

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 June 2012

AUTHOR/S: Planning and New Communities Director

Ref. S/2559/11 – ORCHARD PARK

Erection of 112 Dwellings, including Vehicular Access and Mixed Use Building/ this is a hybrid application part outline and part full involving 7 Retail Units (840sqm) and 28 Flats (2-1 bed and 26-2 bed) including Landscaping and Open Space and involves two separate land parcels

**Site A (Formerly Q & HRCC) Land Off Ringfort Road, and Site B (Formerly E3, Comm2A, Comm2B & E4) Land off Chieftain Way,
For Gallagher Estates Ltd**

**Recommendation: Approve Subject to Planning Conditions and S106
Date of Determination: 6th June 2012**

Notes:

This Application has been reported to the Planning Committee for determination because the recommendation of planning officers conflicts with material considerations raised by the Community Council.

Members will visit this site on 1st June 2012

To be presented to the Committee by Julie Ayre

Site and Proposal

1. The northern edge of Orchard Park is bounded by the A14 embankment, with a noise barrier on top of it, the southern edge Kings Hedges Road, eastern edge by the B1049, Cambridge Road and to the western edge the former railway line and Cambridge Regional College.
2. The application is located on two sites:-
 - (i) Site A (1.97 hectares (ha)) was formerly known as Q/HRCC site. It is located on the corner of Ringfort Road/Cambridge Road. The application seeks outline permission for 79 dwellings. The site is generally flat and open in character. It is located to the western end of Orchard Park. It is bounded to the north by sports pitches and the Orchard Park Primary School, to the east by Ring Fort Road, to the south by Kings Hedges Road and the Cambridgeshire Guided Bus (CGB) and to the west by Cambridge Road. The main access to the site will be off Ringfort Road.
 - (ii) Site B (1.43 ha), was formerly known as the COM2A, COM2B, E3 and E4, parcels located off Chieftain Way. The application seeks to accommodate on it a further 61 dwellings and the retail units. 28 flats will be located above the 7 retail units (6 retail units of 70sqm and a larger convenience store of 420sqm (net)). The site is generally flat and open in character. It lies to the south of the A14 adjacent to the elevated

embankment and acoustic fencing of the road. The site is accessed from the northern end of the Boulevard, off Chieftain Way. To the west lies the Travelodge Hotel and to the south of that are affordable homes in four storey apartments (parcel E1). To the east is the Premier Inn Hotel with a further four-storey apartment block E2 to its south. The main vehicular access to the site will be from Chieftain Way.

3. Orchard Park currently comprises 761 built homes, 2 hotels, a primary school, 1 community centre and several areas of public open space which are both formally and informally laid out. Currently two further permissions are being built out by Persimmon Homes for 36 dwellings (site H1) and 16 dwellings (site G).
4. The planning application, registered on 9th January 2012, is a hybrid application, totalling 140 dwellings and 964sqm (gross) of retail floor space (840sqm net).
5. Full permission is sought for a mixed- use block. This comprises of 7 shops, including one key anchor convenience store with 28 flats above (2, one bedroom and 26, 2 bedroom)
6. Outline detailed permission is sought for all 79 units on the corner site, and 33 units on either side of the local centre in addition detailed permission is sought for:
 - i. The main access road and footpath.
7. The proposed density is 41.13 dwellings per hectare, plus 964sqm gross retail floor space.
8. The application has been accompanied by a number of supporting documents. These include:
 - Design and Access Statement, Planning Statement,
 - Affordable Housing Statement,
 - Ecological Method Statement,
 - Archaeological Management Plan,
 - Foul Drainage Statement,
 - Health Impact Assessment,
 - Air Quality Assessment (both sites)
 - Renewable Energy Statement,
 - Retail Market Assessment,
 - Statement of Community Involvement (2 documents)
 - Noise Mitigation Reports (both sites),
 - Transport Statement,
 - Waste Management Strategy,
 - Water Conservation Strategy and Flood Risk Assessment.
9. The application was amended on the 5th April 2012

Planning History

10. Orchard Park, is an urban extension to Cambridge located adjacent to the A14. It was allocated for mixed use development in the South Cambridgeshire Local Plan 2004.

11. Planning permission was granted in June 2005 (**S/2379/01/O**), subject to a legal agreement for a mixed development including 900 dwellings, 761 of which have been constructed to date and a further 52 dwellings have planning permission. The outline planning consent **S/2379/01/O** granted permission for a mixed use development comprising of :
 - 900 dwellings (on up to 16.48hectares),
 - up to 18,00sq.m. B1 gross floor space (on up to 3.32 hectares),
 - on up to 1.21 hectares of education facilities
 - 4.86hectares of public open space,
 - up to 0.56 hectares of local centre facilities (A1,A2, A3, A4, A5 and D1 uses),
 - up to 2.07hectares of public transport infrastructure corridor and mixed uses
 - up to 2.87 hectares in five areas to include B1,C1, C2, C3, D1, D2 uses
 - and, car showroom.
12. Condition 5 (**S/2379/O**) limited the submission of reserved matters to 3 years (before 14th June 2008). Therefore, all applications since then are required to be outline or full applications rather than reserved matters.
13. In the 2005 permission, Site A was identified for mixed use development involving the development of a Heritage Resource and Conservation Centre (HRCC). Several design layouts have been produced over the last 6 years in order to investigate the development potential of this plot of land; however, ultimately the HRCC centre originally expected on the site is now intended to locate elsewhere in Cambridge, therefore the land remains vacant.
14. Site B was identified as a Local Centre limited to an area of no more than 0.56 ha. This limit was required by the Highway Agency in order to control the extent of all uses on the site so that the A14/Histon Road junction could accommodate the traffic associated with the development. In addition, condition 28 required details of the location of the Local Centre to be submitted within 6 months of the development commencing on site.
15. Site B received planning permission in August 2009 (**S/0622/08/RM**) for the provision of a local centre (retail units), 20 residential flats, additional commercial units (2312sqm) parking, Public Open Space and associated infrastructure. The previous application proposed:
 - 10 ground floor shops of varying sizes (total 1523sq.m. gross) arranged in three blocks around POS2,
 - offices totalling 1254sqm gross would be provided in two floors above the central retail block,
 - 20 residential flats on the three floors above the shops in the side blocks.
 - To the rear a loop enabled the provision of a separate service area for the largest retail shop.
 - Servicing of the other shops would be from both the front and the rear of the access roads.
 - 2313sqm gross of B1 commercial /office was proposed in three separate two-storey blocks to the rear of the site adjacent to the A14.
 - 187 car parking spaces, 240 cycle parking spaces and POS2 (subject to further details being supplied). This application was a reserved matters application as it was submitted in March 2008 and could, therefore, be considered within the original outline permission (**S/2379/01/O**).

16. In 2011 an additional supplementary planning document (Orchard Park Design Guide, SPD, March 2011) was adopted in order to revised the design principles associated with the remaining undeveloped land parcels within Orchard Park this application site was included.

Planning Policy

17. **National Planning Policy Framework (NPPF)**
18. **Cambridgeshire County Council LDF Supplementary Planning Documents (SPD):**
RECAP Waste Management Design Guide – February 2012
19. **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted January 2007:**

ST/2: Housing Provision
ST/9: Retail Hierarchy
ST/10: Phasing of Housing Land
20. **South Cambridgeshire Site Specific (LDF)Policies DPD, 2007:**

SP/1: Cambridge Northern Fringe (Orchard Park)
SP/16: Cambridge Guided Bus
SP/19: Cambridge Airport Safety Zone
21. **South Cambridgeshire (LDF) Development Control Policies DPD, 2007**

DP/1: Sustainable Development
DP/2: Design of New Development
DP/3: Development Criteria
DP/4: Infrastructure and New Developments
DP/5: Cumulative Development
DP/6: Construction Methods
DP/7: Development Frameworks
HG/1: Housing Density
HG/2: Housing Mix
HG/3: Affordable Housing
HG/4: Affordable Housing Subsidy
SF/2: Applications for New Retail Development
SF/3: Retail Development on Land Allocated for Other Uses
SF/6: Public Art and New Development
SF/8: Lord's Bridge Radio Telescope
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/4: Landscape Character Areas
NE/6: Biodiversity
NE/9: Water and Drainage Infrastructure
NE/10: Foul Drainage – Alternative Drainage Systems
NE/11: Flood Risk
NE/12: Water Conservation
NE/14: Lighting Proposals

NE/15: Noise Pollution
NE/16: Emissions
CH/2: Archaeological Sites
CH/9: Shop Fronts
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards
TR/3: Mitigating Travel Impact
TR/4: Non-motorised Modes

22. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Open Space in New Developments – Adopted January 2009
Public Art – Adopted January 2009
Trees and Development Sites – Adopted January 2009
Biodiversity – Adopted July 2009
Landscape in New Developments – Adopted March 2010
District Design Guide – Adopted March 2010
Health Impact Assessment – Adopted March 2011
Orchard Park Design Guide- Adopted March 2011
23. **Circular 11/95 (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.

Consultation by South Cambridgeshire District Council as Local Planning Authority

24. **Orchard Park Community Council (OPCC)** – Recommends refusal of the application on the following grounds:
- a) The inclusion of just a ‘top up’ store will result in more trips out of the settlement resulting in increased pressure on the A14 and surrounding roads.
 - b) Due to the changing government policies and the recent retail study conclusions that the Northwest of Cambridge is poorly served by the main foodstores, (Cambridge Sub-Regional Retail Study 2008, updated August 2009) indicate that a larger anchor store and more variety of small shops are needed to better meet the diverse shopping needs of the Orchard Park residents.
 - c) Lack of adequate cycle provision for the local retail centre.
 - d) The public open space identified within the application is insufficient in size and location. Small buffer strips alongside the busy main roads should not be identified as usable green spaces for residents.
 - e) The planning obligations are inadequate and do not mitigate the impacts of the development on the community. The affordable housing is being delivered first in front of the market housing, which creates an unbalanced community. In addition, the amount of affordable homes is below the policy requirement (not less than 40%).
 - f) The design of the main mixed use block is stark and unattractive in contrast to surrounding streets.
 - g) The application fails to comply with SCDC’s standards on public art; several plans were discussed regarding Unwin Square on the previous applications such as a water fall and a clock to make an exciting arts project.

These comments are based on the original proposals no further comments have been received in relation to the amendment of the 5th April 2012. Any further comments will be reported verbally to committee.

25. **Histon & Impington Parish Council** – Recommends refusal of the application on the following grounds:

- a) Inadequate delivery area, especially to the west end of the retail site causing vehicles to reverse out.
- b) Insufficient disabled parking. Site A requires a sound barrier.
- c) The five storey flats overlook the primary school.
- d) No visual idea of what the 5 storey proposal looks like, only height details.
- e) No indication of compliance with the SPD requirements for a Gateway Feature; the proposal shown is not what the Committee would interpret as a gateway.
- f) Harsh view from Green Belt land on the other side of the B1049.

In addition, it recommends that should the application be considered acceptable that:

- a) The Police Architectural Liaison Officer's comments are sought.
- b) Not more than one hot food take away be considered to avoid the congregation of youths within the area.
- c) Consideration should be given to conditioning the use of balconies to avoid visually harmful practices being carried out
- d) Rendered surfaces should have acoustic qualities.

26. **Environment Agency** – Raises no objection subject to conditions and confirm the scheme is acceptable, but recommends that the ownership and maintenance of the SuDS systems be confirmed for all areas of the development.

27. **Middle Level Commissioners** – Raises no objection to the proposal.

28. **Anglian Water** – Raises no objections subject to a condition ensuring that the surface water strategy is implemented before residents move in.

29. **Disability Forum** – Raise no objection to the scheme subject to:-

- a) The times of deliveries to the shops being restricted,
- b) That the public open space (POS2) is lit,
- c) POS2 is provided with a yellow strip on the footpath to ensure partially sighted people are able to navigate the site efficiently,
- d) All door openings are a minimum of 900mm and no gradient to the shops is more than 1:12 – 1:20, and
- e) The local authority should encourage one of the shops to be a post office and investigate if the four ground floor shops could be fully wheelchair accessible.

30. **Cambridge Cycling Campaign** – Raises concerns regarding the application on the following grounds:

- a) It has insufficient cycle parking associated with the apartments on site B,
- b) The retail units have insufficient parking for shoppers, residents and employees, there is little detail regarding the spacing and design of the cycle parking.
- c) There are insufficient linkages between Histon, Impington the A14 and Orchard Park, therefore, it is recommended that the application provide "Ringfort Path" to link from the A14/Histon Road roundabout to Ringfort Road adjacent to the Premier Inn and that it be a condition of any approval that the path should be installed prior to the occupation of any of the dwellings. This

footpath project is supported by 400 signatures petition given to Cllr Bates (August 2011) from local residents.

31. **Sustrans** – Recommends refusal of the application for the following reasons:-

Site A

- a) The proposed cycle parking is not acceptable as the spaces are not conveniently located, cycles should not share space with bins,
- b) No cycle parking has been provided to the east of the site,
- c) Occupants may choose to park on-street.

Site B

- d) No details of the construction of houses 55- 61 which appear to face the A14 embankment, though their car parking is within the full application site,
- e) No cycle parking has been specified for the houses or the 28 flats which are part of the full application, and
- f) Occupants should be able to leave the front of their homes with their bikes, and not the rear, which is not overlooked, unattractive and where there is potential conflict with car and delivery vehicle movements.

In addition it raises concern regarding the abandonment of the previous application, as the consequent reduction in employment provided on the site reduces the possibility for future residents to work on site, and thus would generate longer, so probably less-sustainable, journeys.

These comments are based on the original proposals no further comments have been received in relation to the amendment of the 5th April 2012. Any further comments will be reported verbally to committee

32. **Cambridgeshire Police Architectural Liaison Officer** – No objection to the scheme in principle but raises the following minor concerns regarding:

Site A

- a) The car parking courts should be gated appropriately.

Site B

- b) The trees around the central public open space may need to be restricted as they may in time restrict the views from homes.

33. **Cambridgeshire Fire & Rescue Services** – Recommends approval subject to the installation of fire hydrants within the development.

34. **Cambridgeshire Past, Present & Future** – Raise the following concerns:

- a) The proposed green space is inadequate, as some of the space identified as open space is within the verges of the B1049 which is clearly not acceptable and others are located in areas which are not overlooked (adjacent to the A14 embankment on site B. The reduction in open space will only be mitigated by off-site compensation. The overall high quality of any new open space must be ensured and to date the details seen are both unconvincing and not in accordance with local guidance and policies.
- b) Gates leading north to completed green spaces (playing fields) need to be properly assessed to avoid desire lines or pedestrian ruts appearing, this may

be used as a direct route to the shopping area as well as the hotel/bar. Careful siting of the gates is essential.

- c) The noise and other pollution from the elevated road (A14) will have a detrimental impact on the enjoyment of the residential areas below as well as the nearby open space. This is particularly a problem in relation to Site A, where the verge adjacent to the B1049 will be adversely affected. Developers should demonstrate that their design processes have led to the submission of proposals comprising uses and the orientation of building appropriate to a plot this close to the A14 and B1049.
- d) The garages to the east and west of the square should be overlooked to avoid any opportunities for anti-social behaviour to occur.
- e) It is unclear what additional public art, if any, is being provided. Well integrated public art would enliven the area and its green spaces, squares and other public spaces.
- f) The provision of retail floor space is too small and in the wrong location. In contradiction to the approved PPG, Foodstore Provision for the North West Area of Cambridge 2010, as well as earlier outline planning permission, the current detailed application proposes 50% less than the original approved in 2009. This is unacceptable and will result in residents travelling by car or public transport to obtain day-to-day necessities.
- g) It queries who will manage and control the Square (Unwin) in front of the retail units?
- h) The affordable housing statement indicates that there may be a reduction in the policy requirements of this site from 40% to approximately 30%, which is unacceptable as there is a huge under provision of affordable housing within the area. It is essential that 40% minimum coverage is obtained in accordance with policy. In addition, a proper mix of affordable housing with market housing should be provided and affordable housing not just allocated the worst sites.
- i) A significant reduction from the amount expected in planning obligations has been proposed by the developers, it is clear from speaking to the community that more facilities are needed such as enhanced child and teenager play facilities, more allotment space, enhanced playing fields, increased path and cycle routes.

These comments are based on the original proposals no further comments have been received in relation to the amendment of the 5th April 2012. Any further comments will be reported verbally to committee.

- 35. **Natural England** - Recommends approval of the scheme in principle subject to the submission of a Construction Management Plan and the development being carried out in accordance with the submitted Ecology report.
- 36. **Cambridge Group Ramblers Association** - Recommend the construction of a "Ringfort Path" to link from the A14/Histon Road roundabout to Ringfort Road adjacent to the Premier Inn.
- 37. **Highway Agency** – No response received.
- 38. **Civic Aviation Authority** – Has no objection to the application, as no associated structure would exceed 50m in height, however, it recommends a consultation be sent to the operating airport (Cambridge Airport was consulted on 10th May 2012).
- 39. **Cambridge Airport** –No response received.

40. **Cambridgeshire County Council (Local Highway Authority)** – Recommends approval subject to conditions regarding surfacing, gates, construction in accordance with County Council's standards Manual for Streets, no overhang of the public highway and all manoeuvring areas kept obstruction free.
41. **Cambridgeshire County Council (New Communities)** – No objection subject to the agreement in relation to planning obligations for the delivery of services/infrastructure within Orchard Park. Which include contributions to the NCATP in accordance with the adopted policy, pre-school, primary school, secondary school and a waste recycling contribution.
42. **Cambridgeshire County Council (Archaeology)** – No comments
43. **Housing Partnership Project Officer** – Recommends approval in principle but comments that the policy of not less than 40% affordable homes should be delivered as part of this scheme, however as the viability work provides evidence indicating that the scheme has difficulty in affording that level, after discussions with the RS, Bedfordshire Pilgrims Housing Association, recommends that of the two options submitted by the developer Option 1 (29.29% affordable 28 flats and 13, 3 bedroom homes) or Option 2 (36.43 % affordable homes 2, 1 bed flats, 42, 2 bed flats and 7, 3 bed houses) the preferred option is option 2, 36.43%.
44. **Landscape Design Officer** – Recommends approval in principle subject to conditions concerning: Site A - Additional landscaping to the central part of the scheme where houses look out over the access road/ Guided Bus track/Kings Hedges Road, the internal layout to the west where three parking courts joined together is improved, landscape treatment on the north-east boundary where it adjoins the school is improved. Site B: concern is raised regarding the general layout of all open spaces within the site, additional landscaping is required to the southern boundary of open space to ensure that there is no sense of clashing boundaries and land uses, additional landscape treatment is required to the west and east boundaries. Unwin Square/Public Open Space 2 (POS2) : requires greater spacing between trees and a change of tree species to ensure the trees will thrive in that location, the trees in the centre should be removed to create a strong centre axis so the space feels more enclosed and is not connected to Kings Hedges Road, the hedge planting type should be replaced with a stronger form more in scale with the space.
45. **Trees and Landscape Officer** – No comment
46. **Ecology Officer** – Recommends approval of the scheme subject to conditions concerning removal of vegetation outside of bird breeding period, lizard survey on site B (lizards were found on the A14 embankment), protection of flowers on the embankment in site A, requirement for scheme of ecological enhancement for both land parcels.
47. **Health and Environmental Services**– Recommends approval of the scheme in principle subject to various conditions. They considered the proposals against a broad range of environmental health considerations, including, construction phase noise/dust, traffic noise impact of Kings Hedges Road, the A14 and the Cambridgeshire Guided Bus on residents, Parcel B-operational noise from retail units/outlets and fixed plant noise, air quality, artificial lighting, contaminated land, Health Impact Assessment, operational odour generation and control –only Parcel B.

48. **Waste Management Section** - Recommends approval but raises concern regarding the bins stores associated with the mixed use building and suggests the amendment of the bin store layout to ensure that the proposals comply with the requirements of Recap. In addition as part of the proposals requires an obligation to be made towards the provision on bins on site in accordance with current policy.
49. **Development Officer** – Notes that POS2 is a key public art spaces and although the plans show 4 alternative designs for the ‘market area’, none of those designs have been subject to detailed public consultation. Gallaghers are advised to ensure their lead artist Patricia Mackinnon Day is aware of the project and invited to participate. In addition it is considered that the development of such an art scheme should be subject to a planning condition.
50. **Urban Design** – Recommends approval in principle but make the following comments:
- Site A
- a. Recommends that the frontage of the main focal building needs careful design. It is highly visible and forms a gateway to the development and hence high quality elevation design and materials are required.
- Site B
- b. The mixed use retails block: There are concerns regarding the lack of high quality design detail with corresponding material. The building should be simplified by removing the excess clutter materials such as Juliet Balconies and inserting much simpler projecting/recess boxes where appropriate.
- c. The proposed colour pallet for the “coloured glass panels” is confusing and does not convey a coherent façade. A detailed colour scheme is required to understand the palette better.
- d. There is concern regarding the location of the communal bin store on Chieftain Way.
- e. On-going concern regarding materials to be used in the mixed use block.
51. **Section 106 Officer** - No response received to date. Any comments received will be reported to members in an update prior to the Committee meeting.
52. **Team Leader (Sustainability Officer)** – Raises no object to the application subject to:
- a. A clear demonstration that the full effective use of solar panel capacity on the site is exhausted before other less efficient technologies are considered.
- b. In relation to air source heat pumps - full details of the units to be installed and assurances regarding the predicted coefficient of performance, quality of installation, householders’ liaison and the availability of repair and maintenance services, a specific period of performance monitoring is carried out to ensure the ASHP are working at the predicted levels.

Representations by Members of the Public

53. **Public Consultation Event** (28th January 2012) – Attended by 46 residents
The main issues raised were as follows:
- a) Cycle parking; one resident felt there was too much cycle parking at the front of the store, another felt that there should be more parking within POS2.

- b) The amount of retail floorspace; three people thought it was about the right amount and one felt that there should be a larger store but welcomed the shops being delivered as soon as possible.
 - c) One resident raised concern regarding traffic flows as they considered that a simple one way system would encourage residents to park their cars at the front of their property causing issues for cyclists.
 - d) One resident felt that the deliveries to all the retail premises should be from the rear to avoid delivery lorries parking at the front of the units and causing subsequent obstruction.
54. 12 Site Notices were posted around the site on 19th January 2012 and a further 12 notices posted on the 20th April, 2012 following the submission of amendment.
55. Press Notice was posted in the Cambridge Evening News on 27th January, 2012
56. 404 Neighbours were notified on 20th January 2012 and on the amendment on 5th April, 2012.
57. 5 Neighbours commented on the application raising the following concerns:
- a) Disappointed that the shops will not be open until late 2013, but consider they are the appropriate size.
 - b) Very little cycle parking in the original scheme.
 - c) Deliveries to all the units should be from the rear.
 - d) Concern that Orchard Park is overcrowded already and the Local Planning Authority should consider the 300 rooms within the Premier Inn and Travelodge.
 - e) Shops and 28 social housing units close to the A14 will create a ghetto and result in anti-social behaviour problems in the area.
 - f) Could sites E3 and E4 contain office space, as many entrepreneurs work from home?

Material Planning Considerations

58. This is a key development within Orchard Park, as it will provide the only retail services within the settlement. It is vital that the application proposals are deliverable, viable and create an attractive centre. The key issues to be judged in the determination of this planning application are:
- The principles of development;
 - Design, appearance, built form, scale and massing of the mixed use building;
 - Retail, Size and Location;
 - Public Open Space;
 - Open Space and Landscaping;
 - Layout, Access, Highway and servicing requirements;
 - Transport- Car and Cycling;
 - Public Art;
 - Affordable Housing;
 - Sustainability and Energy Efficiency;
 - Water Conservation;
 - Drainage;
 - Ecology;
 - Noise Attenuation;
 - Air Quality;
 - Security and Surveillance;

- Disability;
- Other Issues; and
- Planning Obligations/Section 106

Principles of Development

59. This application is for 5 of the remaining land parcels (Comm2, Comm2a, E3, E4 and HRCC/Q), originally identified for the construction as mixed use development within the Arbury Park Design Guide, adopted March 2007 and amended in the Orchard Park Design Guidance, adopted March 2011. The original outline application (S/2379/O) has expired and all subsequent applications for Orchard Park are required to be either full or outline applications supported by S106 legal agreements.
60. The Orchard Park Design Guidance SPD (adopted March 2011) provides design direction that is not land use specific. It is based on the requirements of the Site Specific DPD adopted January 2010 (SP/1) and good practice design principles which indicate that the future development of Orchard Park represents an opportunity to:
- a) Assist in meeting the demand for housing within the district;
 - b) Integrate new development with the existing community;
 - c) Introduce sustainable design solutions to address the social, economic, transportation, construction and landscaping issues associated with Orchard Park; and
 - d) Create high quality development ensuring viable and vibrant buildings and spaces.
61. Accordingly the principle of development of these sites for mixed use development is deemed acceptable, subject to all other material considerations being satisfied.
62. As noted above in the background section, this scheme follows on from an earlier proposal for a larger retail/employment development on site B (**S/0622/08/RM**) the implementation of any permission is market lead and the applicants consider that the size of the scheme can't be sustained in today's climate, therefore, they have proposed this alternative scheme.

Design of Site A/B (outline)

63. The layout of the outline parts of site A and B has been the subject to several draft design layouts, which have followed significant changes in the land use of the site as detailed above.

Site A

64. The general design layout provides a strong frontage to Ringfort Road and Cambridge Road. The new homes will be set behind a low rise bund representing the archaeological interest below ground and creates a run of 2-storey properties rising upto 3 and eventually, on the corner, 5 storeys. Mindful that this is an outline application, there are still issues concerning the design of the 5-storey landmark building located on the corner of Kings Hedges Road and Cambridge Road that need to be resolved. Careful design of that building frontage, as it will be highly visible and forms a gateway to the development of Orchard Park, is essential and in addition to overlooking and orientation, can all be dealt with in a future reserved matters application for the site.

65. To the north- west, the dwellings back onto the adjacent school and provide protection and privacy for the amenities of the school and the new residents. Where the site borders the playing fields the properties will be 2.5 storeys and be set back by a new road, allowing natural surveillance of POS1.

Site B

66. The outline permission relates to the dwellings to the east, backing onto the A14 and the two terraces of properties (2x10 dwellings) flanking POS2. The design of the 7 no., 3 bedroom dwellings located closest to the A14 are critical, as they are within a sensitive area that has significant issues in relation to noise and air quality. Minded again, that this part of the application is for outline permission. The design of the elevation of the dwellings fronting the A14 will be simple with few openings and provide a dual function of noise barrier as well as overlooking of the car parking areas located adjacent to the service road.
67. A further terrace of 7 dwellings fronts onto an area of public open space which provides links to the local centre. The two terraces of 10 dwellings which front POS2 and provided a sense of enclosure to Unwin Square have been revised in the current amendment to delete reference to a terrace of garages. The proposed side access drives will be controlled by a gate system which will restrict access to the rear of the dwellings to occupants only, also providing a sense of closure of the square. On the four corners of the terraces there will be garages which will provide a strong feature within the street scene.
68. In considering the site layout, the scheme suggests a strong building line along the edge of the street fronting Kings Hedges Road and fronting Circus Road. Officers consider that this adequately addresses concerns raised about the principle of the continuation building line and conforms with the Arbury Camp Design Guide (March 2007). The layout is considered to provide better definition to the public realm particularly where the buildings face onto the central open space. This part of the scheme has been reassessed to address the issues of design of this awkward shaped open space and indicative layouts have been produced showing draft layouts.

Site B Design of Mixed Use Building/Public Open Space 2 (POS2)

69. The building is to provide such a strong landmark function and give a sense of arrival at the local centre. It will complement a newly created public open space (POS2) and screen the development visually and acoustically from the A14.
70. The mixed use block provides a key landmark building located in front of POS2 (Unwin Square), the block is 60 metres in length and would be a maximum height of 15 metres dropping to 12.9 metres and then 11.5 metres. The building is adjacent to the A14 and rises above the existing acoustic barrier located on the edge of the A14.
71. The central block is rendered with coloured panels, which in principle build on the principles of a public art consultation held by the applicants and championed by Patricia McKinnon- Day a commissioned artist. The building is tiered, the centre part of the building is the highest and is stepped forward from the main brick blocks by 0.5 metres. The main block is brick and 2.1 metres lower than the central block. The building then steps in a further 0.5 metres, reduces in height by a further 1.4 metres and returns to render. The height of the building is similar to the hotel adjacent which abuts the A14 and also has a height of 15 metres. The application creates a quality streetscape and public realm which is appropriate to the existing character of

the area. The varying colours and height differences create a strong sense of arrival to the local centre.

72. The central POS2 green area is flanked by dwellings that will enclose the space giving it a civic atmosphere and the 3 storey dwellings that frame POS2 create a strong sense of enclosure for this key open space. The building provides strong views from as far away as Circus Drive and further, Kings Hedges Road and the physical dominance of the building fulfils the landmark building concept. It is in compliance with essential criteria within the Orchard Park Design Guidance SPD, March 2011. Taking all those matters into account together with the buildings location and surrounding, officers consider that the current proposals are of an appropriate height, scale and massing along this key frontage within Orchard Park and is therefore considered acceptable.
73. As part of the design of the shop fronts, the applicant proposes to include 'Bolton Gate Steel Rolling Grilles' which are designed to provide a high level of security whilst still allowing a high level of vision into the building. The design of the shutters is incorporated into the shop front in order to avoid any unsightly square roller shutter boxes. The grills can be coloured to match the theme of the front façade and details of such colour can be addressed by a planning condition.
74. Considering the comments of the Urban Design Team regarding the level of detail supplied within the application and the materials to be used in the external front façade of the building, the proposal offers an interesting composition of varied sight lines and colours fronting Unwin Square and the height is compliant with the requirements of the Orchard Park Design Guide (adopted 2011). However, noting the concerns expressed regarding the proposed front façade, officers also consider that particular attention should be taken to ensure that the final treatment of those 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 and interesting frontage, officers consider that this needs to be carefully executed and therefore propose that a condition of consent requiring specific additional details of external materials, removal of the Juliette balconies and the re-designing of the window casements be submitted for approval prior to development commencing on site.
75. The rear elevation of the mixed use block is critical as motorists will get a clear view of the building from the A14 major road artery. The design of the rear elevation is broken up by a mixture of brick, coloured render and the use of subtle stepping and window recess giving a sense of interest to what would otherwise be a 60 metre expanse of solid brickwork. This provides both a varied and interesting view into this part of the site. The changes in height add to the interest but do not compromise the effectiveness of the acoustic qualities of the building.
76. POS2 is surrounded on both sides by a terrace of 10 dwellings. The design layout option was subject to public consultation prior to submission and the scheme amended where possible to take into account public opinion. The resulting design layout is a quality flexible and functional space which could potentially provide an income to the Orchard Park Community Council.
77. Taking all the matters into account the principle layout associated with Sites A and B is acceptable and in accordance with policies SP/1 (Site Specific DPD, adopted, 2007) DP/2, DP/3 and DP/4 (Development Control (LDF) adopted 2007) and the Orchard Park Design Guide 2011.

Retail/Local Centre

78. The application is supported by a retail statement and on 18th April 2012 the applicant submitted further retail evidence to support their current proposal. The proposal is significantly less than that proposed in the previous application (ref. S/0622/08), which offered a 1,523sq.m. (gross) retail floor space in 10 units of varying sizes and the original outline planning application indicated a total of 1,341.5sq.m. This application proposes 964sq.m. (gross) retail floor space which has been market tested. Since the previous application the applicant has sought to release the site to the market without success. The changing market has resulted in a downturn of economic activity in this area and consequently the site has remained undeveloped.
79. The retail assessment submitted with the application discusses several matters which would assist in bringing retail development forward on a development site such as Orchard Park. One such matter being the physical location of the retail development closer towards the major infrastructure as being the most appropriate location as it attracts a greater footfall. However, it is not appropriate as part of this application to discuss relocating the retail to the front of the site as it would not then comply with the Orchard Park Design Guidance.
80. Officers have discussed with the applicant the possibility of a larger retail store on Site A but there are significant highway and location difficulties, such as its very close proximity to the school, which are not easy to resolve. In addition, the Arbury Park Design Guide 2007, Orchard Park Design Guide 2011, and original outline planning permission have all indicated that Site B is the appropriate location for the retail element.
81. A significant issue is the size of the retail centre located towards the rear of the site. Concern has been raised by the Orchard Park Community Council that limiting the floor space will limit opportunities for eventual occupiers and they believe that Orchard Park residents would be best served by a wider and greater range of retailers. Evidence exists within the Cambridge Sub-Region Retail Study (commissioned by Cambridge City Council and South Cambridgeshire District Council) to suggest that the retail provision across the North West of Cambridge is poorly served. However, market research carried out by the applicant indicates that a large store in what is a 'secondary' location would need to attract customers from a wider area than Orchard Park, resulting in additional vehicles travelling through the site to the store. Whilst this was assessed within the previous application, the market seems unconvinced that this is the right location for such a large store. In addition, retail evidence suggests that when a major retailer is attracted to a site it is difficult to lease adjacent smaller shops as they feel squeezed out by the larger store. Consequently, the new application proposes a more modest convenience store, which has been designed to a size that is not bound by the Sunday licencing restrictions applied to larger retail outlets. It can offer residents a convenience retail store which will carry the large range of essential goods needed day-to-day.
82. The applicant has confirmed that they now have an anchor tenant for the main retail unit, who are keen to occupy the building once completed. The main mixed use block is being delivered by the BPHA as Registered Provider (RP) to ensure early delivery of the local centre.
83. Concern has been raised by Histon and Impington Parish Council regarding the allocation of uses within the proposed retail block. The application, in the retail report, suggests a range of business types to occupy the smaller units. However, to ensure an appropriate mix is achieved, officers consider that a condition could be

used to specify that the maximum number of takeaway units within the centre be limited to two.

Public Open Space 2

84. There are five principal areas of open space within Orchard Park, four have been developed and the fifth, Public Open Space 2 (POS2) is located within the local centre and is anticipated to be the civic/formal space, as identified within the Arbury Park Design Guide 2007. The area was included within the earlier **S/0622/08** application for the retail, but has been re-designed within this application following consultation with the local community.
85. Discussion concerning POS 2 has centred around the flexibility of the space, public art, and landscaping. The area is to be split into two sections, one which is hard landscaped and can accommodate a market, with water and electricity being part of the scheme, and one which is generally a much softer landscape with trees and a central grassed area with benches surrounding it allowing visitors to the local centre to rest in a calmer area. This will create a high quality civic space as a focal area for day to day community life, in accordance with the Orchard Park Design Guide (2011). Discussions regarding a public art project for the hard landscaped areas are on-going.
86. Since submission of the Landscape Design Officer's comments the application has been amended to include all the recommendations raised in the original consultation. The Landscape Design Officer's further comments recommend that there are improvements to the design of the open spaces submitted and the choice of trees associated with POS2. However, agrees that these matters can be ensured by the imposition of a condition.

Open space/ Landscaping

87. The assessment of open space can be split into two issues; the amount of open space on the site and the quality of the spaces. Concerns have been raised by the OPCC, Cambridgeshire Past, Present and Future and the Landscape Design Officer regarding the number of public open spaces, the quality and the design of the four key areas identified within this application. Although part of this application is for outline planning permission, officers have requested sketch layouts of the four significant open spaces in order to provide consultees with the confidence that areas of land can be laid out and constructed in a well-designed and usable manner in accordance with the Orchard Park Design Guide SPD, (2011) and DP/2 and NE/6 of the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007.
88. The amount of public open space associated with this development are below those specified in the South Cambridgeshire LDF Supplementary Planning Documents (SPD): Open Space in New Developments (2009), and in such circumstances the developers can and have offered to provide an off-site contribution to improving facilities within the locality, details of which are contained below in the *Planning Obligations/S106* section.
89. Considering the comments of Cambridge Past, Present and Future regarding the gates leading north to the completed green spaces, officers have discussed the possibility of opening these gates to create a more direct route to the shops. However, the developer and OPCC consider that whilst it may be beneficial to keep these gates for access associated with maintenance of POS1, a significant amount of

traffic walking through the playing fields on the way to the shops may cause damage to the pitches.

Off Site Linkages

90. As part of the consultation responses, the Cambridge Cycling Campaign and the Cambridgeshire Ramblers have both suggested the construction of an off-site link known as the "Ringfort Path" be provided as part of this application. This would link Histon, Impington and Orchard Park by providing a cycleway from the A14 roundabout down the A14 embankment and continuing to the rear of the Premier Inn hotel. Officers have carried out extensive investigation into this project and, whilst the project has local support, there are significant issues with providing such a link:
- a) The embankment is at least 5 metres in height and in order to comply with the Equality Act 2010 (EA) the cycle/footpath would need to be approximately 250 metres in length with a gradient of 1 in 20, which would remove a significant amount of landscaping.
 - b) The land is in the ownership of Gallagher Estates, but has been leased long term by the Highway Agency as part of the A14 infrastructure and as such is controlled by the Highway Agency.
 - c) Proof of the stability of the embankment for any type of traffic would be required before the scheme can be costed. The financial cost of this infrastructure is estimated in the region of £200,000, but officers believe this is an over optimistic figure due to the amount of work required and that the cost would likely be much higher.
 - d) The number of dwellings generated by this development does not justify the requirement for this link. The imposition of a condition would fail the test of reasonableness within Circular 11/95 (The Use of Conditions in Planning Permissions).
 - e) Future improvements of the A14 may reveal other opportunities of linkages which are more cost effective.
91. Taking all these issues into account, officers do not recommend the imposition of a condition or a planning obligation in order to deliver this project.
92. However, a pedestrian and cycle connection will be provided between the junction of Kings Hedges Road and Cambridge Road and the south western corner of site A, to allow residents of the site a more direct route to the A14 roundabout which avoids them needing to go through the main Orchard Park settlement in accordance with policy TR/4 South Cambridgeshire (LDF) Development Control Policies DPD (2007). This link would be hard surface and is shown on the sketch layout submitted 5th April 2012 and could be secured by a condition.

Sustainability, Energy Efficiency and Water Conservation

93. Policy NE/1 requires new development proposals to demonstrate how a high degree of measures in order to increase energy efficiency within a new development will be achieved. This application suggests that it is reasonable to take a four step approach:
- a) Reduce energy demand via passive measures - encourage residents to use less energy.
 - b) Reduce energy demands through the implementation of low cost energy efficiency measures. Install energy saving technologies within the dwelling/buildings such as selecting boilers with an A rating, optimising

thermal controls, using passive design to encourage daylight and reduce use of artificial light, and low energy lighting throughout.

- c) Install source of renewable energy including: wind turbines, solar power (electricity (photovoltaic) and hot water), biomass (combine heating) ground pump heat sources, and air pump heat sources.
- d) Constraints on tenant energy use, possibly through a green leases. Although, this is difficult to control and deliver as they impact on deeds and can impact on sales.

94. The application proposed a mix of these options (a-c, outlined above) and the applicant has explored how best to meet the policy requirement of achieving a reduction in the amount of CO₂ m³/year emitted by 10% compared to the minimum Building Regulation requirements when calculated by the 'Elemental Method'. They have suggested a range of energy saving technologies that could be included in the fabric of developments such as:
- a) Photovoltaic Panels - these could be investigated further in relation to the mixed use block and the dwelling. This technology is recommended for these sites.
 - b) Solar Thermal - solar hot water systems - This technology is recommended for this site.
 - c) Ground Source Heat Pumps (GSHPs) - could potentially provide a significant amount of heating demand for the site.
 - d) Air Source Heat and Cooling Pumps - these could provide an efficient way to extract heat from ambient air, however, officers have concern that this type of energy is not as 'green' as the other technologies mentioned above and would recommend that all opportunities to use solar solutions are exhausted before this technology is considered.
95. Other technologies including wind turbines, biomass heating and biomass combined heat and power have been ruled out as unsuitable for the site.
96. As technologies are being refined and this is both an outline and full application, the applicant does not specify the exact type of energy saving technologies which will be included within every dwelling/building. The mixed use building provides an opportunity for the applicant together with the Registered Provider, BPHA, to develop an energy saving project and officers have begun discussions to explore the possibility of installing solar panels on the roof. Consequently, should planning permission be granted, a condition is recommended to ensure all opportunities are investigated.

Water Conservation

97. Policy NE/12 requires the submission of a Water Conservation Strategy for major planning applications. The strategy submitted with the application seeks to achieve a water demand for the sites of less than 105 litres/day per person; a level equivalent to the Code for Sustainable Homes' level 3, through various methods. The dwellings will all include water saving fittings, a water bull will be installed in all gardens and educational packs on water conservation ideas and the benefits they provide given to every new household. In addition, notices will be discreetly located within the new dwellings to remind users to save water.
98. The Water Conservation Strategy also provide details on the future benefits of rain water harvesting or grey water recycling which, whilst not included within the main

development of the land parcels, could be delivered as part of a show home project which forms part of the planning obligations recommended.

Ecology

99. The application was supported by a comprehensive Ecological Appraisal which showed that no significant harm to ecology would arise from the development. It accords, as a consequence, with policy NE/6 of the South Cambridgeshire (SPD) Development Control Policies (DPD) 2007. However, in order to ensure the scheme delivers protection to vulnerable species it is recommended that conditions be applied:
- a) Ensure vegetation associated with the development is managed outside of bird breeding periods.
 - b) Undertake a comprehensive lizard survey to ensure that the appropriate protection is provided.
 - c) Protect the wild flower embankment on Site A, as this provides a valuable wildlife habitat.
 - d) Secure ecological enhancement of both land parcels in order to ensure the development contributes positively to the ecological environment.

Transport- Car and Cycling

100. The application site has been subject to a number of transport modelling exercises since the submission of the original outline planning application in 2000. This application has been transport-modelled using the Cambridgeshire County Council, Cambridgeshire Sub Regional Model (CSRМ) with reference to the Colin Buchanan and Partners model (CBP). The CBP model was produced for a forecast year of 2021 and the CSRМ has forecast years of 2016, 2021 and 2026. The application was submitted in 2011 and, in accordance with the Department of Transport (DfT) guidance on Transport Assessment, it is appropriate that all forecasting is undertaken using the forecast year 2021 given the potential impact on the A14.
101. The Transport Assessment (TA) submitted with the application indicates the number of trip generations expected in and out of the development at peak times. The results indicated that there is a reduction in the number of trip generations based on the land uses proposed in the original outline application as indicated in figure 1.

Figure 1: Changes in Traffic Generations

Use	AM Peak Hour IN	AM Peak Hour OUT	PM Peak Hour IN	PM Peak Hour OUT
Site A				
HRCC removed	-20	-2	-2	-25
0.84 ha Mixed Use (car sales) removed	-55	-20	-23	-38
79 additional residential dwellings	5	32	28	14
Net Change in Site A generation	-70	10	3	-49
Site B				

4,606sq.m. B1 Employment Removed	-58	-8	-7	-38
41 Net increase in residential (20 dwellings were given consent in S/0622/08.)	3	17	15	7
Gross reduction in retail from 1,523 sq.m (S/0622/08) to 964Sq.m.	0	0	0	0
Net Change in Site B Generation	-55	9	8	-31
Total Change in Traffic Generation	-125	19	11	-80

(Orchard Park, Cambridge Parcels A & B Transport Statement Gallagher (WSP Oct 11 amended May 2012)

102. Members will note that the retail trips within the development are identified as zero because all trips associated with the retail are expected to be internal to Orchard Park, and therefore there is no expected increase in traffic movement.
103. Compared to the original outline application and the approved S/0622/08 application above table, there is a general expected significant reduction in trip generation, therefore it is anticipated that there will be very little impact on road traffic movements based on the changes in land uses contained within this application compared to the existing permitted land uses of each of the sites and therefore no material adverse impact on the highway network in accordance with policy TR/3 of the South Cambridgeshire District (SDP) Development Control Policies (2007). On this basis no further transport obligations are sought.
104. The road layout associated with the development has been designed to manage traffic at 20mph and to ensure that refuse vehicles can be accommodated and can manoeuvre safely through the site without detracting from the quality of Orchard Park in accordance with policy TR/1 of the South Cambridgeshire District (SDP) Development Control Policies (2007).

Car Parking Design

105. 263 car parking spaces are being provided over the two land parcels. Twenty-six are to the front of the retail store, two of which are identified as disabled car parking and one which could potentially be used by a car club. Eight are associated with the retail staff parking and are located to the rear of the mixed use building, and a further 229 are associated with the 140 homes, providing an average of 1.6 spaces per dwelling. This provision meets the Council's adopted parking standard in accordance with policy TR/2 of the South Cambridgeshire Development Control (DPD) 2007..

Site A

106. As part of the indicative layout the applicants have provided details of the car parking bays to the rear of both the apartments and homes; these indicate the provision of 6 parking spaces in each of the bays, which is in accordance with the essential criteria within the adopted Orchard Park Design Guide (2011).

Site B

107. The design of the car parking associated with the central block allows access to the shops directly from POS2. It is intended to change the surface material of this area to create a crossing in order to give priority to pedestrians and cyclists. The disabled parking will be located closest to that crossing, with the remaining 12 spaces being provided directly outside the retail units. A further 12 parking spaces surround POS2 and are designed in bays of three with emphasis being given to landscaping rather than parking.
108. The design of the parking to the rear of the mixed-use block is arranged into three distinct areas: parking for the apartments to the left of the anchor store, parking for the commercial and parking for the apartments to the right of the anchor store. All of these parking areas have been designed in accordance with the Cambridgeshire County Council's Manual for Streets Guide.
109. Noting the comments of the Cambridgeshire Cycling Campaign and Sustrans, the application has been amended to increase the number of cycling parking spaces within the local centre. The application now proposes 20 'Sheffield hoop' design cycle racks which provide spaces for 40 cycles located to the front of the retail centre and a further 8 wall mounted canopies located on the rear wall of the mixed use. Cycle storage for the flats will be provided on the bases of one bedroom, one space provided in covered/secure blocks.

Access and Servicing

Site A

110. Access to the site will be via Ringfort Road. The Local Highway Authority has recommended conditions regarding visibility splays into the site, surfacing all of which could be subject to conditions.

Site B

111. The service roads around the front of the local centre surrounding POS2 have been the subject of concern by local residents, due to the fear of there being a conflict between cars, pedestrians and cycles. The scheme has been designed with a one-way system, and, by using differing surfacing materials, will naturally slow vehicles down within the area, significantly reducing the possibility of conflict.
112. Noting that additional concern has been raised by the Disability Forum, local residents and Histon and Impington Parish Council in respect of deliveries, all major deliveries to the central convenience store will be from the rear of the premises and the deliveries to the smaller retail units will be from the front. It is anticipated that, due to the size of the 7 smaller units, delivery vehicles visiting those premises will not be of a significant size. Due to the design of the local centre, large articulated vehicles will find it very difficult to manoeuvre around the square, such that it would be far easier for them to access the building from the rear. In order to ensure any

deliveries to the premises do not have an adverse impact on the residential amenities of the nearby properties, it is recommended that a condition is considered in relation to delivery times.

113. All of the roads included within the development have been 'tracked' to ensure that refuse and emergency vehicles can manoeuvre around the site.

Security and Surveillance

114. Mindful of the Orchard Park Community Council's and the Police Architectural Liaison Officer's concern regarding secure parking to the rear of the flats on Site A, the applicant has confirmed that the parking area will be gated and controlled by a 'key fob' system in order to avoid any opportunity for people to use the car park inappropriately.
115. Officers have also considered the comments of Cambridge Past, Present and Futures in respect of the garages to the east and west of the square as creating an opportunity for anti-social behaviour. Due to issues concerning the size of these garages and these comments the applicant has amended the application to show only four garages, located on the four corners of the two blocks. The remaining 16 houses will be served by uncovered parking and access to these parking areas to the rear will be controlled by gates, which will open inward. This will restrict access to residents only and avoid potentially anti-social behaviour occurring.
116. Concern has also been raised by the Police Architectural Liaison Officer regarding the potential for trees to grow and obscure views from homes surrounding the retail units and POS2. Consequently the application has been amended so as to include trees which will provide a quality landscape view and, with maintenance, will allow clear views of POS2.

Public art

117. The central market area associated with POS2 offers a unique opportunity to include public art in the fabric of the development and within a key public area. The previous application (S/0622/08) suggested a scheme to develop a major public art project around the Unwin Square area. Four draft alternative designs for a project associated with the market area were submitted with the application and show suggestions which could be developed further. OPCC is keen to develop public art projects and policy SF/6 of the LDF (2007) supports the generation of projects within new developments. Accordingly, officers consider that such a public art project would benefit from extensive public consultation and a condition requiring a scheme to be submitted and approved prior to the occupation of the mixed use building is appropriate.

Housing Mix

118. The scheme proposes the full permission of 2 no. one bedroom flats, and 26 no. two bedroom flats and outline permission for 16 no. two bedroom flats and 96 no. 3 bedroom houses. No provision is made on site for 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 HG/2 of the LDF, it is important to consider that the site in terms of the wider Orchard Park development.. At the time of considering the original outline consent for Orchard park, the Planning Inspector considered how residential development should be apportioned across the site so as to achieve a mixed and balanced community, whilst achieving deliverability for

individual land parcels. This approach has been followed in considering what an appropriate mix for the sites now under consideration would be and officers are satisfied that the aim of policy HG/2 has been met across Orchard Park as a whole.

Affordable Housing

119. In respect of the provision of affordable housing on the site, Policy HG/3 of the LDF provides the policy format for determining planning applications for dwellings. It specifies that the amount of affordable housing sought on all sites of two or more dwellings will be 40% or more of the dwellings to be provided. However, development can take into account any abnormal costs associated with the development, such as infrastructure costs and other viability considerations. This current application offers 36.4% affordable housing and these are to be split over the two sites, (Site A) 16 no., two bedroom flats and (Site B) 2 no., one bedroom flats, 26 no., two bedroom flats of which 28 are located above the mixed use block, and 7 no., three bedroom houses,. Whilst this is not meet 40% set out in the policy, it is compliant with policy HG/2 as the application has been subject to viability testing. This testing took into consideration the planning obligations package and indicates that this scheme would be unviable should it meet that 40% level. Officers have discussed this issue with the Council's partners, BPHA, who are fully supportive of this approach. Therefore, on balance, the amount of affordable homes delivered on the site is considered acceptable.

Environmental Health Issues

120. The following environmental health issues need to be considered and controlled effectively in order to minimise potential adverse impacts on existing and future residents:
- Construction Phase: Noise/Dust;
 - Traffic noise impact of Kings Hedges Road, the A14 and the Cambridgeshire Guided Bus on residents;
 - Air Quality;
 - Artificial lighting;
 - Contaminated Land;
 - Health Impact Assessment;
 - Operational Residential Waste/Recycling Provision; and
 - Potential Operational Odour Generation and Control –Site B only.

Noise

121. The current proposals are located close to the B1049 and A14, where there is noise pollution caused by traffic. The applicant has provided two comprehensive noise assessment reports (Site A and B). The reports were revised following comments of the Environmental Health Officer. The revised reports make reference to the National Planning Policy Framework, March 2012, which replaced PPG24. The report for Site A, presents the outcome of an assessment of the future ambient noise levels within rear gardens and outside residential habitable rooms in order to meet the required targets. These appear to be acceptable subject to additional monitoring and assessment. However, in respect of Site B, further detailed design information is required and, as further quantitative noise assessment with details of noise data/specifications will only be available at the details design stages, a noise insulation condition is recommended for both the buildings and the plant. In addition,

a Noise Management Strategy condition is recommended in order to ensure that the amenity of nearby residents is protected

122. Policy NE/15 seeks to ensure that any planning application granted would not be subject to unacceptable noise levels from existing noise sources. Whilst it is agreed that nearby residents will be exposed to construction noise, that will be transitory in nature and the impact could be controlled by the imposition of a condition. In addition, officers suggest that a condition requiring a Construction Environmental Management Plan (CEMP) and a phased Construction Method Statement/Strategy (CMS) are added to provide control measures to ensure the development does not adversely impact on nearby residents, residential amenity.

Air Quality

123. Air quality assessments have been made for this development both for during construction of the development and on completion. For both phases the type, source and significant potential impact are identified, and measures employed to minimise impacts. Environmental Health Officers report that the assessment of air quality on both Site A and B is robust and acceptable in accordance with policy NE/16 of the LDF.

Site A

124. Further detailed air quality work is required in respect of Site A to prevent any prolonged exposure to potential poor air quality. It is recommended that, as part of the final layout (reserved matters), external private amenity areas such as private gardens and balconies and informal/formal opens spaces should not be located towards Cambridge Road. Officers recommend that mitigation of air quality issues be secured by condition.

Site B

125. It is agreed that, providing the proposed mitigation measures are implemented during the construction and operational stages; the impact on air quality during construction is likely to be minor adverse to negligible and during operational phases (upon completion) negligible to neutral. In addition, due to the separation distances between transport sources of air pollution and the location of future receptors, occupiers are unlikely to be exposed to significant concentrations of pollutants.

Artificial Lighting

126. Artificial lighting can have a significant impact on residential amenity by causing nuisance. No detailed proposals were submitted with this application therefore, it is recommended that a condition is added in order to ensure existing and future residents are protected from light pollution in accordance with policy NE/14 of the LDF.

Contaminated Land

127. The Council's records show that part of this development site was originally part of the former Carzone garage and bus depot site. Condition no. 21 of the original outline planning permission for the site (ref. S/2379/01) required the site to be investigated for contamination. Contamination was identified and subsequent risk assessment and remediation works were carried out where required (ref. S/0320/04). The conclusion and recommendations of the remediation report findings advise

additional work in order to make the site suitable for a proposed residential use. As only the eastern portion of Site A is affected by this potential contamination, it is recommended that construction measures to protect residential amenity are imposed by the imposition of a condition.

Health Impact Assessment (HIA)

128. The application is supported by a comprehensive HIA which clearly assesses the impact of the development on the health and well-being of existing residents and future residents of Orchard Park. To ensure that the development develops health benefits it advocates:
- Providing opportunities for Healthy exercise such as, through the provision of facilities for cyclist and an initiative to encourage cycling;
 - Potential health benefits associated with suitable employment opportunities.
 - Efforts to reduce the number of single occupancy car journeys;
 - Incorporation of a number of water efficiency measures to minimise demands on the natural water supply;
 - A broad range of measures to conserve and enhance on site biodiversity; and
 - Opportunities to minimise resource use, during both the construction and operational stage, including production of renewable energy on site.
129. Officers confirm that the proposals contained in the HIA are acceptable and that sufficient information has been provided to ensure that the development is in accordance with South Cambridgeshire Health Impact Assessment (SPD) 2011 and is, therefore, acceptable.

Waste Management

130. The RECAP design guide provides guidance to developers on both the design and management of waste infrastructure for both residential and commercial. On balance the application meets aims and objectives identified within the design guide, however, it appears that there are deficiencies regarding waste management design associated with Site B, as the locations of the refuse/bin store for the retail units 1-3 are not acceptable since they require manual handling of waste over a distance of more than 30 metres and are also directly across a residential car park. Officers have recommended to the applicant that they revise these areas in order to ensure the development conforms with the RECAP design requirements and should propose an alternative position in relation to bin storage serving units 1-3.
131. In addition, concern is raised regarding the suggestion of shared waste storage areas for commercial units, as this is not permitted by the guide. The applicant has subsequently agreed to revise the bin storage units for each of the retail units to ensure the bins stores are large enough to accommodate the required number of bins and will provide a waste storage compound in association with Unit 4, as recommended.
132. The applicant has advised officers that subject to minor amendments in the design layout at the rear of the retail premises the bin stores can be successfully located in accordance with the RECAP Design guidance and has forwarded a sketch layout, which could be secured by condition.

Other Issues

133. Previous experience of mud being deposited on road surfaces during construction works, which this is not normally an issue for development, It is worth noting that the application sites are in sensitive locations, e.g. close to the school, which will need to be maintained free from obstruction during development works for the benefit of existing local residents. Accordingly, it is considered reasonable to impose a 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 affected parties.

Section 106

134. Discussion regarding Section 106 obligations, have been on-going since May 2011, officers have been working with partners to bring together a list of requirements necessary to mitigate the development. The applicant raised concern that the list of obligations would result in the proposed scheme being unviable. Consequently, the application has been subject to a viability assessment, which has been carried out by independent consultants on behalf of South Cambridgeshire District Council with consultants working on behalf of the applicant. The results show that planning obligations are limited by the viability of the scheme. The list of planning obligations necessary included:

- a) Pre-school,
- b) Primary school,
- c) Secondary school
- d) The maintenance of open space,
- e) Off-site open space
- f) Community facilities,
- g) Community development worker,
- h) Public Art
- i) Household waste receptacles,
- j) Air quality, and
- k) Monitoring.

A full breakdown of the Section 106 obligations is attached as appendix 1.

135. As part of the Section 106 assessment for this development officers and partners have had to consider the extant planning permission which exists for Site B (S/0622/08), as that application was determined under the original Section 106 obligations and contributions associated with that application are deemed to have been paid, therefore all planning obligations associated with this development are required to credit the obligation requirements of that earlier application from this current application.
136. The application is supported by a Planning Statement in which it is indicated that the development is unviable and identifies the planning obligation requirement for this development as the reason for this the Heads of Terms which accompanied the application totalled £1 million. This is confirmed by the Council's viability consultant. Through discussion with service providers the Section 106 obligations have been negotiated to a total contribution of £1.353 million. Whilst this is a higher figure than the viability assessment indicates can be afforded, the applicant is willing to accept this sum to bring forward the site at this time. A summary of the Section 106 obligations is attached (appendix 1).

137. The OPCC has raised concern regarding the total amount of contributions being secured in respect of this application. The contributions being sought have been carefully scrutinised and are considered to meet the tests for S106 contributions.
138. Concern has been raised by Cambridge Past, Present and Future and the OPCC that the planning obligations associated with this application will be insufficient to fully mitigate the impact of this development on Orchard Park. However, the whole development has, as stated above, been carefully tested for CIL compliance and has been the subject of viability testing by independent consultants. The discussions associated with the obligations have been carried out with the clerk of the OPCC as part of the working group. The group has considered the impact of delivery of the development and consider that the contributions are now considered sufficient to adequately mitigate the development and accord sufficiently with policy.

Recommendation

139. It is recommended that the Planning Committee approves the application as amended subject to the following:
- a) Section 106 requirements
 - b) The following Conditions and Informatives

Conditions

Time (Site A and B)

1. The development shown hatched red on the attached plan, hereby permitted shall be begun before the expiration of 3 years from the date of this permission. In addition the development, shown hatched blue on the attached plan, hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.
(Reason: In relation to the area hatched red, 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; and, in relation to the area hatched blue, as the application is outline only.)

Reserved Matters (Site A and B)

2. In relation to the area shown hatched blue on the attached plan, approval of the details of the layout of the site, the scale and appearance of buildings, the means of access and landscaping (hereinafter called "the reserved matters" shall be obtained from the Local Planning Authority in writing before any development of this area is commenced.
(Reason: As the application is partly outline only).

Plans (Site A and B)

3. The development hereby permitted shall be carried out in accordance with the following approved plans: GE.OP- Site Plan, Figure 1, GE.OP - Proposal Boundaries Figure 2, GE.OP- Plot A Development Zones Figure 3, GE.OP-Plot B Development Zones Figure 4, 021-Plot A Parameter Plans Figure 5 revision B, 022-Plot B Parameter Plans Figure 6 revision B, 023-Plot A Indicative Layout Figure 7 revision B, 024-Plot B Indicative Layout Figure 8 revision B, 1050/135 Concept Site Layout, 1608/SK/001 revision A, 1608/SK/002 revision A, 1608/SK/003 revision A,

1608/SK/004 revision A, 21106-001 revision E, 21106/002 revision A, 21106-004 revision A, GE.532.PO1 revision D, GE.532.PO2 revision C, GE 532 (22nd May 2012), GE.532.PO3, GE.532.PO4, GE.532.PO5. Details of perforated lath roller shutters date 5th April 2012.

Reason: To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

Materials (Site B)

4. No development shall commence until detail of the materials to be used in the construction of the external surfaces including windows and joinery of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those details.
Reason: To ensure the appearance of the development is satisfactory in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy DP/2).
5. Notwithstanding the submitted drawing GE.532.PO2 revision C, received 5th April 2012 and GE.532. received 22nd May 2012, further revised details of the front elevation are required to show the removal and replacement of the cedar wood balconies with glass and alterations to the front fenestration, such details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development on site.
Reason: To ensure the appearance of the development is satisfactory in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy DP/2).
6. Prior to occupation of each retail unit the premises shall be fitted with perforated lath roller shutters the colour, of which shall first be submitted to, and approved in writing by the Local Planning Authority.
Reason: To ensure the appearance of the development is satisfactory in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy DP/2).

Permitted Uses of the Mixed Use Commercial Block (Site B)

7. Notwithstanding the provisions of the Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the mixed use block of retail premises shall be used for A5, A2 and three A1 uses and for no other purposes (including any other purposes in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or within modification). Not more than two units within the building shall be used for A5 uses at any time.
Reason: a) To protect the amenities of adjoining residents in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/3. b) To safeguard the character of the area in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/3.
8. No individual unit on site shall be occupied until a scheme for the provision of CCTV has been submitted to and approved in writing by the Local Planning Authority, and has been subsequently installed in accordance with that approved scheme thereafter be retained and maintained in strict accordance with the approved plans in perpetuity and not be altered without the prior written approval of the Local Planning Authority.

Reason: To ensure adequate surveillance of the car parking areas in the interest of amenity, security and the quality of the development in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy DP/2 and DP/3.

9. No individual unit on site shall be occupied until the cycle parking to serve that unit has been provided on site and made available for use. The cycle parking shall not thereafter be used for any purpose other than parking of cycles.

Reason: To ensure adequate provision of cycle parking for the development in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy TR/1 and TR/3.

10. Notwithstanding the submitted drawing 21106-001 revision E, a schedule for the provision of delivery of cycle parking to both Site A and Site B shall be submitted to and approved in writing by the Local Planning Authority. The schedule will then be implemented in strict accordance with that delivery plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure adequate provision of cycle parking for the development in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy TR/1 and TR/3.

Construction Noise & Vibration (Site A & B)

11. No construction work and or construction related collection from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday, 08.00 to 13.00 on Saturdays and no construction works or collection/deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To protect the amenities of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies NE/15, NE/16 and DP6.)

12. In the event of the foundations from the proposed development requiring piling, prior to the development taking place 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 and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with provision of BS5528,2009 - Code for Noise and Vibration Control of Construction and Open Sites Part 1 - Noise and 2- Vibration Control on Development shall be carried out in accordance with the approved details.

Reason:- To protect the amenities of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies NE/15, NE/16 and DP6.)

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

Reason:- To protect the amenities of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policies NE/15, NE/16 and DP6.

14. Prior to the development commencing on site a Construction Environmental Management Plan and a phased Construction Method Statement/Strategy shall be submitted to and approved in writing by the Local Planning Authority. Construction on site shall be strictly in accordance with those agreed documents unless otherwise agreed in writing by the Local Planning Authority.
Reason:- To protect the amenities of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policies NE/15, NE/16 and DP6.)
15. No power operated machinery (or other specified machinery) shall be operated on the premises before 08:00 on weekdays and 09:00 on Saturdays or after 18:00 weekdays and 13:00 on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.
Reason: To minimize noise disturbance to adjoining residents in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy NE/15.

Operational Noise Impact- (Site B)

16. Before the retail uses hereby permitted are commenced, a noise assessment and a scheme for the insulation of the building and associated plant/equipment, in order to minimise the level of noise emanating from the building and a plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details.
Reason: To protect the amenity of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies NE/15, NE/16 and DP6.
17. No development shall commence until full details of a scheme of sound insulation standard between any retail, food or commercial (any premises class use other than residential) and residential uses within the same building has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed before the units hereby permitted are occupied and measures permanently retained thereafter.
Reason: In the interests of the amenities of permitted residential units close to non-residential premises in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies NE/15, NE/16 and DP6.
18. No vehicles associated with any retail, food or commercial units shall be loaded or unloaded within the application site outside the hours of 07.00 and 23.00hrs on Monday to Saturday and not at all on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.
Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policies NE/15, NE/16 and DP6.
19. Details of the location and type of any power driven plant or equipment including equipment for heating, ventilation and for the control or extraction of any odour, dust for fumes from the building but excluding office equipment and vehicles and the location of the outlet from the building of such plant or equipment shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.

Reason: To protect the occupiers of adjoining dwellings from the effect of odour, dust or fumes in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy NE/16.

Air Quality Mitigation (Site A)

20. The approved development and uses shall be constructed and maintained in accordance with the mitigation measures as detailed in the submitted WSP Environmental Air Quality Assessment Report, Orchard Park, Plot A, Gallagher UK, May 2011 and as part of the air quality mitigation scheme no development on any individual phase shall commence until approval of the details of the design, layout and scale, including the location of external amenity areas and formal/informal open space within the phase has been obtained from the Local Planning Authority in writing. The development shall be carried out strictly as approved.

Reason: To safeguard the amenity and health of future residents in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies NE/16 accordance and the South Cambridgeshire (SPD) Design Guide 2010.

Artificial Lighting (Site A & B)

21. Prior to the commencement of the development an artificial lighting scheme, to include detail of any external lighting of the site such as street lighting, floodlighting, security/residential lighting and an assessment of impact on any sensitive residential premises on and off the site, shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include layout plans/elevations with luminaire locations annotated, full vertical and horizontal isolux contour maps, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type/profiles, mounting height, aiming angles/orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals' "Guidance Notes for the Reduction of Obtrusive Light GN01:2011". 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/safeguard the amenities of nearby residential properties from light pollution/nuisance in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy NE/14.

Contaminated Land (Site A)

22. No development approved by this permission shall be commenced until:

- a) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation Method Statement) have been submitted to and approved in writing by the Local Planning Authority.
- b) The works specified in the Remediation Method Statement have been completed, and a Validation Report is submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
- c) If, during remediation works, any contamination is identified that has not been considered in the Remediation Method Statement, then a remediation proposal for this material shall be agreed in writing by the Local Planning Authority.

Reason: to protect the amenities of future residents from contamination in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy DP/1.

Waste (Site A & B)

23. Prior to commencement of development on site of Site B and any reserved matters application associated with Site A and B, shall include full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the Local Planning Authority. Such details shall identify the specific positions of where facilities for trade waste, domestic bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. Details shall also be included on how this complies with any approved design code for domestic waste. The approved facilities shall be retained thereafter unless alternative arrangements are agreed in writing by the Local Planning Authority.

Reason: To ensure the efficient management of waste recycling facilities in accordance with Cambridgeshire Council Councils RECAP Guidance (SPD) 2012.

24. No material or equipment shall be stored on the site outside the buildings save that waste material may be kept in bins for removal periodically.

Reason: In the interest of visual/residential amenity in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy DP/1.

25. Notwithstanding the submitted drawings, no development shall take place until a scheme for the siting and design of the screened storage of refuse, in relation to site B, has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage for the site shall be completed before the mixed use building is occupied in accordance with the approved scheme and shall thereafter be retained.

Reason: To provide for the screened storage of refuse in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy DP/3.

26. Notwithstanding the submitted plan ref: GE.532.PO1 revision D, further details of the exact location of the retail bins shall be submitted to and approved in writing by the Local Planning Authority. Any bin location scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.

Renewable Energy (Site A & B)

27. No development shall commence within the site for which full approval is being sought until such time as a renewable energy statement for the site, which demonstrates that at least 10% of the building's total predicted energy requirements will be from on-site renewable energy sources, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include the total predicted energy requirement in the form of an Energy Statement of the development and shall set out a schedule of the proposed on-site renewable energy technologies, their respective energy contributions, location, design and a maintenance programme.

The approved renewable energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Local Planning Authority

Reason : In the interest of reducing carbon dioxide emissions, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy NE/1, NE/2 and NE/3.

28. No development shall commence within the site for which outline approval is being sought until such time as a renewable energy statement for the site, which demonstrates that at least 10% of the site's total predicted energy requirements will be from on-site renewable energy sources, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include the total predicted energy requirement in the form of an Energy Statement of the development and shall set out a schedule of the proposed on-site renewable energy technologies, their respective energy contributions, location, design and a maintenance programme.

The approved renewable energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Local Planning Authority
Reason : In the interest of reducing carbon dioxide emissions, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy NE/1, NE/2 and NE/3.

29. Before development /uses hereby permitted is commenced, an assessment of the noise impact of plant and or equipment including any renewable energy provision sources such as any air source heat pumps, wind turbines on the proposed and existing residential premises and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant and or equipment shall be submitted to and approved in writing with the Local Planning Authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.

Reason: To protect the amenities of nearby residential properties in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy NE/15).

Odour (Site B)

30. Before the commencement of retail uses hereby permitted are commenced, details of equipment for the purpose of extraction and/or filtration and/or abatement of fumes and or odours related to non-residential uses which are not residential premises including the operation of any in vessel composting, shall be submitted to and approved in writing by the Local Planning Authority. The approved extraction/filtration/abatement scheme/s shall be installed before the use hereby permitted is commenced and shall be retained thereafter. Any approved scheme/system shall not be altered without prior approval.

Reason: To protect the future amenity of future residential premises in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policies NE/15, NE/16 and DP6.

31. Any approved fume filtration/extraction system installed, shall be regularly maintained in accordance with the manufactures specification to ensure it continues satisfactory operation to the satisfaction of the Local Planning Authority. Documented evidence including receipts, invoices and copies of any service contracts in connection with the maintenance of the extraction equipment, shall be kept for inspection by officers of the Local Planning Authority.

Reason: To protect the future amenity of future residential premises in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policies NE/15, NE/16 and DP6.

Transport (Site A and B)

32. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary, or the boundary of any land intended to be dedicated as public highway.

Reason: To avoid displacement of loose material onto the highway in the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy TR/3.

33. 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 accesses unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy TR/3.

34. Prior to the commencement of the first use the vehicular accesses where they cross the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy TR/3.

35. 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 interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy TR/3.

36. 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 the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy TR/3.

37. The manoeuvring areas and accesses shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy TR/3.

38. The uses, hereby permitted, shall not commence until parking, turning, loading and unloading spaces have been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy DP/2.

39. The flats above the mixed use block, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with the approved scheme.

Reason: To ensure the provision of covered and secure cycle parking in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policy TR/2.

40. No building shall be occupied until a Travel Plan for staff, residents and visitors has been submitted to and approved in writing by the Local Planning Authority. The plan shall include marketing, incentive schemes, monitoring and review process as well as mechanisms for its implementation and shall be implemented in accordance with the approved details.

Reason: To reduce car dependency and to promote alternative modes of travel in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD) 2007, policy TR/3.

Landscaping (Site A and B)

41. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and detail of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include detail of species, density and size of stock.

Reason: To ensure that development is satisfactorily assimilated into the area and enhances biodiversity in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies DP/2 and NE/6.

42. 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 ten 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 give its written consent to any variation.

Reason: To ensure that development is satisfactorily assimilated into the area and enhances biodiversity in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies DP/2 and NE/6.

43. No development shall take place until full details of the public open space (POS2) have been submitted to and approved by the Local Planning Authority, including details of both hard and soft landscape works, provision of water supply, drainage, power points, refuse bins, cycle racks and seating. The development shall subsequently be implemented in accordance with the approved details prior to the first occupation of any individual unit on the site, apart from the soft landscaping works, which shall be carried out within the first planning season following the first 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 of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree 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 that development is satisfactorily assimilated into the area and enhances biodiversity in accordance with the South Cambridgeshire (LDF) Development Control Policies (DPD 2007, policies DP/2 and NE/6.

44. No development of any reserved matters consent shall be commenced on Site A until a pedestrian and cycle connection has been provided between the junction of Kings Hedges Road and Cambridge Road and the south western corner of Site A, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation on site, this connection will be retained in perpetuity

Drainage (Site A and B)

45. 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 with the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority
Reason: To prevent amenity problems and arising from flooding, in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1 and NE/11 .

46. Prior to the commencement of any part of the development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the implementation programme agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of pollution of the water environment and to ensure a satisfactory method of foul water drainage in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1 and NE/10 .

Public Art (Site B)

47. Notwithstanding the submitted details, no development shall begin until details of a scheme for the provision of public art has been submitted to and approved in writing by the Local Planning Authority. The implementation of such as scheme shall be prior to the occupation of the mixed use block unless otherwise agreed in writing by the Local Planning Authority.

Reason Insufficient details were submitted with the application in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policy SF/6.

Ecology (Site A and B)

48. No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for specified of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme waghered in writing with the Local Planning Authority.

Reason: To enhance ecological interest in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1, DP/3 and NE/6.

49. No development shall commence on site until a comprehensive Lizard survey has been carried out and the results of which have been documented in accordance with a scheme which shall first have been agreed in writing by the Local Planning Authority. Such protection measures as agreed shall be implemented prior to

development commencing on site and shall be maintained throughout the construction period, any alteration to the approved scheme shall first be submitted to and agreed in writing with the Local Planning Authority.

Reason: To enhance ecological interest in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1, DP/3 and NE/6.

50. Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1, DP/3 and NE/6.

51. No development shall begin until a scheme for the provision of bird nest boxes has been submitted to and approved in writing by the Local Planning Authority: the mixed use building shall not be occupied until the nest boxes have been provided in accordance with the approved scheme.

Reason: To achieve biodiversity enhancement on the site in accordance Sustainability with South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/1, DP/3 and NE/6.

Construction management (Site A and B)

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

- i. Contractors' access arrangements for vehicles, plant and personnel;
- ii. Contractors' site storage area(s) and compound(s);
- iii. 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 South Cambridgeshire (LDF) Development Control Policies (DPD 2007), policies DP/3 and DP/6.

Fire Hydrants (Site A and B)

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

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

Informatives

Environmental Health

- i. To satisfy the noise insulation scheme condition for the residential building envelope and traffic noise, the applicant / developer must ensure that the residential units at are acoustically protected by a noise insulation scheme, to ensure the internal noise level within the habitable rooms, and especially bedrooms comply with British Standard 8233:1999 "Sound Insulation and noise reduction for buildings-Code of Practice" derived from the World Health Organisation Guidelines for Community

Noise: 2000. The code recommends that a scheme of sound insulation should provide internal design noise levels of 30 L_{Aeq} (Good) and 40 L_{Aeq} (Reasonable) for living rooms and 30 L_{Aeq} (Good) and 35 L_{Aeq} (Reasonable) for bedrooms. Where sound insulation requirements preclude the opening of windows for rapid ventilation and thermal comfort / summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria. Compliance with Building Regulations Approved Document F 2006: Ventilation will also need consideration.

Parcel B

- i. To satisfy the Retail Units Operational Noise Impact / Insulation condition, the noise level from all powered plant, vents and equipment, associated with this application that may operate collectively and having regard to a worst case operational scenario (operating under full power / load), should not raise the existing lowest representative background level $\text{dB } L_{A90,1hr}$ (L_{90}) during the day between 0700 to 2300 hrs over any 1 hour period and the existing lowest background level $\text{dB } L_{A90,5mins}$ (L_{90}) during night time between 2300 to 0700 hrs over any one 5 minute period by more than 3 dB(A) respectively (i.e. the rating level of the plant needs to match the existing background level), at the boundary of the premises subject to this application (or if not practicable at a measurement reference position / or positions in agreement with the LPA) and having particular regard to noise sensitive premises. Noticeable acoustic features and in particular tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and to protect the amenity of the area, preventing unreasonable noise disturbance to other premises.

To demonstrate this requirement it is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar. In addition to validate /verify any measured noise rating levels, noise levels should be collectively predicted at the boundary of the site having regard to neighbouring residential premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring noise sensitive premises; with noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations (background L_{90}) and hours of operation. Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked. Any ventilation system with associated ducting should have anti vibration mountings.

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

- National Planning Policy Framework
- Cambridgeshire County Council Local Development Framework Supplementary Planning Document;
- RECAP Waste Management Design Guide (February 2012)

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- South Cambridgeshire Local Development Framework Site Specific DPD (adopted January 2010)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents:
 - Public Art (adopted January 2009)
 - Open Space in New Developments (adopted January 2009)
 - Trees and Development Sites (adopted January 2009)
 - Biodiversity (adopted July 2009)
 - Landscape in New Development (adopted March 2010)
 - District Design Guide (adopted March 2010)
 - Affordable Housing (adopted March 2010)
 - Health Impact Assessment (adopted March 2011)
 - Orchard Park Design Guide (adopted March 2011)
- Planning Files Ref: S/2379//01/O, S/0622/08 and S/2559/11
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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