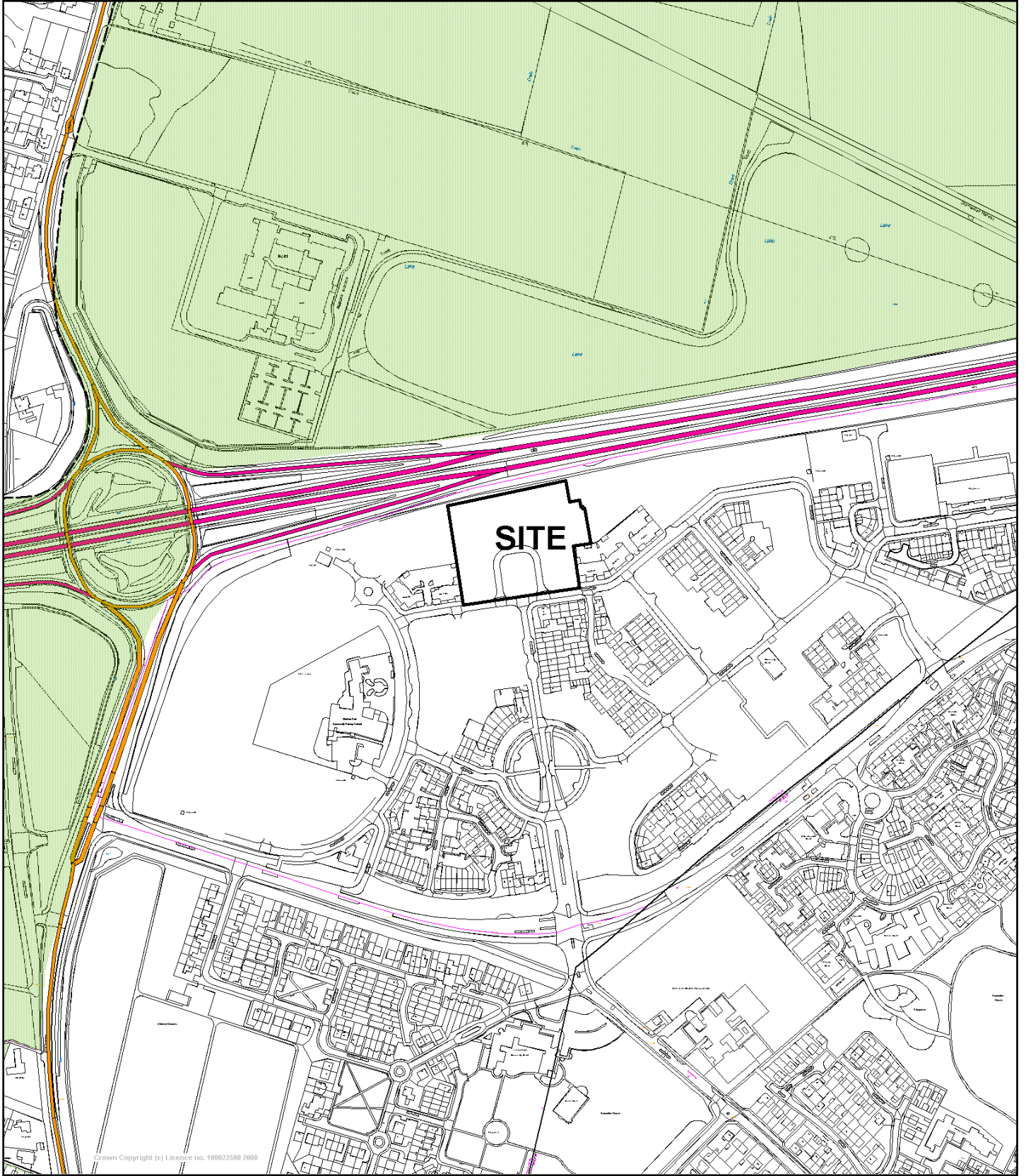
This Application has been reported to the Planning Committee for determination because Impington Parish Council raised issues of concern, which have been partly met by the amended plans. During the life of the application, the new Orchard Park Community Council has been created, and is now the authority responsible for commenting on applications on this site. The Community Council has no objections to the amended plans.

Background

1. There are a small number of key sites at Orchard Park that do not have the benefit of full/reserved matters planning consent. They are highly visible, being along the northern edge adjacent the A14, and on the corner of Histon Road and Kings Hedges Road. Members will be aware of the recent policy discussions to accommodate additional dwellings within part of these areas to meet the targets on housing provision. In addition members may be aware that discussions have been had with the developers with a view to a possible supermarket provision on the corner site. Clarity on the housing provision should come with the LDF Inspectors' report due around now. An independent retail study for the north side of Cambridge is expected to report August/September. In the meantime the developers anticipate submitting a further residential scheme for the corner site.
2. None of this fluid situation should directly influence the determination of this application for the Local Centre. Clearly were a supermarket to subsequently come forward and be approved this would affect the viability of the current local centre proposal and in such circumstances the developers have indicated that the Local Centre proposals would be revised. In addition if the retail study supports a supermarket at Orchard Park then a new master plan would be required.

Site and Proposal

3. The 0.83ha site lies at the northern end of the Boulevard, the road that extends from the Circus through to the Public Open Space (POS2) around which the centre will be sited. It lies just south of the A14 which, at this point along the boundary, is elevated



Reproduced from the 2008 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/5000 Date 24/7/2009

Centre = 544730 E 261705 N

August Planning Committee 2009

above the level of the site by an embankment and separated by an acoustic fence. To the west is the recently completed Hotel and to the south of that are affordable four storey apartments (parcel E1). To the east is proposed commercial land (subject to a separate application) with a further four-storey apartment block (E2) to its south. Residential parcels lie on the south side of the road either side of the Boulevard.

4. The application, received on 31st March 2008 and amended on 2nd June 2009, proposes 10 ground floor shops of varying sizes (total of 1780sqm gross) arranged in three blocks around POS2. Offices totalling 1523sqm gross would be provided in the two floors above the central retail block, and 20 residential flats on the three floors above the shops in the side blocks. A rear loop road will provide vehicular access in addition to the front loop around POS2. The rear loop would enable the provision of a separate rear service area for the largest retail shop. Servicing of the other shops will be provided from both the front and rear access roads. In addition, 2313sqm gross of B1 commercial / office space is proposed in three separate two-storey blocks to the rear of the site adjacent to the A14. The application includes the provision of 187 car parking spaces and 240 cycle parking spaces. The application site also includes the provision of POS2 but details are reserved for further consideration.
5. The application seeks approval of all reserved matters of Access, Appearance, Landscaping, Layout and Scale. It is accompanied by:
 - A Design and Access Statement
 - A Transport Report
 - A Noise Impact Assessment
 - A Landscape Statement

Planning History

6. Outline planning consent **S/2379/01/O** granted permission for a mixed use development comprising 900 dwellings (on up to 16.48 hectares), up to 18,000m² B1 gross floorspace (on up to 3.32 hectares), up to 1.21 hectares of education facilities, 4.86 hectares of open space, up to 0.56 hectares of local centre facilities (A1, A2, A3, A4, A5 and D1 uses), up to 2.07 hectares of public transport infrastructure corridor and mixed uses on up to 2.87 hectares in five areas to include B1, C1, C2, C3, D1, D2 uses and car showroom.
7. Condition 27 of that consent further limited the Local Centre to an area of no more than 0.56ha, which followed a direction by the Highways Agency to control the extent of all uses on the site to ensure the A14/Histon Road junction could accommodate the traffic associated with the development. This application, whilst described as Local Centre, includes some of the B1 land / floorspace in addition to the Local Centre land, hence this application does not go beyond the limitations of the outline permission.
8. Condition 28 required details of the location of the Local Centre. The following details were also required within 6 months of development commencing on site.
 - 1) The size of units by reference to maximum internal gross floor area.
 - 2) Mix of uses by reference to use classes order.
 - 3) Timing of provision by reference to development upon the adjoining site or the development of the site as a whole.
9. Condition 5 limited the submission of reserved matters to 3 years, i.e. before 14th June 2008. Therefore, all applications since then are required to be full applications rather than reserved matters.

10. To the east an application **S/0621/08/RM** has been submitted for the erection of Commercial units (B1 use, 5142sqm) with associated parking and infrastructure. This is likely to be reported to the September/October planning committee.

Planning Policy

11. **East of England Plan 2008**
ENV7 (Quality in the Built Environment.)
SS1 (Achieving Sustainable development)
12. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**
13. **South Cambridgeshire Local Development Framework Site Specific Policies DPD (January 2006):**
Policy SP/1 will replace **CNF1** (Cambridge Northern Fringe).
Appendix 7/2 Standards for cycle parking for CNF West required one secure cycle space (within the curtilage where possible) for one-bed dwellings and two spaces for larger dwellings.
14. **South Cambridgeshire Local Development Framework Development Control Polices DPD (July 2007)**
DP/1 sets principles for Sustainable Development;
DP/2 requires high quality Design of New Development;
DP/3 sets Development Criteria for the provision of facilities and consideration of impact;
DP/6 requires Construction Methods to minimise impact;
ET/1 imposes Limitations on the Occupancy of New Premises to local businesses;
SF/6 requires Public Art in developments over 1000sq.m. floorspace;
NE/1 requires the application to demonstrate Energy Efficiency;
NE/3 requires the use of Renewable Energy Technologies to provide at least 10% of predicted energy requirements;
NE/6 requires Biodiversity mitigation and enhancement;
NE/9 requires Water and Drainage Infrastructure to be in place;
NE14 requires Lighting Proposals to be the minimum required for safety and security, and not impact on amenity or highway safety;
NE/15 requires that permission should not be granted for development which would be subject to unacceptable Noise Pollution;
TR/1 requires Planning for more Sustainable Travel by ensuring a choice of non-car modes, the integration of travel modes, and measures to increase accessibility;
TR/2 sets standards for Car and Cycle Parking, car parking being a maximum, to be reduced where there is good accessibility to facilities and services and high quality public transport;
TR/3 requires Mitigation of Travel Impact through Travel Plans and improved transport infrastructure.
15. **Circular 11/99 The use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultations

16. **Impington Parish Council** – no recommendation (emailed 9th May 08), but commented:

- (a) Police Liaison Officer comments on parking to be requested (subsequently provided by email 30/5/08)
 - (b) Parish Council unconvinced over noise assessments for night-time
 - (c) No clarification given on what happening to existing noise barrier
 - (d) Leakage of noise through the gaps between the commercial buildings was a concern, especially at the abutment to the Hotel where the adjacent building level with the commercial buildings proposed is single storey with car parking deck over.
 - (e) Unfortunate that, presumably for commercial reasons, the commercial buildings sheltering the three storey apartments on top of the centre are now 2 storey rather than the original three storey.
 - (f) Refuse doors open straight onto disabled parking bays, not allowing their emptying when the bays are occupied. (Another set, on the north east corner of the central block, open directly onto parking spaces, where there was an adjacent wall at right angles that did not have this disadvantage)
 - (g) Consideration should be given for conditions for not using the terrace for visually harmful practice such as hanging out washing which will detract from the overall standard and ambiance at this focal point in the community.
17. The Parish Council also commented by email 5th June that at a subsequent meeting members had noted Page 3 item 1.13 of the Consultation Draft on Open Space in New Developments Supplementary Planning Document (SPD) which stated:
18. *"In addition to the standards detailed above, additional informal open space provision will be sought as part of business park, retail and large-scale commercial developments; this is for the benefit and well being of the workforce and also visitors to the site. The space will be negotiated with the Council having regard to the nature and location of the development, and will be in addition to the 2.8 hectares standard above"*
19. "Further to their comments already made on the 2 applications (S/0621/08/RM & S/0622/08/RM) the Committee notes that the consultation document on Open Space provision makes reference to the requirements that are expected by SCDC and would therefore anticipate these requirements to be made in any revision of the plan."
20. **Orchard Park Community Council** were consulted on the amended plans on 29th May 2009, and recommends approval.
21. **The Local Highway Authority** raised a number of concerns on the original submitted plans. The disabled car parking spaces conflicted with the refuse store accesses, the cycle stores indicated an over-optimistic cycle capacity and were inadequate for the commercial and retail uses, and the plans did not show the required space for manoeuvring the largest vehicles.
22. Discussions were had with the Highway Authority in December 2008 regarding the methodology adopted by the applicant to support the reduction in numbers of car parking spaces from the Council's adopted maximum standard. The Highway Authority confirmed that the proposed number of spaces was in its opinion adequate. The amended plans have since reduced the total number of car parking spaces from 202 to 187 spaces. The Local Highway Authority commented further on the amended layout plans 29th May 09 to the effect that the details show more realistic cycle facilities and that the appropriate manoeuvring diagrams have been provided to

demonstrate that the layout would accommodate the largest vehicles likely to be generated by the proposal.

23. **SCDC Environmental Health Officer** – original plans – no objections in principle to this development, no dispute with the methodology used to produce the acoustic report and the subsequent findings. This is on the presumption that the predicted noise levels and Noise Exposure Category (NEC) classification is based on software modelling for a widened 3-lane A14 with a Quiet Road Surface (QRS), and that the assessment criteria is based on the existing acoustic barrier being absent as the report takes into account the screening effects of the proposed buildings themselves. However, there appear to be gaps to the layout of the commercial buildings that are proposed close to the A14. It is not clear from the acoustic report whether or not these “gaps” to the proposed commercial layout could have a bearing on the amount of noise propagated towards the proposed residential units in the absence of an acoustic barrier similar to that currently in place. Clarification is required. The air quality standard for annual mean nitrogen dioxide is unlikely to be met in parts of this proposed development. Air quality is a material planning consideration and the developer ought to consider if there are any actions available to reduce emissions of nitrogen dioxide within the current proposals. If consent is granted, conditions should be attached to address the following issues: noise protection scheme for the residential units; agree details of power driven equipment (for noise protection) for the commercial buildings prior to their use; control of hours of construction; noise and vibration control over any pile driving of foundations; control of delivery hours; no bonfires / waste burning during construction.

The following comments are related to the most recent amend plans.

24. There is concern about the impact of A14 traffic noise on future residential premises and whether adequate mitigation measures can provide a quality living environment.
25. On balance we have no objection in principal to the application but the following environment health issues need to be carefully considered and appropriately controlled to protect the amenity / health of proposed and existing residential units / premises:
26. The residential units will be in closer proximity to the proposed commercial / retail so construction should be timed to ensure the residential units are not occupied until completion of commercial / retail uses.
27. The applicant still needs to demonstrate that mitigation measures will achieve the internal and external noise levels recommended in BS 8233:1999. In particular, careful consideration will need to be given to ventilation requirements. Passive stack and or mechanical forced ventilation may be required, it is my view that acceptable engineering mitigation measures are achievable and can be implemented to provide an adequate level of protection.
28. Building Regulations only considers noise insulation between dwellings. Noise insulation between different planning uses such as retail shops and residential requires approval.
29. Collection from and deliveries to premises with class use other than residential has the potential to cause noise disturbance.
30. The retail units may be occupied by operators that could generate odour such as dry cleaners or food premises. It will be necessary to ensure adequate discharge and or abatement of odours to ensure odour nuisance is not caused and to protect the amenity of neighbouring premises.

31. Since the granting of outline planning permission for this development, South Cambridgeshire District Council has undertaken an extensive review of air quality across the District. It has since been found that in certain locations adjacent to the A14 between Bar Hill and Milton, national health based air quality objectives are not being met. As a consequence, the Council has declared an Air Quality Management Area (AQMA) for nitrogen dioxide and PM₁₀ in July 2008.
32. The development area falls within the AQMA and as such, the air quality within it may pose a health risk to future residents on the site. The applicant should consider mitigation measures to protect the local community and reduce potential impacts of the development on local air quality. One such series of measures could be based around reducing transport related emissions from the development (for example, limiting car parking spaces provision of electric vehicle charging points, provision of green travel plans). These mitigation measures can be incorporated into a site-specific Low Emissions Strategy.
33. In order to minimise human exposure to pollutants, the design of buildings should be such that any opening windows and/or mechanical ventilation systems should be located on the façade of the buildings that are away from the source of the pollution.
34. The intention to use mini combined heat and power as a source of renewable energy. Must be fully assessed for emissions. Given the location of the development (within the Air Quality Management Area), this is essential.
35. No consideration appears to have been given to the impact of artificial lighting in terms of light nuisance. A condition is recommended:
36. The environmental health officer therefore recommends several conditions and informatives covering phasing of works / occupation, hours of construction, noise and vibration control for any piling of foundations, construction dust control, further noise assessment and noise attenuation / insulation scheme, hours for refuse / recycling collections, hours for deliveries, opening times for retail and commercial premises, odour abstraction / filtration / abatement scheme, air quality protection scheme, lighting scheme.
37. **The Cambridgeshire Fire and Rescue Service** – adequate provision to be made for fire hydrants, by way of s106 or planning condition, and access and facilities for the Fire Service should be provided in accordance with the Building Regulations.
38. **The Arbury Camp Design Review Panel** – considered draft plans in September 2007 in advance of submission of this application. Representatives of the then Parish Council (Impington) were concerned that using the formal square (POS2) as a market was over-optimistic and would in reality have a drab appearance. It was considered that the overall design lacked quality architecture and the parking areas were too large, showing a lack of regard for secure by design principles. The panel considered revised plans in November 2007, which addressed the routing of traffic and the layout of the square to improve connections at the junctions of the buildings, to increase the impression of space for security purposes, and to create a focal point in the square. An extra storey of residential space was proposed and the retail space was reconfigured. Concerns expressed were about the possible confusion of fronts and backs of the properties given the proposed plan to service the retail units from the front, safety of pedestrians, cyclists and HGVs using the same areas, bin collection, crime reduction (which could be better achieved by creating an active frontage with

the provision of a private parking area), acoustic performance north of A14, public art (designers in discussion with Gallagher's lead artist).

39. The Panel has subsequently been superseded by the Joint Urban Design Team, whose comments are represented below under SCDC Urban Design.
40. **Police Architectural Liaison Officer** made the following comments:
 - (a) Wish to ensure there is no link between the rear car parking area of this proposal and the proposed Commercial area to the east.
 - (b) Concern regarding security particularly in the rear car parking area, which with its low night time surveillance will be exposed to night time crime. Security features such as access control are required.
 - (c) All areas should be lit with column-mounted white down lighters to BS Standards and in accordance with the Code of practice for outdoor lighting. If the design remains as the original submission the early provision of a site wide CCTV surveillance scheme is required.
 - (d) Recommended that the covered area over the central shops be omitted, as it could be attractive for gatherings of youths. Elsewhere this has caused problems.
 - (e) Planting associated with the car parking areas should be low-level thorny species, avoiding hiding spaces and not blocking any CCTV or column lighting.
41. **SCDC Arts Development Officer** – noted POS2 is 'a key public art space' and yet it is not clear from the submission where the art will be located, what materials it will be made of or at which point installation is planned. Further details of the previously discussed 'Trial Ground', art work designed for this central square by Gallagher's lead artist, Patricia Mackinnon Day in 2005 have been requested.
42. **SCDC Urban Design Officer** recommended that the original application be amended:
 - (a) To establish sustainable measures that will be taken to achieve the 10% renewable on site through its building design and to avoid it as an after-thought.
 - (b) To enable surveillance over pathways and achieve robust areas of Public Open Space integral to the scheme.
 - (c) To ensure pedestrian access to the residential buildings on both sides of the POS2 is facing onto the main street and is not tucked away as proposed making it quite intimidating to use.
 - (d) To enhance the key vistas at the points of visual culmination with appropriate built form. The current proposed building at the end of the square has a very monotonous massing and roofscape design which does not help in it becoming a characteristic landmark structure.
 - (e) It is felt that increment in scale and an attractive roofscape can be achieved using good design aesthetics i.e. frames or other design features so as to avoid increase in floor area and still be able to create interesting massing.
 - (f) The noise impact assessment suggests (page 2) that its methodology will include the impact of future noise levels for +15 years and in accordance to SCDC, 2023 noise levels have been considered. However it fails to clarify the difference between the existing and the predicted noise levels (page 5,6) in the future, which will impact on the current design quality and future proofing of the same.
 - (g) Table 2 (noise impact assessment) summarises the mitigation advice in accordance with the noise attenuation scheme which is applauded, however it is felt that the advice should be consistent in maintaining its construction quality throughout the building rather than focus on just key areas. A commitment to provide excellent standards to meet EcoHomes/BREEAM; Code for Sustainable Homes (DCLG, 2006) and The Green Guide to Housing Specification (Anderson and Howard, BRE, 2000) should be sought.

- (h) To balance the scale of the development in relation to its edges along the A14 and providing high quality insulation for noise attenuation. It is felt that in spite of glass having very poor noise coefficient it is been extensively used along this stretch, which raises serious concerns about design quality of the scheme.
- (i) To avoid insecure parking spaces/courts.
- (j) To achieve a shared surface feel on the POS and ensuring good quality public space with interactive art and landscape.
- (k) To ensure adequate soft landscaping is provided to break up the hard landscape within the scheme.

43. Local Disability Forum

- (a) Toilets - no toilets on first floor for office/commercial units, toilets need to be centre of wall with pull down bar on either side & space for carer, need details of toilets in all units including retail.
- (b) Parking – spaces must be 1½ spaces wide with space to front/rear for wheelchair access, dropped kerbs/no kerbs adjacent to disabled parking to allow access, minimum of 6% disabled parking required across the site, say 8 for retail & 5 for the commercial. Would suggest parking bays to front of shops be disabled e.g. numbers 188 – 193 (due for need to allow space at front/rear number of spaces will reduce to about 4) also suggest converting bays 183, 187, 194 & 198 to disabled bays to allow easier access to retail.
- (c) Lifts - none in commercial/office buildings therefore prevents access to first floor & discrimination.
- (d) Street furniture – stainless steel seating/bus shelters a problem to those with partial sighting due to glare from sun. Seating under trees must be movable to allow wheelchair access & tables must allow for wheelchairs access.
- (e) Access statement wrong in terms of parking & employment opportunities e.g. first floor & no lifts/toilets etc.

44. SCDC Landscape Officer – initial landscaping scheme:

- (a) The central open space needs to be better connected to the building frontages and priority given to pedestrian uses. Presently there is a danger that parked cars will separate the buildings from the central space. Consideration should be given to more restricted parking and removing permanent marked parking spaces around the central space.
- (b) Some further tree planting will be needed to link the spaces visually, offer shade, reduce the amount of reflected light, sound and heat from buildings and large areas of hard paving, and modify air movements.
- (c) Stronger landscape is needed to the rear of the east and west retail blocks to separate these better from the residential blocks and the hotel. This will also help to reduce the cumulative affect of the five adjacent car-parking areas.
- (d) Further lower level landscape (e.g. hedges) is needed to reduce the impact of parked cars on the pedestrian areas.
- (e) A far stronger landscape scheme is needed between the rear of the northern retail block and the commercial block.
- (f) Access (e.g. for maintenance) appears very restricted to the rear of the commercial blocks, particularly units A, C and J.
- (g) The cycle parking seems far too restricted – each block to hold 20 cycles measuring only 2.5 x 3.0m (approx)

45. Revised landscape plans (D0068-01-D) received 10th June 2009:

- (a) Can we re-introduce planting to the pedestrian/seating areas shown in Rev C? On this drawing it has been replaced by bike stands, the two could be combined.
- (b) The yew hedging has been replaced by Box. If 1.0m high hedges are needed, yew is probably better.

- (c) What is the landscape treatment proposed for the areas south of the hedges?
- (d) The proposals for the central area (Oak trees, steel benches, paving) shown on Rev C have been omitted, are these now not part of the application?

46. **SCDC Commercial (Refuse Collection)**

(1) Retail and Residential Units (both blocks): It is not clear if the attached refuse store on each block is meant for the 3 retail units or the 10 flats domestic use. As trade and domestic refuse/recycling cannot be combined I have assumed that it was meant for the 3 retail stores.

Therefore, the refuse area is shared between 3 units. There need to be 3 separate refuse stores, one for each unit. As a guideline the size of each unit needs to be at least 2.2m wide by 2.2m depth to accommodate 1x1100 litre bin plus recycling space. Access routes from the retail unit to the bin store need to be considered. No refuse storage has been provided for the 10 domestic flats in each building. The current position of the refuse store is too close to the road junction (less than 10m) which is dangerous as the refuse vehicle would have to stop in the junction. The store needs to be moved further into the site, away from the 'T' junction. The refuse store is also blocked by disabled parking bay directly in front of it.

(2) Retail Units and Offices above. The refuse store is shared between 4 retail units and office units above. There need to be at least five separate stores, one for each retail unit and one for the offices. Access to the refuse area is blocked by parking spaces. The carry distance for refuse from units AA and BB is greater than 30m which is too far to reach the current position of the refuse store. The maximum distance for carrying of refuse is 30m, so the other stores need to be planned at the other end of the building closer to units AA and BB.

(3) B1 Commercial Units. The width of the access doors to all refuse stores is only 1.2m wide, it needs to be at least 1.6m wide for a 1100 litre bin. The refuse stores for all units are too small. Other than for Unit B they needs to be enlarged to minimum 2.2m wide by 2.2m depth to accommodate 1x1100 litre bin plus recycling space. Unit B bin refuse store needs to be minimum 4.4m wide by 2.2m depth (as whole unit is larger than other units). For all units the refuse stores are not in the ideal position as the refuse vehicle has to stop in the parking areas and large bins wheeled out between parked cars.

47. The following were consulted on the original plans and have not commented:
The Highways Agency, The Environment Agency, Cambridge City Council, SCDC Community Services, SCDC Ecologist, SCDC Sustainability Officer.

Applicants' Response to Consultee Comments

48. The applicant wrote in response to Impington Parish Council and the Police Architectural Liaison Officer's above comments:

49. "I actually attended the meeting as a member of the public and feel that the issues which were raised by the Committee and their comments needed further amplification:

50. Police Architectural Liaison Officer Comments – I trust you will forward copy of the PALO comments to the Parish Council (Done 30th May 08). In his report the officer makes a series of recommendations, particularly in respect of CCTV, which the developers will be installing as part of a site wide management system. The lighting system is the standard used throughout the Arbury Park Development. In response to the comments on the *brise soleil* (covering), which is only on the main retail unit, the height and type of trees, we feel there is a need to find a balance between

creating interesting urban/landscape, free movement, spaces and features, and trying to anticipate and deal totally in the design with antisocial and criminal activities without creating a severe vandal resistant fortress development.

51. Noise Assessment Report – Based on previous experience on other sites within Arbury Camp, it is known that the daytime noise levels are relatively higher than the equivalent night-time levels; the day-time noise levels therefore, dictate the Noise Exposure Categories relevant to the development. Accordingly the assessment is based on the daytime levels only in the knowledge that where the relevant requirement is met, it would also be met based on the night-time noise levels.
52. Noise barrier – South Cambridgeshire District Council is fully aware that the existing A14 noise barrier is on third party land (i.e. Highways Agency) outside the application site and therefore is not within the control of the Applicant and does not form part of the Reserved Matters application.
53. Leakage between Hotel and B1 buildings – the Noise Report indicates that the noise 'leakage' is within the acceptable criteria.
54. Height of commercial units – although the actual buildings are classified as 2 storey, the design of the building, utilising a curved form of roof, creates an overall height of 9.5 metres which is only 1-2 metres lower than a 3 storey building.
55. Refuse store doors openings/access – this is a minor point of detail and can be easily resolved with a revision to the layout locally.
56. Terraces to the residential – the members of the committee actually commented upon the effectiveness of the continuation of the design format from the residential on the adjacent E1 and E2 around and into the residential over looking square. The buildings on E1 and E2 have a terrace along the upper level and the continuation of such helps promote that cohesiveness and continuity. The committee's comments would equally apply to the already approved buildings on E1 and E2."

Representations

57. Two site notices were posted on Chieftain Way and neighbours notified. No representations have been received.

Planning Comments – Key Issues

58. This is an important proposal within the development, as it will provide a focus for Local Services. It is vital that it provides a viable, workable and attractive centre for the development of Orchard Park. The application raises the following issues:
 - Compliance with the outline planning consent. Floorspace.
 - Design, appearance, built form, scale and massing.
 - Layout, Access and Highway and servicing requirements.
 - Car and Cycle parking provision.
 - Refuse collection.
 - Noise Attenuation.
 - Air Quality.
 - Landscaping.
 - Security and Surveillance.
 - Disability issues.
 - Sustainability issues.

- POS2 details.

59. **Compliance with the outline planning consent. Floorspace.**

Condition 27 of the outline planning consent S/2379/01/O limited the Local Centre uses (Classes A1, A2, A3, A4, A5, & D1) to 0.56ha. The application site is 0.86ha but includes additional land to the rear / north to accommodate additional commercial B1 use.

60. Condition 28 of the outline planning consent required:

"No development shall commence until the precise location of the local centre has been submitted and approved in writing by the Local Planning Authority. Within 6 months of development commencing on any part of the site, the following details relating to the local centre shall be submitted to and approved in writing by the Local Planning Authority:

- (i) The size of units by reference to maximum internal gross floor area,*
- (ii) The mix of uses to be provided by reference to the Use Class Order*
- (iii) The timing of provision by reference to development upon the site adjoining or the development of the site as a whole."*

61. The details agreed under this condition were as follows:

Description	Number	Planning Use Class	Floor space sq m
Shops: convenience store	1	A1	323.4
Shop Units	1	A1/A5	92.7
Shop Units	2	A1	92.3
Shop Units	3	A1	92.3
Shop Units	4	A1	150.7
Shop Units	5	A1	93.1
Shop Units	6	A1	74.9
Estate Agent	1	A2	232.6
Restaurant	1	A3/A4	189.6
Total	9		1341.5

62. The application now proposes a total retail / Class A uses space of 1523 sq.m. (gross external) in 10 units in a mix of sizes. By letter dated 1st June 2009 the applicant has sought to clarify the application proposal and to change these previously agreed floorspaces. Units AA, BB, CC, DD (totalling 957.55sqm) would form the core convenience units (A1 uses); Units EE, FF and GG (totalling 282.8sqm) would provide other A1 uses; and Units HH, II and JJ (total 282.8sqm) would be non-convenience floorspace within uses classes A2, A3, A4 and A5.

63. This amendment represents a reduction in floorspace of the "other uses" (than A1) from potentially 514.9sqm to 282.8sqm and an increase of A1 floorspace from a potential maximum 827.1sqm to 1248.8sqm. Whilst the drop in other uses is significant the increase in A1 uses is welcomed in principle.

64. The applicants note that the convenience floor area (1249sqm) is below the Core Strategy threshold (para 2.33) of a major sub-regional shopping centre. (This states there is no need for further major sub-regional shopping provision in the sub-region in the period to 2016 (this is defined as any proposal of more than 1400m2 convenience floor area).

65. By this reserved matters application the applicants therefore seek to amend the details approved under condition 28 of the outline consent S/0622/08/RM. In principle this is considered acceptable.

Design, appearance, built form, scale and massing.

66. The application proposes three blocks symmetrically positioned around POS2 with a height of approximately 14m, which is roughly in line with the heights of the adjacent affordable housing blocks E1 and E2. The three commercial blocks to the rear which run alongside the A14 would have a maximum build height of approx 8.6m which drops to 6m at the rear. In practice the top of these rear buildings would be just visible above the A14 fence barrier. In contrast the adjacent hotel, which abuts the A14, has a height at this point of approx 15m. The difference in height of the existing hotel and these proposed buildings is significant at approx 9m. The approved Design Guide sought 15m high buildings, which is not achieved by this application at the rear of the site but is almost achieved for the buildings around POS2. It is disappointing that with this proposal the acoustic fence must remain as the 15m building barrier which would have provided the necessary acoustic attenuation has not been achievable for economic reasons. Nevertheless, the proposed development is visually acceptable in height terms since the frontage element creates a strong focus at the end of the Boulevard.
67. Some concern was expressed that the original design could be regarded as bland when viewed from the principal approach from the south. However, the clean contemporary design fits well with the design of the neighbouring residential blocks E1/2 designed by the same architect. The amended plans have added a curved balcony as a focal point and with variation in the building frontage depth provided by the overhanging upper floor, which will therefore add interest to the design. It is felt important to retain this overhang, and appropriate management and surveillance should overcome the concerns of the Police Architectural Liaison Officer about loitering.

Layout, access, highway and servicing requirements

68. There is a practical desire to have service access from both the front and rear of the shops. This would promote an active frontage around POS2, which would not be achieved if the central area were totally landscaped. In response to highway authority advice a separate rear service area has been provided for the largest retail store, but the smaller shops will need to rely on service arrangements through the parking areas. The amended plans have revised the access to the residential flats to make them visible from the front and overlooked by other properties (planned with consent) in Chieftain way as suggested by the Urban Designers.

Car and cycle parking provision

69. There have been concerns that the layout of the parking areas would result in visual dominance by cars. Discussions with the applicants have amended the layout to allow breaks in the parking rows to provide 4 new pedestrian access points and additional tree planting has been sought. The reduction in total parking number from the original application is from 202 to 187 spaces (amended plans 29th May 09). The area to the rear eastern side of the site provides the greatest expanse of parking area and if taken with the current proposals for the commercial area to the east would result in a large number of cars in close proximity. However, no objection to this layout of parking area for the Local Centre, which will in turn be taken into consideration for the adjacent commercial site application. The parking area is not visually prominent in public views and security can be achieved through lighting, CCTV and natural surveillance from buildings.
70. The total 187 car parking spaces are to be divided between site users as follows:
- (a) 20 (18 located to the rear and 2 marked as the disabled spaces to the piazza frontage) are for the 20 residential flats;
 - (b) 68 are for the B1 Commercial uses to the rear of the site; and

(c) the remaining 99 distributed around the service road are for the retail shops and the offices above. (A total of 9, 5%, are allocated for the disabled).

71. The adopted LDF Development Control Policies' standards require a total of 236 spaces, which would be calculated as:

Use	LDF Standard (spaces per sq.m.)	Amount	Requirement
Commercial B1	1:30 (since total B1 floorspace would exceed 2,500sqm)	2312sqm	77
Offices (B1)		1254sqm	42
Retail	1:20 for non-food shops	1523sqm	76
Residential	1.5 per unit	20	30
Total spaces required:			225

72. The total parking provision at 187 spaces is below the maximum standards of this authority if each use is calculated separately. However, it is important to consider both that the parking standards are a maximum, and that there could be some element of shared use if the spaces are not specifically allocated within conveyances. For example, parking provision at 1 space per unit has been accepted elsewhere at Orchard Park for flats. In this location there would be ample opportunity for evening / weekend visitors to share the spaces that would otherwise be unoccupied by office workers. This therefore reduces the requirement for residential provision by 10 spaces, leaving 167 on site for the retail, office and commercial uses against a requirement for 216.
73. The applicants have submitted evidence that the spaces will be shared and their experience of running similar centres is that the level of provision is about right. The sharing of spaces relies on different peak hours of use between shop customers and office / commercial workers. The Local Highway authority was consulted on this point and has not objected.
74. In terms of cycle parking, the Council's LDF policy requires 200 cycle parking spaces. The amended plans show cycle parking for 240 cycles. Of these, 40 are provided in two lockable stores for the residential flats, a further 40 are in two open areas around the square with lockable "s" bars but no cover. Covered spaces are provided for employees of the B1 uses in four areas to the rear and at the rear of the central unit providing 20 Sheffield type covered spaces. An additional 36 Sheffield stands (part covered) are to be provided to the rear of the central unit.
75. It is therefore considered that the reduced car parking spaces are acceptable, given the additional cycle spaces and the likelihood of shared use.

Refuse collection

76. The amended plans have introduced separate residential / retail refuse stores with an additional refuse store for the central retail unit, as required by the Council's Commercial department. There will now be double doors to enclosures to avoid conflict with car parking areas. The plans have avoided some of the conflict issues, and whilst they still do not meet all the Council's stated requirements the applicants assert that the plans comply with the requirements of the Waste Management Design Guide, and no further objections have been raised by the Commercial Department.

Noise Attenuation

77. The application relies on retaining the acoustic barrier alongside the A14. The noise attenuation strategy agreed under condition 10 of the outline planning consent sought the removal of the fence only where the desired commercial buildings would offer the necessary noise attenuation. The fence is under the control of the Highways Agency, and is intended to be retained, albeit in a different position and/or to a different design as a result of that Agency's A14 widening plans. The information submitted with the application is insufficient for the Environmental Health Officer to conclude what mitigation measures would be required for the proposed flats, and this will therefore need to be the subject of a condition.

Air Quality.

78. The outline consent included residential development for 20 flats at this location and the applicants' specialist advisors therefore do not see any need for changes to be made on account of the NO₂ levels. They note potential for reducing NO₂ levels lies in schedule 7 of the S106 agreement requiring the preparation of Travel to Work Plans (for any separate planning unit having at least 8 employees) and these can only be prepared when occupiers are identified. As most of the units are small it seems unlikely that many Travel to Work Plans will be prepared. Reduced parking spaces have been achieved as discussed above, and the flats have been designed not to be at ground floor level, where pollution is more concentrated, and the use of mechanical ventilation is the subject of a condition, where the location of vents can be controlled to be on facades facing away from the A14.

Landscaping

79. The landscaping scheme has almost been agreed and is now the subject of minor amendments to finalise it. These final changes can be required by condition.

Security and surveillance

80. CCTV positions and operation will depend on the local centre developer and their management regime. A condition requiring these details to be agreed and implemented prior to any use / occupation is appropriate.

Disability issues

81. The applicant has written to say the small commercial units (to the rear) have been designed with a disabled WC on the ground floor and the stairs have been designed in such a way that a stair lift can be fitted. Since internal arrangements are a matter for the Building Regulations, further internal amendments, no further planning consideration is necessary.

Sustainability issues

82. The applicant has responded to the question as to how the proposal will meet the policy requirement of providing 10% renewables, by proposing a mini CHP scheme together with heat pump systems capable of heating and cooling simultaneously similar to that provided at the recently opened hotel. Since the technology involved is constantly being refined the applicant has not found it not possible to give details of the exact type of installation at this stage, but has confirmed that this proposal will not require the provision of any above ground structures on the site, and ventilation requirements will be no more onerous than for any traditional system. It is therefore recommended that a condition be attached to agree details of the system, including the design implications and that 10% of the energy required by the development will be

genuinely achieved by renewables.

POS2 details

83. Design considerations and discussions for this public open space have centred around the provision of trees, parking and art. The lead artist for Orchard Park has suggested a colour mural (based on Unwins seed trial grounds) to be provided within the surface of POS2. Now that the new Community Council is in place, it is considered appropriate to involve that body in the discussions and decisions around the uses for this square. A condition is therefore recommended to agree details of the space prior to commencement, and also a separate condition requiring details of public art, so that if public art is not provided on the square, the opportunity remains for it to be provided in another form in relation to the buildings.

Recommendation

84. APPROVE details of reserved matters of access, appearance, landscaping, layout and scale, as amended by plans stamped 2nd June 2009, subject to additional conditions addressing the following matters:

Additional Conditions

1. Details of landscaping
2. Implementation of parking and cycle parking
3. Phasing scheme for construction and occupation
4. Scheme of CCTV and lighting
5. Scheme for the design and provision of POS2, to include water supply, drainage, power points and seating.
6. Scheme of public art
7. Implementation of refuse stores
8. Scheme for provision of at least 10% of predicted energy requirements by renewable energy
9. Signage strategy
10. Hours of construction
11. Noise and vibration control for any piling of foundations
12. Construction dust control
13. Further noise assessment and noise attenuation / insulation scheme
14. Hours for refuse/recycling collections
15. Hours for deliveries
16. Opening times for retail and commercial premises
17. Odour abstraction / filtration / abatement scheme
18. Air quality protection scheme
19. Lighting scheme

Informatives

85. Condition 13 of **S/2379/01/O** requires a scheme for the location and provision of fire hydrants prior to development commencing.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Development Framework (LDF) Core Strategy**, adopted January 2007

- **South Cambridgeshire Local Development, Development Control Policies**

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- Planning File Ref: S/0622/08/RM & S/2379/01/O

Case Officer: John Pym – Senior Planning Officer (Major Developments)
Telephone: (01954) 713166

Presented to the Planning Committee by: John Pym