

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 July 2011

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

S/0710/11 – ORCHARD PARK

Erection of 34 Dwellings and Associated Infrastructure at Land Parcel H1, Orchard Park, Kings Hedges Road, Cambridge

Recommendation: Delegated Approval

Date for Determination: 6 July 2011

Major Application

Members will visit the site on 4 July 2011.

This Application has been reported to the Planning Committee for determination because the concerns of Orchard Park Community Council are not satisfied by the officer recommendation.

Site and Proposal

1. This site is a broadly L-shaped parcel of land, flat and open in nature, measuring approximately 0.43ha in size. It is located at the junction of Kings Hedges Road and Chieftain Way, within the Orchard Park development site. The site is largely surrounded to the south-west and north-west by new build housing, although the Orchard Park Community Centre lays adjacent to the most western tip of the application site. The housing is broadly a mixture of 2 and three storey houses, and flats, with the housing to the south-west accessed via an existing roadway (Cornell Court) which bi-sects the site and is separated from the site by 2 metre high close boarded fencing and a brick built electricity substation. The Community Centre is a single storey structure, featuring a curved 'green' roof, whose principle aspect faces away from the application site, over an area of green open space. The facing elevation of the Centre does include some secondary openings and plant that adjoin the application site. An equipped play area and general circulation routes also abut the Community Centre, with footpath links separating the application site from such various spaces. Across the road from the application site, to the north-east is a vacant parcel of land. This land, identified as land parcel G in the Orchard Park Design Guide, is designated for housing, but, as yet, does not benefit from detailed planning approval in this regard. The applicants for the current proposal are also seeking to develop this land.
2. The current application, received on dated 6 April 2011, and amended on 18 April 2011 and 2 June 2011, seeks consent to erect 34 market dwellings on the site, with associated roads, sewers and ancillary works. The dwellings would be provided as a mixture of 3 bedroom 2 1/2 storey houses, and 2 bedroom flats. Parking for the dwellings is proposed to be achieved through a series of 4 internal parking courts, incorporating garaging, carports and open spaces.
3. The scheme equates to a density of 79 dwellings per hectare (dph).

4. An amendment, received on the 6 April 2011 provided a corrected Planning Statement and the submission of financial viability information in respect of the proposed scheme.
5. In response to comments raised by the Council's Urban Design Officer, the County Council's Highways Department, Cambridgeshire Police and Sustrans, the agent has submitted revised drawings received 2 June 2011 which show revisions to the site layout to increase the widths of garages, provide additional cycle parking, relocate the disabled parking spaces to nearer the buildings, revise some proposed boundary treatments and provide dimensions for internal roads, shared surfaces, garages and visibility splays. Corrected application forms were also received in respect of the proposed method of surface water disposal.
6. The application is supported by:
 - Planning Statement, including:
 - Affordable Housing Statement,
 - Viability Report and
 - Draft Planning Obligations
 - Design and Access Statement
 - Flood Risk Assessment
 - Utilities Report
 - Landscape Proposal Plan
 - Transport Statement
 - Waste Management Strategy
 - Health Impact and Sustainability Statement, including:
 - Waste Management Strategy/Waste Design Guide Toolkit
 - Air Quality Assessment
 - Noise Assessment
 - Renewable Energy Statement and
 - Water Conservation Strategy

Planning History

S/2379/01/0 Outline planning permission for the erection of Orchard Park, comprising 900 dwellings, employment, retail, leisure, social/community Uses, open space, educational facilities and associated transport infrastructure.

The application was the subject of a Section 106 Agreement, which secured a series of payment and other provisions including the following:

- County Council: £2.2m for Education Infrastructure, £2m towards the Cambridge Guided Bus, £635,920 towards Interchange Infrastructure and £4.264m towards the North Cambridge Area Transport Plan (with a built in period for review upon the construction of the 300th dwelling on site – this subsequently translated into a lower number figure being paid due to progress on site);
- £100,000 for the provision of Public Art,
- Combined total of approximately £209,400 for the provision and maintenance of community infrastructure/development, alongside requiring the

provision and transfer of the existing Community Centre.

- Landscape and sports pitch maintenance sums, totalling approximately £427,400

S/0981/08/RM Reserved matters application for the erection of 34 dwellings with associated infrastructure was refused on design grounds. Four key areas of concern were raised: 1) the visual relationship between the proposed development and existing adjoining sites; 2) physical relationships between the units proposed within the development within the context of the adopted Design Guide for the wider site; 3) overbearing impact upon existing adjoining residential dwellings and 4) insufficient accommodation of designing crime out of the parking areas within the site.

Planning Policy

7. **Circular 11/95 - The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development of permitted, enforceable, precise and reasonable in all other respects.

Circular 05/2005 – Planning Obligations: States that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects. This advice has been reissued in the Community Infrastructure Regulations 2010

8. **South Cambridgeshire Core Strategy DPD 2007**
ST/2 (Housing Provision)
9. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**
DP/1 (Sustainable Development)
DP/2 (Design of New Development)
DP/3 (Development Criteria)
HG/1 (Housing Density)
HG/2 (Housing Mix)
SF/6 (Public Art and New Development)
SF/10 (Outdoor Playspace, Informal Open Space and New Developments)
SF/11 (Open Space Standards)
NE/1 (Energy Efficiency)
NE/3 (Renewable Energy Technologies in New Development)
NE/6 (Biodiversity)
NE/9 (Water and Drainage Infrastructure)
NE/11 (Flood Risk)
NE/12 (Water Conservation)
NE/15 (Noise Pollution)
TR/1 (Planning for More Sustainable Travel)
TR/2 (Car and Cycle Parking Standards)
TR/3 (Mitigating Travel Impact)

Site Specific Policies DPD (2010)

SP/1 (Cambridge Northern Fringe West – Orchard Park)

Trees and Development Sites SPD (2009)
Open Space and New Developments SPD (2009)
District Design Guide SPD (2010)
Landscape in New Developments SPD (2010)
Arbury Camp Design Guide (8th March 2007)
Orchard Park Design Guidance SPD (March 2011)

Consultations

10. **Orchard Park Community Council** – recommends refusal of the scheme. They have raised detailed concerns regarding the following points:
- Height, mass and design of the building containing the flats proposed to be on the entry to Orchard Park from Kings Hedges Road (a key gateway building)
 - Particular concerns regarding the number of windows on the flat building on the corner of Kings Hedges Road and Chieftain Way
 - The colour of the rendering on the street houses fronting the Central Avenue
 - Whether the mix of dwellings proposed accords with emerging Subregional Housing Market Assessment (SHMA).
 - Considers that the application is unambitious in respect of the use of renewable technology
 - The nature of the parking bays in relation to the landscaping of these spaces and the number of cars within each area, relative to the Orchard Park Design Guide.
 - Lack of information regarding whether sufficient provisions have been made for cycle parking.
 - Insufficient information regarding the S.106 proposals, and particularly in respect of Public Art provision. In addition to suitable Public Art provision, the Community Council would like to see payments made to further to support the education and community facility provision for Orchard Park residents.
 - Lack of consultation with the Community Council from the Developers.
 - Concerns regarding previous experiences of mud on roads during construction phase of development.
11. **SCDC S106 Officer** – commented that, in terms of the viability appraisal submitted by the applicants, the assumptions as to sales values and build cost are relevant in today's market, but it is very apparent that they acquired the land for a considerable sum. Slight variations could be made to the appraisal, but it won't result in closing the gap (between the Grimley appraisal tool's proposed land value and the price that the applicant purports to have paid for the land). Queries whether the Authority has received any evidence of the applicant's claim to recover the quoted land value.
12. **SCDC Scientific Officer** – originally raised concerns regarding the submitted Air Quality report, due to both the model input and output data submitted, querying the accuracy of modelled NO₂ concentrations, impact of the delayed A14 widening, traffic data for the A14 slip road, and the Cambridge Guided Bus. Commented that the conclusions of the original report could not be agreed without a satisfactory air quality assessment and requested that modelling be carried out again. Following the submission of additional information, he has commented that his concerns have largely been satisfied, although he is still not convinced by one of the predicted NO₂ concentrations. He is, however, willing to accept the findings of the report given that monitored levels of nitrogen dioxide and PM_{2.5} are significantly below the relevant National Objectives. He agrees with the conclusions that no mitigation measures will

be required for this particular proposal, although this would not necessarily be the case for other developments within Orchard Park.

13. **SCDC Environmental Health Officer** – has considered the proposals against a broad range of environmental health considerations, including demolition/construction phase noise/dust, traffic noise, artificial lighting, contaminated land, health impact and operational/residential waste/recycling provision. In principle he does not raise an objection to the scheme, and finds that no further action is required in respect of health impact or contaminated land. However, he queries some of the noise findings, whilst commenting that further information is required in respect of construction noise/dust, and artificial lighting. To resolve these issues he recommends the use of a number of conditions and informatives requiring the submission of additional information prior to works commencing.
14. **SCDC Joint Urban Design Team** – commented that they have been involved in numerous pre-application discussions prior to the scheme being formally submitted. They believe that the current layout and design satisfactorily addresses the issues raised in the previously refused application. The current scheme meets the urban design requirements for appropriate design response to its context, public realm and landscape framework, creating a sense of place and active public realm stated in the District Design Guide (March 2010).
15. However, commenting on the scheme as originally submitted, they feel that there is certain amount of detailing that requires further refinement for the scheme to work on the whole. One key area was the width of proposed garages needs to be a minimum of 3m wide or in accordance with the dimensions suggested in the SCDC District Design Guide (March 2010). Amendments were also required for the access arrangements to bins on properties 5 and 8 to work effectively. Revision to the car parking spaces for units 10, 13 and 9 based on 'Lifetime Homes units' ease of accessibility. Given the heavy use of render on this scheme, the materials and colour palette need to be carefully assessed at all levels of delivery to ensure high quality for the development.
16. They therefore recommended approval of the above application, subject to amendments to the above issues. The amendment, received on 2 June 2011, satisfied the concerns regarding garage width, bin access for properties 5 and 8 and the arrangement of the parking spaces for units 10, 13 and 9. The outstanding element of the comments to be satisfied related to the use of the colour palette.
17. **Joint Enabling and Development Officer (Affordable Housing)** – comments that the decision to not accept affordable housing on this site has previously been agreed.
18. **Local Highway Authority (LHA)** – originally raised comments that the internal roads, parking spaces and garages, and vehicular and pedestrian visibility splays were not annotated on the drawings, and outlined their requirements for these elements of the scheme. They have also queried whether the shared road surface is to be offered for adoption. Provided that the applicant could satisfy those elements, the LHA request a number of conditions be added to any consent to control elements of construction of the roadways including drainage specifications, restricting the use of unbound materials, the use of gates without prior permission from the LHA, restricting buildings overhanging the public highway, provision of visibility splays and manoeuvring areas. In correspondence, the LHA have accepted that visibility splays for the parking courts can be achieved by measuring from the centre line of the accesses.

19. **Environment Agency** – has confirmed that the submitted Flood Risk Assessment is acceptable in principle.
20. **Sustrans Cambridgeshire** – commented in respect of the proposals, as originally submitted, that little is said in the Design and Access Statement about cycles or cycling, and it appears from the ground floor plan that little thought has been given to locating them conveniently for residents. There appeared to be a lack of spaces for some plots, with further plots located with awkward access arrangements. The parking in this development failed to meet adopted policy intentions, and should be required to meet them in quantity and convenience of use.
21. The amendments to the scheme have included the provision of an additional 10 visitor cycle parking spaces, located in close proximity to the accesses serving the flat accommodation. Additionally, the garages serving the dwellings have been increased in size to allow for ease of car access and facilitating internal cycle storage by meeting SCDC Design Guidance. No comments have been received from Sustrans in respect of the amended details.
22. **Police Architectural Liaison Officer (PALO)** – comments that the area within which the application site is set suffers from an average level of crime and disorder. Considering the proposals, he queries the nature of surveillance afforded to some of the parking areas/spaces from the existing and proposed dwellings. With regard to Secured By Design principles, he makes a number of detailed comments in respect of preferred boundary treatments along rear and sides of gardens, recommends the provision of gates to parking courts, provision and nature of street lighting and technical specifications in construction in respect of windows, location of utility boxes, letter box construction, access control systems and internal communal bicycle stores.
23. **Cambridgeshire County Council’s Financial Planning Officer** – comments that “The County Council would be seeking to secure a Northern Corridor Area Transport Plan (NCATP) contribution for this application. In accordance with the adopted policy, 34 dwellings would be expected to generate 289 multi-modal trips. A trip is costed at £399. Therefore we would wish to secure a NCATP contribution of £115,311 (£399 x 289).
24. With regard to education, the proposed development falls within the catchment of Orchard Park Primary School. This School has permanent accommodation available for 120 places. From 2012, the School is expected to be full and will remain full. The County Council has identified the need for a 90 place extension to Orchard Park Primary that is estimated to cost £1.6m. This project has been identified in the County Council's Integrated Plan and is scheduled for commencement in 2013/14. Using our detailed multiplier, we would expect this development to accommodate 3.6 children of primary school age. Therefore these children would take up 4% of the 90 place extension. 4% of £1.6m = £64,000. We therefore seek a primary education contribution of £64,000. In addition, there is also a shortage of pre-school places in the area. We would expect this development to accommodate 1.2 children of pre-school age. The County Council cost a pre-school place at £8,400. Therefore we seek a pre-school contribution of £10,080.
25. The secondary catchment is Manor CC which has sufficient capacity to accommodate the expected demands from a development of 34 dwellings.
26. **S106 CONTRIBUTIONS**

NCATP = £115,311

Education = £74,080 (£64,000 Primary and £10,080 Pre-School)

TOTAL = £189,391”

27. **Cambridgeshire Guided Bus Team (CGB)** – recommend that any development adjacent to and interfacing with the CGB (such as the current proposal) should be conducted in accordance with the CGB’s ‘Guidance for Developers’ and ‘Operations Policy’. They have provided copies of this guidance, which has been forwarded to the applicants, but covers items such as operational issues during construction, nature and type of landscaping suitable alongside shared boundaries and the need for the development to suitably mitigate the noise and vibration that may occur as a result of the proximity to the CGB once operational. The CGB team also request a condition requiring the prior approval of design and construction methodology, to address the issues contained within the guidance, but particularly concerning any footway connection between the application site and the CGB.
28. **Anglian Water** – has made comments in respect of their assets within the site, waste water treatment, foul sewerage provision and surface water disposal. In respect of their assets they have commented that their location should be taken into account within any design for the site or, if not possible, diversion should take at cost to the developers. Regarding waster water and foul sewerage treatment they have noted that sufficient capacity exists within the existing network to cater for the needs of the development. In respect of Surface Water drainage they consider the submitted water strategy/flood risk assessment to be acceptable and request a condition of consent requiring that the development shall not be occupied until the works have been carried out in accordance with the strategy, to prevent future environment and amenity problems arising from flooding.

Representations

29. No representations have been received from residents or other parties adjoining the site. However, following discussions with the Local Planning Authority, the applicants have indicated that they would be willing to submit a Unilateral Undertaking (UU), to accompany the scheme. The UU would provide for contributions of £6,000 to be paid towards a scheme of Public Art to support the development, and contributions of £115,311 to be paid towards achieving the aims of the North Cambridge Area Transport Plan (NCATP), subject to suitable criteria being agreed for basis and timing of payments. It is understood that draft wording for such an undertaking is to be presented to the Authority, although this has not been received at the time of preparing this report to members. Members will be verbally updated on progress at the meeting.

Planning Comments

30. The application site is one of the remaining land parcels, originally identified for the construction of residential units at the time of granting the outline planning consent for Orchard Park. Although the outline consent for the site has now expired, the principles of developing the site for residential units remain through the original design guide for the site (adopted in March 2007) and unaltered through the recent adoption of the Orchard Park Design Guidance earlier this year (2011). Accordingly, the principle of developing the site for residential accommodation is deemed acceptable, subject to all other material planning issues being satisfied.

31. In light of the above, the nature of the development proposed and the comments received I consider the following to represent the key planning issues to be considered for the current proposal:
- Character and Design
 - Car Parking and Highway Safety
 - Mix of Dwellings, including affordable housing provision
 - Contributions towards Supporting Infrastructure/Public Art
32. As noted in the planning history section above, this scheme follows on from an earlier proposal for 34 dwellings on the site, which was refused principally on four points: (a) the height, scale and massing of the landmark building. Un-distinctive architecture and detailing for a key landmark building at junction of Kings Hedges Road and entrance to Arbury Park; (b) the inconsistency of design elements and visuals between adjoining and existing parcels; (c) the disjointed building lines, which were out of keeping with the principle of continuous frontage mentioned in the Arbury Camp Design Guide (d) the relation between two storey dwellings of land parcel H2 that front on to the public open space of 'the square' would have unduly over bearing height detrimental to the amenities of the adjoining properties.
33. Following the refusal of this scheme officers from the Local Planning Authority have discussed the proposals at length with the applicants, with a view to overcoming the previous reasons for refusal and providing an acceptable development proposal.

Character and Design

34. Considering the previous reasons for refusing the earlier scheme one of the key design considerations to take into account was the existing context between the application site, parcel H2 to west, which abuts the site and G to the east, and the Arbury Camp Design Guide, to ensure the development relates to its surroundings without causing a conflict in terms of height, scale and massing whilst delivering a strong landmark building at the Kings Hedges Road junction with entrance to Orchard Park.
35. Although mindful of the Community Council's concerns regarding the design of the scheme, officers consider that the current proposal rectifies a major concern on the previously refused scheme in that it is considered to be of appropriate scale and massing along this key entrance frontage to Orchard Park.
36. The proposed form introduces an interesting composition of varied sight lines and colours along Kings Hedges Road due to its position and visual dominance on the junction with appropriate level of fenestration. The proposed rooflines tie in successfully with the adjoining parcel H2's existing pyramid style roof and go on to complement each other effectively along this section of Orchard Park.
37. Officers consider that the proposed form, height and massing provides the appropriate extent of closure along Kings Hedges Road junction and generally along the approach roads with key a focal point to 'The Square' area, which will be much appreciated within the given context. The residential dwelling types proposed facing onto Central Avenue, although featuring varied render colours for projecting elements on their frontage, generally accord with the character of development already prevalent in the street scene, and so are therefore considered to be acceptable.
38. There was also a concern raised in the previous application over the adjoining and proposed heights overlooking the Community Centre. This has been addressed by a

subsequent reduction in height to the ridgeline of the units overlooking the Community Centre in relation to existing two storey units on Parcel H2.

39. In considering the site layout, the scheme suggests a strong building line along the edge of the street with main access to the units placed strategically along the street frontage. Officers consider that this adequately rectifies the concern raised about the principle of continuous building line in the previous scheme and conforms with the Arbury Camp design Guide (March 2008). The layout is considered to provide a better definition to the public realm particularly along where the scheme faces onto the Community Centre. As recommended this part of the scheme has been reassessed to address the issue of intermediate spaces within the existing phases. To ensure definitive boundaries between public and private realms and avoid any in-between left over spaces a green buffer has been proposed between the dwelling overlooking community centre and public footpath. This clearly rectifies the concern raised over the previous scheme.
40. Further considering the Community Council's concerns regarding the proposed fenestration of the landmark building on the corner of Kings Hedges Road and Chieftain Way, again officers consider that the landmark building form has been appropriately broken up by use of varied sightlines, fenestrations and materials. Although the building contains a significant number of openings, required to provide sufficient light into the internal accommodation, these are designed featuring variation in size and shape so as to provide visual interest to the exterior.
41. Noting the concerns expressed regarding the proposed mixture of facing renders, officers also consider that particular attention should be taken to ensure that the final treatment of these elements does not detract from the overall quality of the scheme or result in elements of the scheme being incongruous in the street scene. Given the range of materials and colours being used on the building to create a strong form, officers consider that this needs to be particularly carefully executed and therefore propose that a condition of consent requires specific additional details of external materials be submitted for approval prior to development being commenced.
42. Noting the comments of the Community Council in respect to lack of engagement in the design process, officers are meeting with the Council to discuss the scheme on 24th June 2011. Members will be updated verbally at the Committee meeting of any additional matters should they arise from that meeting.

Car and Cycle Parking and Highway Safety

43. The scheme provides for 49 parking spaces across the site as a whole, an average of just under 1.5 spaces per dwelling. This provision, in basic terms, meets the Council's adopted parking standards for domestic dwellings.
44. Through amendments to the scheme, the applicant has sought to address the concerns of the Council's Urban Design Team, Sustrans and the Community Council in respect of usability of the spaces and the degree of cycle parking provision offered through the scheme, by amending the widths of the garages, so that they now meet the standards sought within the Council's adopted Design Guide SPD to include sufficient circulation space around vehicles to make the spaces more usable, as well as providing additional cycle parking within the garages (for those dwellings that benefit from them). In addition to the increased garage sizes, the applicants have provided additional cycle storage racks outside the proposed flats on both the corners of Kings Hedges Road/Chieftain Way and Chieftain Way/Central Avenue. This has served to provide an additional 14 cycle parking spaces, over and above additional

space being available within garaging for cycle storage and the provisions made within the footprint of the flat buildings originally. This has resulted in the total provision of a claimed total of 102 cycle parking spaces across the site, an average of 3 spaces per dwelling. Whilst some of these spaces are located within garage accommodation, and therefore cannot be guaranteed to be used as such, the total provision is so far in excess of the minimum standard of 1 space per dwelling as required by the Council's adopted policy, that the provision is considered sufficient to meet the likely demands of the development.

45. Noting the comments of the Local Highway Authority, in respect of the intention to adopt the internal roadways, the applicants have not stated whether it is their intention for the roads to be adopted. With the exception of the internal parking courts, however, the only roadway to cross through the site is Cornell Court, which links land Parcel H2 to Chieftain Way. The applicants have annotated the plans to illustrate that this roadway meets the sufficient dimensions required for adoption purposes, should this be the intention of the applicants in due course.
46. The remaining accesses within the proposed development relate to shared parking courts, a feature not uncommon to other developments within Orchard Park. The scheme includes four such spaces, providing 8, 8, 9 and 15 spaces respectively. No mention is made of any intention to gate these parking courts. Noting the comments of the Community Council, in respect of the number of spaces provided in comparison to the number of spaces suggested as a typical maximum for parking courts within the Arbury Park Design Guide, whilst it is accepted that the number of spaces exceeds the suggested guidelines, it is important to consider the overall functionality of the spaces, when considering the design. The spaces have been arranged so that, for the most part, no more than four or five households are making use of the parking courts, providing for an overall level of natural management of the spaces, whilst the areas are designed to allow sufficient space for internal vehicular movements to allow vehicles to enter and leave in a forward gear. The exception to this is the parking court provided to the rear of the landmark building on the corner of Kings Hedges Road, where a total of 14 households would be accessing the parking area. This space, however, is laid out so that it functionally works, whilst also allowing for a degree of internal landscaping, to soften the appearance of the space. Given that the design of the space works from a functional perspective, whilst being landscaped to a degree, officers are satisfied that given the space constraints available within the scheme, combined with the typically higher density of flat accommodation compared with more traditional detached or semi-detached dwellings, the approach adopted is acceptable for the scheme.
47. Noting the other comments of the Local Highway Authority, officers are satisfied that the issues in respect of construction of the roadways including drainage specifications, restricting the use of unbound materials, the use of gates without prior permission from the LHA, restricting buildings overhanging the public highway, provision of visibility splays and manoeuvring areas can all be reasonably controlled by planning condition, should members be minded to approve the scheme.
48. Officers have also considered the comments of the Police Architectural Liaison Officer, in respect of surveillance of parking courts, the treatment of site boundaries and other security issues. With regard to surveillance, whilst the comments are noted, officers have reconsidered the position of windows and other openings in the proposed structures. Generally, most areas of the parking courts are afforded surveillance through the location of windows, which would face over the communal areas within the site. The only such areas that are not so well observed are those areas whereby overlooking windows would present a potential loss of privacy to the

gardens of adjoining residential dwellings in land parcel H2. The amenity of these dwellings needs to be preserved when considering the current proposals. Officers are also mindful that views are afforded into the site at ground level from the entrances to the parking areas. Whilst officers accept this is not an ideal solution, this would provide a degree of openness that may serve to deter anti-social or criminal behaviour.

49. Noting the comments in respect of the use of more defensible boundary treatments, the applicants have amended some outline boundary details to make them more robust. Specific boundary details can be required by planning condition, to ensure that all boundaries are suitably detailed for aesthetic and security purposes. With regard to the use of gates to enclose the parking courts, this is not a feature typical to Orchard Park, and would serve to significantly alter the character of the streetscene, as well as potentially pose issues for highway safety, including requiring vehicles to wait in the public highway whilst gates are opened and/or also impacting upon manoeuvring spaces and visibility splays. Accordingly, whilst gates may be attractive from a security perspective, officers would not recommend their inclusion for the reasons outlined above. The other elements raised by the PALO, in respect of construction matters, have been forwarded to the applicants for their consideration at the detailed implementation stage of the scheme, should members be minded to approve the development. The elements covered do not pose any material planning consideration for the scheme, but present issues for the developer should they wish to obtain Secure By Design accreditation.

Mix of Dwellings, Including Provision of Affordable Housing

50. The comments of the Community Council, in respect of the proposed mix of dwellings on the site, are noted. The scheme proposes the erection of 22 2-bedroom flats, and 12 3-bedroom dwellings. No provision is made on site for 1 bedroom accommodation, or larger 4 or 5 bedroom accommodation. Whilst such a mix, taken in isolation, would not typically accord with the mix standards set out in policy DP/2 of the adopted LDF, it is important to consider that the site, although submitted as a full proposal, was planned as part of the wider Orchard Park development site. At the time of considering the outline consent for the development as a whole, the Planning Inspector considered how residential mix should be apportioned across the site so as to achieve a mixed and balanced community, whilst achieving deliverability for individual land parcels. In this regard, the mix of dwellings apportioned across the Orchard Park development as a whole, meant that some land parcels were identified as being suitable for a concentration of larger residential units, whilst others were identified as being more suited to smaller units of accommodation. In the case of the current site, the mix was envisaged as smaller units of 1, 2 and 3-bedroom accommodation. Whilst the development does not include any 1 bedroom units, and notwithstanding that the application has come forward as a full, rather than reserved matters proposal, in light of the above, the scheme is considered by officers to propose a mix that continues to serve the overall needs for Orchard Park.
51. In respect of the provision of affordable housing on the site, the scheme does not make any allowance in this regard, after land parcel C3, from the same developer, came forward featuring 100% provision of affordable housing, rather than the previously anticipated mix of affordable and market units. The application has set out evidence to demonstrate that the mix of units proposed across the two land parcels, in combination with land parcel G, which has yet to come forward with a suitable scheme, would continue to meet the Council's strategic aim of achieving 40% affordable housing across the whole of the Orchard Park site.

Contributions towards Supporting Infrastructure/Public Art

52. Through representations made during the consideration of the application, as members will note above, Cambridgeshire County Council have sought payments from the developers to support the infrastructure requirements of the development in respect to education and transport. In addition the Community Council have also requested that provisions be made for further funding towards the education provisions on Orchard Park, to community infrastructure and public art. With regard to the latter point they have queried the details proposed by the applicants, considering them to lack clarity, whilst they have set out their own opinions in respect to the sought highway infrastructure payments from the County Council.
53. Officers, including the Council's Section 106 Officer and Planning Lawyer, have discussed the sought sums, in addition to the viability arguments that have been put forward by the developers.
54. In considering the sought education and community infrastructure payments, officers have had regard to the fact that payments for such infrastructure was secured under the terms of the Section 106 agreement for the development of Orchard Park as a whole, which secured sums based upon the erection of 900 dwellings (a breakdown of the sums secured is outlined above in the planning history section of this document). Regard has also been had to the criteria set out in Circular 05/2005 for assessing whether requested infrastructure payments can be sought which states that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.
55. Notwithstanding that the current application has been submitted as a full, rather than reserved matters application, given the criteria contained within the circular, and given that education and community infrastructure payments have previously been paid for Orchard Park to meet the calculated needs of up to 900 dwellings, it is officers opinion that until there is permission for more than 900 dwellings at Orchard Park, there should not be any revisiting of the education or community infrastructure contributions as these facilities should have been planned to be accommodated through the terms of the 2005 outline planning consent. At present, the number of dwellings that benefit from planning consent across Orchard Park is 810, leaving capacity for a further 90 dwellings to be consented before additional infrastructure requirements can be considered. In reaching this view, officers had regard to recent consideration of the situation in Cambourne, where, in effect, it is considered that a precedent has been set, acknowledging that the scheme for a further 950 units should not bear any additional costs due to incorrect capacity assessment being made in relation to the originally planned number of units. Once the number of dwellings consented on Orchard Park exceeds the 900 units threshold, it is considered that it would be reasonable to seek such further contributions to meet the needs of any additional dwellings. However, the current proposal would result in such a situation and, therefore, could not reasonably seek to secure such sums.
56. Given the terms of the original Section 106 agreement for Orchard Park, however, the same situation is not considered to apply to the proposed transport infrastructure (NCATP) or public art payments. In the case of the NCATP payment, officers have had regard to the fact that the original agreement required a review and potential recalculation of the number of dwellings that could be erected at Orchard Park under the terms of the outline consent, with specific regard to establishing whether the full sum for NCATP payments was payable against the outline consent. This review took place upon the occupation of the 300th dwelling on site and established that a lower

fee was payable to meet this need, as fewer than 900 dwellings could be built against the outline consent. The transport payments made, therefore, did not account for remaining undeveloped land parcels, including the current application site. Therefore, unlike the education and community infrastructure payments, sums payable to meet the need of the current proposal have not already been paid to the relevant parties.

57. With regard to public art, although an original sum of money was payable to meet more general community needs, no sum was secured to meet the needs of individual land parcels.
58. Following discussions between officers and the applicants, the applicants have agreed, in principle, to pay the figures sought by the County Council in respect of NCATP contributions with an additional sum of £6000 to be paid towards meeting the public art needs of the particular land parcel, subject to agreeing appropriate wording of clauses. Whilst the sum proposed for public art is below the 1% of build costs typically sought by adopted policy, given the applicants viability arguments, which show that this scheme has potential financial constraints, officers recommend that the sum proposed is reasonable. Noting the concerns of the Community Council, in terms of the lack of clarity regarding what the scheme of public art may achieve, given the lack of specific detail, it would be considered reasonable to require a suitable scheme to be agreed by way of planning condition, which would relate to the terms of any agreement secured through S.106.

Other Matters

59. The comments of the Scientific Officer, and Environmental Health Officer are noted in respect of the impact of the development with regard to material considerations of air quality, demolition/construction phase noise/dust, traffic noise, artificial lighting, contaminated land, health impact and operational/residential waste/recycling provision. The comments also reflect the considerations put forward by the Cambridgeshire Guided Bus team. Should members be minded to approve the development, officers would advise that the recommended conditions proposed would be reasonable as they serve to ensure that sufficient information has been provided to ensure that the development is not harmful to existing or proposed residents, during either the construction phase, but also to ensure reasonable environmental conditions for future residents of the site.
60. In respect to the Community Council's comments regarding the use of renewable technologies on the site, whilst officers support the aspirations to achieve higher sustainable standards than the minimum required by policy, it is acknowledged that the proposals meet the criteria of 10% provision to meet adopted requirements. Accordingly, it is considered that there is no policy justification to pursue further demands from the scheme such as to recommend any approach other than approval in this regard.
61. Noting the comments of the Community Council regarding previous experiences of mud being deposited on road surfaces during construction works, whilst this is not normally an issue for development, it is worth noting that the application site is subdivided by an existing roadway, which will need to be maintained free from obstruction during development works for the benefit of existing residents. Accordingly it would be reasonable to impose a planning condition that requires a construction management plan to be submitted and subsequently adhered to, to ensure all construction/logistical issues are identified before they occur and a suitable plan is in place to resolve them, to the satisfaction of all parties.

Recommendation

62. Delegated approval, as amended by plans received 18 April 2011 and 2 June 2011, subject to conditions, and to the receipt of Unilateral Undertaking or signing of an appropriate S.106 agreement to secure the necessary payments towards securing a scheme of public art and highway network improvements.

Conditions

1. 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.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
16229/1000, 16229/1004, 16229/121, 16229/122, 16229/123, 16229/124, 16229/125, 16229/126, 16229/127, 16229/128a (amended 2 June 2011), 16229/1002a (amended 2 June 2011), 16229/1003a (amended 2 June 2011), PER17134-10 (amended 2 June 2011), Transport Statement April 2011, Health Impact Assessment April 2011, Utilities Report WH Ref – CSB/KM/DC/16229/B4, Waste Management Strategy April 2011, and Flood Risk Assessment WH Ref – CSB/KM/DC/16229/B4. (Reason: To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. 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 DP/2 and NE/6 of the adopted Local Development Framework 2007.)
4. Prior to the commencement of any development, details of the materials to be used for the external walls and roofs, to include details of the render specification and colour palette, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (Reason: To ensure the appearance of the site does not detract from the character of the area, in accordance with Policy DP/2 of the adopted Local development Framework and both the Arbury Park Design Guide 2007 and the Orchard Park Design Guide SPD 2011.)
5. No development shall begin until details of a scheme for the provision of public art to meet the needs of the have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details. (Reason - To ensure that the development contributes towards public art in accordance with the above-mentioned Policy SF/6 and Policy DP/4 of the adopted Local Development Framework 2007.)

6. No dwellings/premises shall be occupied until the works have been carried out in accordance with the approved surface water strategy unless otherwise approved in writing by the Local Planning Authority. (Reason: To prevent environmental and amenity problems arising from flooding, in accordance with Policy NE/11 of the adopted LDF 2007.)

7. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:

Contractors' access arrangements for vehicles, plant and personnel;
Contractors' site storage area(s) and compounds(s);
Parking for contractors' vehicles and contractors' personnel vehicles.

Development shall not be carried out other than in accordance with the approved details. (Reason - In the interests of residential amenity in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.)

8. Prior to the commencement of any development, full details of the design and construction methodology, including details of phasing and methodology to include maintaining the openness of Cornell Court for the benefit of existing residents and the footway connection to the Guided Bus, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with such details as are so approved. (Reason: To ensure that the development has an appropriate interface with the CGB for the wider integration of the development into its setting, and to preserve the amenity of existing residents during construction, in accordance with Policies DP/2, DP/3 and DP/6 of the adopted LDF 2007.)

9. No construction work shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

10. No construction related deliveries and or collections shall take place other than between the hours of 07.00 to 21.00 on Monday to Friday and 08.00 to 13.00 on Saturdays unless otherwise agreed in writing with the local planning authority. No construction related deliveries and or collections shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

11. In the event of the foundations for the proposed development requiring piling, prior to the commencement of development the applicant shall provide the local planning 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 or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of "BS 5228 - Part 4: COP for noise and vibration control applicable to piling operations". Development shall be carried out in accordance with the

approved details. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

12. Before any residential development / use is commenced, a noise attenuation / insulation scheme (having regard to the building fabric, glazing and ventilation requirements) for the residential units, to protect occupants from Kings Hedges Road, the Cambridgeshire Guided Bus (CGB) and A14 related traffic noise shall be submitted to and approved in writing by the Local Planning Authority. The noise insulation scheme shall demonstrate that external and internal noise levels recommended in British Standard 8233:1999 "Sound Insulation and noise reduction for buildings-Code of Practice" shall be reasonably achieved, having particular regard to rapid / purging ventilation and comfort cooling requirements, should achieving acceptable internal noise levels rely on keeping openable windows closed. The scheme as approved shall be fully implemented before the residential use hereby permitted is commenced / prior to occupation of the residential units and shall be retained thereafter and not altered without prior approval. (Reason: To ensure that sufficient noise attenuation is provided to all residential properties to protect the residents from the impact of Kings Hedges Road, the Cambridgeshire Guided Bus (CGB) and A14 traffic noise and safeguard the amenity and health of future residents in accordance with Department of Environments, Planning Policy Guidance Note 24, "Planning and Noise" and Policy NE/15 of the South Cambridgeshire Development Control Policies.
13. Prior to the commencement of the development an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security lighting, shall be submitted to and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, full isolux contour maps and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles, angle of glare and shall assess artificial light impact in accordance with the Institute of Lighting Engineers (2005) 'Guidance Notes for the Reduction of Obtrusive Light'. The submitted scheme shall include isolux diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties. 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. To protect / safeguard the amenities of nearby residential properties in accordance with NE/14-Lighting Proposals.)
14. No development shall commence until details of a scheme to achieve 10% renewable energy has been submitted to and approved in writing by the local planning authority. Such scheme shall be agreed in conjunction with the details to be approved for the ventilation scheme (which may affect the energy use of the building) and with the need to ensure emissions do not adversely affect the air quality management area within which the site is located. (Reason - To ensure the use of renewable energy and safeguard the air quality management area in accordance with Policies NE/3 & NE/16 of the South Cambridgeshire Local Development Framework 2007.)
15. No unbound material shall be used in the surface finish of any driveway within 6 metres of the highway boundary of the site. (Reason: To avoid displacement

of loose material onto the highway in the interests of highway safety, in accordance with Policy TR/3 of the adopted LDF 2007.)

16. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority. (Reason: In the interests of highway safety, in accordance with Policy TR/3 of the adopted LDF 2007.)
17. Prior to the commencement of the first use of any vehicular access where it crosses the public highway the vehicular access shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification. (Reason: In the interests of highway safety and to ensure satisfactory access into the site, in accordance with Policy TR/3 of the adopted LDF 2007.)
18. No part of any structure shall overhang or encroach under or upon the public highway and no gate / door / ground floor window shall open outwards over the public highway. (Reason: In the interests of highway safety, in accordance with Policy TR/3 of the adopted LDF 2007.)
19. The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. (Reason: To prevent surface water discharging to the highway, in accordance with Policy TR/3 of the adopted LDF 2007.)
20. Pedestrian visibility splays shall be provided as shown on the drawings. The splays are to be included within the curtilages of the new dwellings. One visibility splay is required on each side of each vehicular access, measured to either side of the access, with a set-back of two metres from the highway boundary along the centre of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high. (Reason: In the interests of highway safety, in accordance with Policy TR/3 of the adopted LDF 2007.)
21. The accesses and manoeuvring areas shall be provided as shown on the drawings and retained free of obstruction. (Reason: In the interests of highway safety, in accordance with Policy TR/3 of the adopted LDF 2007.)

Also include a copy of Environmental Health comments, which outlines informatives regarding burning of waste materials, sought noise mitigation standards, and waste and recycling provision.

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

- South Cambridgeshire Local development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- Arbury Camp Design Guide SPD 2008
- Orchard Park Design Guidance SPD 2011
- Planning files: S/0710/11, S/0981/08/RM and S/2379/01/O.

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