

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 February 2017

AUTHOR/S: Head of Development Management

Application Number: S/1294/16/FL

Parish(es): Orchard Park

Proposal: Erection of a mixed-use residential led development comprising 63 one bedroom units on upper floors including 40% affordable housing along with 67 car parking spaces, cycle parking and associated hard and soft landscaping, gymnasium (D2 use class) and two commercial units (comprising flexible A1, A2 and D1 uses)

Site address: Parcel L2, Topper Street, Orchard Park

Applicant(s): Turnwood Limited

Recommendation: Delegated approval (subject to complete Section 106)

Key material considerations: Principle of development
Visual impact
Affordable housing
Residential amenity
Highway safety & parking provision
Ecology
Surface water and foul water drainage
Environmental impacts
Section 106 Contributions

Committee Site Visit: 31 January 2017

Departure Application: No

Presenting Officer: Katie Christodoulides, Senior Planning Officer

Application brought to Committee because: The proposed mechanism for providing 40% affordable housing requires approval by the Planning Committee.

Date by which decision due: 3 February 2017 (extension of time agreed)

Executive Summary

1. This full planning application seeks approval for 63no. one bedroom apartments (40% affordable), a gymnasium and two commercial units comprising A1 (Shops), A2 (Financial and Professional Services) or D1 (Non-residential Institutions) uses, together with associated car and cycle parking and landscaping. The principal of development on the site has been

established through Policy SP/1 of the adopted Site Specific Policies DPD for Orchard Park which allocated the area for a sustainable housing-led mixed use development providing a minimum of 900 dwellings. The proposed site and development is considered to be sustainable given the site's location and proposed mix of residential and commercial uses. The proposal seeks 40% affordable housing provision through 25 dwellings being proposed at 80% equity share of the open market value, with the remaining 20% retained by the Council in perpetuity. The proposal would meet the local housing need in Orchard Park and provide housing for nearby workers in the Science Park who are seeking to purchase a house.

2. The proposal is considered to be acceptable. Comments on the proposals from Cambridgeshire County Council as Local Highway Authority, the Lead Local Flood Risk Authority; the Environment Agency and the Council's internal consultees have been addressed by amendments and recommended conditions.
3. Overall, it is considered that the proposal would bring forward a number of economic and social benefits, and make a significant contribution to the on-going deficit in the Council's five year housing land supply and the significant need for affordable housing. The proposed obligations would also mitigate demands on services, facilities and infrastructure arising from the development. Economic benefits will occur through the increased vitality of the area and that the development would help support economic activity and growth. In the short term, there would be the creation of jobs in the construction industry as well as the multiplier effect in the wider economy arising from increased activity. The provision of housing would help meet the needs of businesses in Orchard Park.
4. It is considered that the scheme provides positive elements which enhance social sustainability. These include the provision of 40% affordable housing within the development, and a financial contribution through a S106 Agreement for off-site open space which would go towards outside gym equipment at the community centre, together with a contribution towards the refurbishment and improvement of the health centre at Arbury Road surgery.
5. These benefits can be afforded significant weight in favour of the proposal and are deemed to clearly outweigh any potential disbenefits, which include the impact on the street scene and increase in traffic movements.
6. None of the disbenefits are considered to result in significant and demonstrable harm, and the development comprises sustainable development having regard to paragraph 14 of the National Planning Policy Framework (NPPF). The proposal is therefore recommended for approval, subject to the necessary safeguarding conditions and Section 106 Agreement.

Planning History

7. S/1760/14/OL-Outline Application for the erection/development of 15 no. 3 & 4 bed townhouses- Approved.

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

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

Planning Policies

National Guidance

8. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance (PPG)

Development Plan Policies

South Cambridgeshire LDF Core Strategy DPD, 2007

9. ST/2 Housing Provision
ST/5 Minor Rural Centres
ST/9 Retail Hierarchy
10. **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
 - HG/1: Housing Density
 - HG/2: Housing Mix
 - HG/3: Affordable Housing
 - ET/1: Limitations on the Occupancy of New Premises in South Cambridgeshire
 - ET/2: Promotion of Clusters
 - ET/4 Mew Employment in Villages
 - SF/2 Application for New Retail Development
 - SF/10: Outdoor Play space, Informal Open Space, and New Developments
 - SF/11: Open Space Standards
 - NE/1: Energy Efficiency
 - NE/2: Renewable Energy
 - NE/3: Renewable Energy Technologies in New Development
 - NE/6: Biodiversity
 - NE/8: Groundwater
 - NE/9: Water and Drainage Infrastructure
 - NE/11: Flood Risk
 - NE/12 Water Conservation
 - NE/14 Lighting Proposals
 - NE/15 Noise Pollution
 - TR/1: Planning for More Sustainable Travel
 - TR/2: Car and Cycle Parking Standards
 - TR/3: Mitigating Travel Impact

South Cambridgeshire LDF Supplementary Planning Documents (SPD)

11. District Design Guide - Adopted March 2010
Open Space in New Developments-Adopted January 2009
Biodiversity- Adopted January 2009
Site Specific Policies DPD- adopted 2010
Affordable Housing SPD - Adopted March 2010
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Orchard Park design Guide SPD – adopted March 2011
Health Impact Assessment SPD– Adopted March 2011

South Cambridgeshire Local Plan Submission - March 2014

12. S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in favour of sustainable development
CC/1 Mitigation and Adaption to Climate Change
CC/2 Renewable and Low Carbon Energy Generation

CC/3 Renewable and Low Carbon Energy Generation in New Developments
 CC/4 Sustainable Design and Construction
 CC/7 Water Quality
 CC/8 Sustainable Drainage Systems
 CC/9 Managing Flood Risk
 HQ/1 Design Principles
 HQ/2 Public Art and New Development
 NH/4 Biodiversity
 H/7 Housing Density
 H/8 Housing Mix
 H/9 Affordable Housing
 H/11 Residential Space Standards for Market Housing
 E/12 New Employment in Development in Villages
 E/22 Applications for New Retail Development
 SC/6 Indoor Community Facilities
 SC/7 Outdoor Play Space, Informal Open Space and New Developments
 SC/8 Open Space Standards
 SC/10 Lighting Proposals

Consultation

13. **Orchard Park Community Council-** No recommendation. Comments that there is no allocation of disabled parking for commercial units or residential units, visitor parking to be shared with commercial units, gym and possible overspill from residential units noting 1 allocation space per unit, material to compliment Orchard Park Design Guide and security of car park to be clarified to ensure those occupying units have secure parking. Following Amended plans dated 28/09/2016, the Parish have no recommendation and note that the comments previously have not been addressed and therefore the same comments are raised in regard to no allocation of disabled parking for commercial units or residential units, visitor parking to be shared with commercial units, gym and possible overspill from residential units noting 1 allocation space per unit, materials to compliment Orchard Park Design Guide and security of car park to be clarified to ensure those occupying units have secure parking.
14. **Cambridgeshire County Council Major Transport Team-** Objects to the proposal until further details have been submitted addressing the transport implications. Following Amended plans dated 28/09/2016, the County Highway Team has requested evidence is provided on local car ownership to justify parking. Following the Transport Assessment and additional information, there are no objections subject to a contribution of £75,000 towards the cost of the City Deal proposals to improve facilities for cycles on Arbury Road between Kings Hedges Road with Mere Way and a travel plan condition.
15. **Local Highway Authority-** Initially raised no objections, but requests conditions in regard to the developer providing an approval in principle document, together with details the falls and levels, the driveway being bound and an informative in regard to no works to the highway. Following Amended plans dated 28/09/2016, the Highway Authority raises no objections.
16. **Environmental Health-** No objections, and recommends approval subject to the imposition of conditions and informatives in regard to hours for deliveries and power operated machinery, pile foundations, odour, noise, sound insulation, hours of use and delivery for the commercial uses.
17. **Ecology Officer-** In principle the proposal complies with the Wildlife and Countryside

Act 1981, and conditions in regard to a reptile mitigation strategy, nesting birds and ecological enhancement should be added to any consent granted.

18. **Trees Officer-** The implementation of the access requires the removal of one tree in the footpath. This is listed as T002 in the tree survey. No objection to this. The two trees either side of this are proposed to be protected from damage (in accordance with the report of Hayden's Arboricultural Consultants) using Heras fencing panels fixed to a scaffold framework (Appendix F.3 in the report). This will not be possible as Heras panels are manufactured in metre lengths. The tree protection drawing shows dimensions smaller than can be achieved using Heras panels. If it were possible to use Heras panels, the barriers would still obstruct the footpath at the very least and may encroach into the road. Tree protection in these areas needs to be provided in the form of plywood structure similar to that shown below. The tree may need to be pruned so as the tree box can be sufficiently slim to allow pedestrian movement and scaffolding on and adjacent the footpath.
19. Further, the tree report will require amendment to accommodate this change in tree protection. This can be done by way of condition if the application is to be approved if the timescale is such that it can't be handled prior to the decision. Otherwise I have no objections or recommendations to make.
20. **Landscape Officer-** Requests a landscape plan is submitted detailing self-watering system for trees in containers to be submitted for approval.
21. **Waste Officer-** No comments received (out of time).
22. **S106 Officer-** No contributions would be required for education and children's play space, contributions would be required for public open space and indoor facilities.
23. **Contaminated Land Officer-** Requests a condition is added to any consent granted to require a full desk study and ground investigation for contamination on the site.
24. **Drainage Officer-** No comments received (out of time).
25. **Urban Design Officer-** The following comments are made:
26. *Plans and Layout*
Generally, the layout is acceptable and appropriate to the site context. The range of uses including the commercial, gym and pool will provide convenient facilities for residents and the community.
27. *Scale and Massing*
The proposal is for a four storey flat roofed "U" shaped block. The height and massing is considered acceptable in the context of the surrounding development which is three and four storey with pitched roofs
28. *Design and Appearance*
The contemporary approach to the design is supported. The design of the west elevation with the large glazed atrium will provide an appropriate landmark in accordance with the Design Guidance SPD and will make a positive contribution to street scene. The balconies will provide some welcome articulation to the facades and the ground floor glazed fronts to the commercial units will provide a further level of animation to the street frontage. The external envelope of the building will be wrapped in perforated steel which will be an interesting contrast to the more traditional materials used on adjoining development. Each apartment has a private balcony which is in

excess of the minimum three metres squared required, and the inner courtyard will provide an attractive space for residents to overlook. It is however unclear from the drawings submitted whether there will be outdoor seating for residents in this area and how this space could be used. A further level of detail is required which could be conditioned.

29. *Parking*

Parking is provided underground which is an optimum solution allowing more flexibility in the design of the building and reducing the impact of parked vehicles on resident's views. The scheme does not provide 100% parking for residents, however given the sustainable location of the development and that a proportion of the car parking spaces will be unallocated for shared use, there is no objection to the number provided.

30. *Conclusions*

I would recommend approval subject to the following information being provided by conditions:

- i) Details of the levels at ground and within the inner courtyard including information on levels of land adjoining the site.
- ii) Full details of ground surface finishes and details of the interface with adjoining land and public realm.
- iii) Full details of retaining walls, boundary treatments, fencing, ramps, stairs, handrails, seating, bike stands, signage and lighting.
- iv) Full details of the perforated steel cladding and other external screens including edge, junction details colour/finish, relationship to glazing and roofing.
- v) Full details of all windows and doors as identified on the approved plan, including materials, colours, surface finishes.
- vi) Full details of balconies as identified on the approved plan, including materials, colours and surface finishes/ textures.

31. The above details should be submitted and approved by the Local Planning Authority prior to the commencement of development. Details submitted should consist of large scale drawings and/or samples.

32. Prior to the occupation of the commercial units, full details of any signage and soffits shall be submitted and agreed by the Local Planning Authority.

33. **Affordable Housing Officer-** The proposed affordable housing for this scheme would provide 40% comprising 25 dwellings at an 80% equity share. The applicant has raised viability issues through the application process, and it has been agreed that if the scheme were to deliver 40% affordable housing, all the units would need to be intermediate housing shared ownership with a purchase price not less than £145,350 per unit. This value represents 77% of the open market value for the outright sale units £190,000. Various models of intermediate housing have been considered comprising intermediate rent, shared ownership 55% initial equity and 80% equity share. The 80% equity share model of intermediate housing has been used on other sites within the district, with the adjacent site K1 in Orchard Park under approved planning application (S/3223/15/FL) having a scheme in which the leasehold properties are sold using the standard Homes and Communities Agency lease agreement substantially, excepting the right to staircasing and rent charged on the unsold equity, the remaining equity is retained by the Council in perpetuity, the equity share units are for owner occupation only and cannot be sublet, and the equity share unit is for the sole residence of the occupier who cannot own another property within the UK.

34. The proposed 25 equity share units will remain 20% cheaper than the open market units within the development, allowing for those on lower incomes who may otherwise be unable to afford to purchase the properties at full market value the ability to purchase them. The 80% equity share would provide sufficient income to the developer to provide 40% affordable housing as 100% intermediate housing.
35. **Cambridge Fire & Rescue-** No comments received (out of time).
36. **Flood Authority-** Initially objected to the proposal and recommended refusal as the applicant has not demonstrated that the storage volume required to attenuate surface water run off can be provided on site, the applicant has not demonstrate that peak discharge will not exceed that of the site and the applicant has not demonstrated that the drainage hierarchy has been followed. The applicant proposes to discharge into the Anglian Water surface water sewerage. The discharge rate is significantly higher than the existing discharge rate. Expects the applicant to reduce the discharge rate. Following Amended Plans received 28/09/2016; the Flood Authority raises no objections in principle to the proposal. Requests conditions in regard to detailed surface water drainage and maintenance.
37. **Environment Agency-** No objection in principle, requests informatives in regard to surface water drainage, foul water drainage, pollution control and contamination. Following Amended Plans received 28/09/2016, the Agency has no further comment to make.
38. **Education Officer-** The Council would not seek any development contributions in respect of education, library or household waste as the proposal would not expect to accommodate children and there are 5 strategic waste contributions pooled towards the waste project and the library at Arbury Court that can accommodate resident's needs within the existing facility.
39. **Anglian Water-** There are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary, the foul drainage from the development is in the catchment of Cambridge Recycling Centre that will have available capacity, the sewerage system at present has available capacity, if the developer wishes to connect to the sewerage network they should serve notice under Section 106 of the Water Industry Act 1991, the preferred method of surface water disposal would be to a sustainable drainage system, with connection to the sewer seen as the last option. The submitted surface water strategy and flood risk assessment is acceptable. Requests a condition is added to any consent that is granted in regard to no hard standing areas to be constructed until the works have been carried out in accordance with the surface water strategy.
40. **Police Architectural Liaison Officer-** Should the application be approved, the developer should consider meeting with their Office to discuss crime prevention.
41. **Archaeology Officer-** No objections or requirements for this development as the proposed development area has been archaeological dealt with under the original planning application.
42. **Renewable Energy Officer-** Requests a condition in regard to an energy statement is added to any consent granted.
43. **National Grid (Plant Protection) -** No comments received (out of time).

44. **NHS-** The proposed development is likely to have an impact on the services of 2 main GP practices and 1 branch surgery operating within the vicinity of the application site. The GP practices do not have capacity for the additional growth resulting from the development. The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and within the health catchment of the development. The development would give rise to a need for improvements to capacity in line with emerging CCG Strategic Estates Plans: by way of extension and fit out of Arbury Road survey, a proportion of the cost of which would need to be met by the developer. A developer contribution would be required to mitigate the impacts of the proposal. NHS England calculates the level of contribution required in this instance to be £23,805.
45. **Highways England-** No comments received (out of time).
46. **Public Health Officer-** The assessment of the Health Impact Assessment has been given a Grade B. Grade B meets the required standard of the HIA SPD policy.
47. **Environmental Health Officer (Air Quality)-** The area of the proposed development is sensitive in terms of air quality being located within the Air Quality Management Area. The Air Quality Report submitted provides 2014 data with 2015 not being significantly worse. The area is undergoing significant redevelopment and rather than debate modelled predications, the Authority is keen to achieve actual deliverables. Requests details on car parking provision, how cycling and non-car commuting methods will be encouraged as well as the installation of electric car charging points. Consideration needs to be given to emissions generated by boilers, CHP plants or biomass boilers, which would need to be proven as very efficient with low NOx releases.

Representations

48. **No.12 Lynfield Court-** Supports the proposal.
49. **No.2 Common Road, Witchford-** Comments there is a desperate shortage of suitable accommodation locally.
50. **No.46 Queensway, Mildenhall-** Supports the proposal.
51. **Address not provided-** There is a need for local, affordable accommodation.
52. **O2 Ventures Limited-** Supports the proposal as it will provide accommodation for first time buyers employed in the locality wishing to live in a well-designed studio.

Site and Surroundings

53. The site forms 'Parcel L2' of Orchard Park, a housing-led mixed use development located to the northern edge of Cambridge. The Orchard Park neighbourhood is largely built out with the exception of a few vacant plots positioned to the northern edge adjacent to the A14 trunk road.
54. Parcel L2 comprises a roughly square shaped vacant site which backs onto the A14, with residential development and public open space to either side. The site lies within the A14 Air Quality Protection Area.

Proposal

55. The application seeks full planning consent for the erection of 63 one bedroom units, a gymnasium and two commercial units (flexible use classes A1(Shops), A2 (Financial and Professional Services) and D1(Non-residential Institutions), cycle parking and hard and soft landscaping.

Planning Assessment

56. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five-year supply of housing land deficit on the proposals. An assessment is required in relation to the impact of the proposals on the character of the area, impact to street scene, highway safety, the residential amenity of neighbouring properties, landscape impact, ecology, environmental health, surface water and foul water drainage capacity and Section 106 contributions.

Principle of Development

- **Five year housing land supply**

57. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47 of the NPPF.
58. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.7 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2016 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2016). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
59. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. Those policies were listed in the approval decision letters and are: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD Policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be policies "for the supply of housing".
60. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which

have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF. However even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should attach to such relevant policies, having regard to, amongst other matters, the purpose of the particular policy.

61. Where a Council cannot demonstrate a five year supply of housing land, paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted.

64. This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF, unless other national policies indicate an exception to this, Green Belt land is one such exception. Sustainable development is defined in paragraph 7 of the NPPF as having environmental, economic and social strands. When assessed these objectives, unless the harm arising from the proposal 'significantly and demonstrably' outweighs the benefits of the proposals, planning permission should be granted (in accordance with paragraph 14).

62. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Policy SP/1 of the adopted Site Specific Policies DPD advises Orchard Park is allocated for a sustainable housing-led mixed use development providing a minimum of 900 dwellings, subject to development taking place in accordance with the approved masterplan. This master plan is set out in the adopted Orchard Park Design Guide, where paragraph 2.9 advises: 'Land parcels COM4 & L2 were the subject of an application by Barratt Homes for 182 dwellings, reference S/1734/07/F. This application was dismissed on appeal in November 2008. Planning application S/1760/14/OL was approved for 15 townhouses on the site but has never been implemented. The principle of residential use on the site has been established, and is therefore considered acceptable subject to planning considerations discussed below.

- **Environmental sustainability**

63. The site is allocated for development under Policy SF/1. The site currently forms a vacant plot of land and would deliver a scheme which would enhance the biodiversity of the plot by condition (7) being recommended in regard to ecological enhancements and conditions (8 &9) in regard to nesting birds and a reptile mitigation strategy. A landscape scheme, conditions (4 & 5) are recommended to ensure suitable landscaping will enhance the site, and mitigate the impact of the development. Solar photovoltaic (PV) technology is proposed on the roof of the buildings, and condition (26) is recommended to ensure that the proposal meets the requirements of Policies NE/1 and NE/3.

- **Social sustainability**

64. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby. The development would provide a clear benefit in helping to meet the current housing

shortfall in South Cambridgeshire through delivering up to an additional 63 residential dwellings, 40% of these units (25) will be affordable.

65. The indicative mix for the market and affordable housing would not meet the requirements of Policy H/8. The applicants have put forward justification for a need for one bedroom properties in Orchard Park due to the lack of suitable affordable housing for single, young people at the start of their careers, particularly working within the immediate area where there are the employment hubs at the Science Park, Business Park and Innovation Centre. It is considered that there is a need for affordable properties within the private sector in this area, and the proposal will provide one bedroom market and affordable dwellings as an alternative to Houses in Multiple Occupation (HMO's) which are evident in Orchard Park.
66. Officers are of the view the provision of 63no. additional houses, including the affordable dwellings, is a benefit and significant weight should be attributed to this in the decision making process, particularly in light of the Housing Officer's confirmation that the proposed affordable housing is considered acceptable
67. Paragraph 204 of the NPPF relates to the tests that Local Planning Authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must be:
 - necessary to make the scheme acceptable in planning terms
 - directly related to the development
 - fairly and reasonably related in scale and kind to the development proposed.
68. The Parish Council have suggested there is a need to provide improvements to the public open space facilities through the installation of outside gym equipment based at the community centre, and a contribution towards the refurbishment and improvement of the health centre at Arbury Road surgery. Officers have considered the compliance with CIL under the S106 section of this Report. Subject to the contributions being used for this purpose, this level of provision is considered to be a significant social benefit of the proposals.
69. Another social benefit of the scheme would be the provision of the proposed commercial units at the ground floor level which would increase vitality in the area and the number of social leisure spaces in the area through the proposed gymnasium and commercial units.
 - **Economic sustainability**
70. The provision of 63no. dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities in Orchard Park, both of which will be of benefit to the local economy.
71. The provision of the proposed gymnasium and two commercial units will provide jobs and increase local facilities in Orchard Park and this part which is mainly residential.
 - **Housing Delivery**
72. The developer has indicated that development will commence on site and within 5 years completion of all dwellings on site.
73. Overall, it is considered that the proposed development would achieve the social,

environmental and economic elements of the definition of sustainable development, subject which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

Housing Density

74. Policy HG/1 of the Development Control Policies Document relates to Housing Density. The policy requires housing development in more sustainable locations to provide net densities of 40 dwellings per hectare unless there are exceptional circumstances, or 30 dwellings per hectare. The site has an area of 0.29 hectares. The proposal would equate to a density of 217 dwellings per hectare. The proposed density given the urban character and density of the area would be considered appropriate.

Housing Mix

75. Under Policy HG/2 of the LDF and H/8 of the Proposed Local Plan, residential developments should contain a mix of units providing accommodation in a range of types, sizes and affordability. Policy H/8 of the Proposed Local Plan requires market homes in development of 10 or more homes to consist of at least 30% 1 or 2 bedroom homes, at least 30% of 3 bedroom homes, and at least 30% 4 or more bedroom homes with a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.
76. The proposal is for 63no. one bedroom studio units. The proposal would therefore fail to comply with Policy H/8. The applicants have acknowledged this and stated that there is a need for one bedroom accommodation in the area following discussions with the Science and Business Park companies, and they have submitted and put forward a Statement of Need. There is a lack of suitable housing for single people at the start of their careers, particularly working within the immediate area where there are the employment hubs at the Science Park, Business Park and Innovation Centre. There is a need for affordable units within the private sector. The proposed units are considered to appeal to first time buyers, providing obtainable and affordable accommodation in an area where there is an identified demand and shortage. Orchard Park has a large number of Houses in Multiple Occupation (HMO's) and this proposal will provide an alternative, well designed form of accommodation to HMO's and private rented housing in the area. As a result, the proposal for one bedroom studio units is put forward. The proposal and justification put forward for the local need in the area for one bedroom studio units is considered acceptable.

Affordable Housing

77. Policy HG/3 of the LDF states that proposals for housing developments will only be permitted if they provide an agreed mix of affordable housing to meet local needs.
78. The amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings. Policy H/9 of the emerging Local Plan states that the amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of three or more dwellings. The affordable provision mix is based on 70% rented and 30% intermediate, however each scheme is looked at on an individual basis and the tenure mix altered where viability is an issue or local circumstances dictate a different mix.
79. Paragraph 50 of the NPPF states where local authorities have identified that

affordable housing is needed, set policies for meeting this need on site, unless an off-site provision or a financial contribution of a broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities.

80. The proposal initially sought to deliver 40% affordable housing through intermediate, however this was amended following submission of a Viability Report to 20% Starter Homes in line with the Housing & Planning Act 2016 definition of Starter Homes as being affordable housing. Following discussion with the South Cambridgeshire Housing Team, the scheme now proposes 40% affordable housing through 25no. dwellings at 80% equity share of the open market value, with the remaining 20% retained by the Council in perpetuity. The Councils' Affordable Housing Officer has commented that this is considered acceptable in regard to affordable provision as the applicant has raised viability issues and it has been agreed for the scheme to deliver 40% affordable housing, all the units would need to be intermediate-shared ownership with a purchase price of not less than £145,350 per unit, this value representing 77% of the open market value for the outright sale units. A similar equity share model of intermediate housing has been used on the site opposite comprising of the K1 plot in which a Local Lettings Policy was agreed detailing the affordable housing provision. The proposed intermediate-shared ownership housing is considered acceptable by the Affordable Housing Officer as it responds to the demand and housing need in the area for intermediate housing for those unable to purchase a property at full market price. The priority for the affordable dwellings will be at those who work within the Science, and Business Parks, Innovation Centre, those at the start of their careers and unable to otherwise purchase a home.

Visual Impact & Design

81. The proposal is considered to accord with the essential design criteria within the Adopted Orchard Park Design Guidance LDF, Supplementary Planning Document and supported by the Urban Design Officer. The proposed height for all of the building would be 12 metres, comprising 4 storeys which would fit with the character, size and scale of dwellings in the area, with the adjacent flats to the west being 4 storeys, and flats and dwellings to the east being 3 storeys.
82. The proposed design and appearance of the building would be contemporary with a glazed atrium on the western elevation, allowing a landmark building when approached and viewed from the west, as stated in the Design Guidance. The proposed layout would create a strong frontage along Topper Street with the glazing at ground floor level to serve the commercial units. There would be a strong linear form along the A14 reducing noise and acting as a buffer from residential and amenity areas. The proposed design and materials comprising perforated steel would be significantly contrasting from the materials and appearances of the surrounding dwellings which comprise of brick and render, however the design is considered to be significantly different and achieve a sufficient contrast to the area, allowing for the high quality design approach.
83. The proposed front elevation serving Topper Street would provide a clear positive street scape and distinction between the public and private areas of the development. The design of the proposed rear elevation through the mainly blank elevation with the strip windows in the projecting stairwells would mitigate the noise and air quality concerns, and break up this elevation which faces towards the A14 motorway. This view is considered to be an important view in the street scene and the proposal is considered acceptable in terms of visual amenity to the area. The proposal would therefore accord with the provisions of Policies DP/2 and DP/3 of the LDF.

Neighbour Amenity

84. To the south east of the site lies the neighbouring block of flats serving Flack End. No windows lie in the end (western) gable of this three storey block of flats facing the site, with fenestration comprising Juliette balconies to the front (south) elevation and small front gardens facing Flack End and fenestration, with a communal garden and car park court to the rear. The proposal within the nearest east end gables would have windows which serve the stairwells to the flats, with balconies and windows serving habitable rooms in the central western element. These windows and balconies would be sited 33 metres from the common boundary with the neighbouring properties to the east, and would comply with the District Design Guide which requires a minimum distance of 30 metres for 3 storey buildings to prevent loss of privacy. The proposal is considered acceptable in terms of loss of privacy.
85. The proposed south eastern gable of the development would be sited 11.4 metres from the private garden amenity area and have a height of 12 metres. On balance, it is considered that given this distance and that the majority of the side gable of the proposed building would be to the side of the gable of Flack End with 6 metres projecting beyond this gable. The proposal will result in some harm to the amenity of the rear elevations of the neighbouring flats Nos. 1-11 Flack End and communal garden through loss of light and visually overbearing impacts.
86. To the north east of the site lies the neighbouring three storey semi-detached dwelling at No.17 Flack End. Three windows lie in the side (west) elevation of this dwelling, with the garden area lying to the south (front), adjacent to the car park court. Following Amended Plans dated 28/09/2016, the eastern end of the northern elevation of the proposed building has been reduced in length which has resulted in a reduction in the size of the gym at ground floor level and the loss of three units at the upper floors, siting this gable further away from this neighbouring property. The proposal is therefore considered acceptable in terms of overbearing impact and loss of light to the side elevation windows and garden amenity area of this neighbour. This distance in addition overcomes the impact from loss of privacy to the garden area and south elevation of this neighbour at No.17 Flack End.

To the west of the site lies the neighbouring side (east) gable of the four storey block of flats serving Engledow Drive. This east gable has no windows, with windows and Juliette balconies in the front (southern) elevations. The proposed side west elevation of the proposed building would be sited in close proximity to the blank side gable of the neighbouring property and front elevation, with the proposal projecting 26 metres further forward of the front elevation of this neighbouring block of flats. Given the design of the proposed building with the large glazed atrium to the front and that the neighbouring building has a large grassed open area, the proposal on balance is not considered to result in significant harm in terms of privacy, loss of light or be visually overbearing.

Residential Amenity

87. The proposal would be acceptable in terms of loss of privacy within the site as there would be vision screens in between neighbouring balconies adjoining each other. The proposal would therefore accord with Policy DP/2 of the LDF.
88. To the west of the site lies the neighbouring side (east) gable of the four storey block of flats serving Engledow Drive. The side (east) gable facing the site has no windows, with windows and Juliette balconies in the front (southern) elevation which faces Topper Street. Following the receipt of amended plans, the proposed side west

elevation of the building with balconies in this elevation would site the balconies so that they are not set directly facing the blank elevation of the neighbouring gable and would have vision screens in the side of the balconies to direct views away from this neighbouring gable to prevent a poor outlook from these balconies. The proposal would therefore result in an acceptable level of amenity to these balconies and amenity space.

Highway Safety/Parking Provision

89. The Local Highway Authority have confirmed the proposed vehicular access and trip rate and trip generation proposed from the development would be acceptable and would not result in harm to highway safety.

The proposal would allow for 67no. total car parking spaces, with 56no. spaces to accommodate the 63no. flats, and 11no. car parking spaces for the commercial uses (210m²), visitor parking and non-commercial uses, comprising the gymnasium. The proposal put forward for the commercial uses is for flexible uses of A1, A2 and D1 use. Policy TR/2 of the LDF requires an average of 1.5 spaces per dwelling, with 1no. car parking space per 20m² for A1 use, 1no. car parking space per 25m² for A2 use, and varying car parking levels for D1 use depending on the specific use.

90. The submitted Transport Assessment and Technical Note in response to the Local Highway Authority's initial objections and census data for car ownership in the area is adequate to demonstrate that the proposed level of car parking will be sufficient for the proposal. This is acceptable given the sites location adjacent to the Guided Bus Way, with nearby frequent bus services, and the provision of cycle and pedestrian routes encouraging alternative ways of travel. Orchard Park Community Council in their comments raised concern regarding allocation of disabled parking for the residential and commercial units, allocation for the residential and commercial units and security of the car park. The amended plan dated 11/10/2016 details that the car park spaces will be marked for users and an access barrier to secure the car park.
91. 86 total cycle spaces are proposed. This would comprise of 40no. private secure storage cycle cages for residents, with 36no. outdoor cycle spaces proposed within the internal courtyard with 5no. visitor cycle spaces proposed to the front of the building for the commercial uses, and 5no. cycle spaces for the gym. The proposal will comply with the cycle parking requirements. In line with the County Highway's comments stating that the proposal will increase trips on the surrounding network, with cycling in the area being shown to be high, and the proposals as part of the City Deal encouraging cycling in the area, a contribution of £75,000 towards the cost of City Deal proposals to improve facilities for cycles on Arbury Road between Kings Hedges Road with Mere Way will be required as part of the Section 106 Agreement. The agent has agreed to this. A condition will be added to any consent granted to require that a Travel Welcome Pack is prepared and agreed with the Local Planning Authority prior to occupation.
92. Accordingly. the proposed vehicular access and the proposed level of car and cycle parking would accord with Policy TR/2 of the LDF.

Trees & Landscape

93. The site is currently clear of vegetation. Numerous trees lie along the front of the site adjacent to Topper Street within the public highway. A Tree Survey and soft landscape plan were submitted with the application. The Councils' Tree Officer in their comments raised concern regarding the proposed herras fencing protection and not

being able to achieve the protection without obstructing the highway. A plywood structure would be required to protect the trees and allow pedestrian movement along the footpath. The Tree Survey will need to be amended to accommodate this and a condition shall be added to any consent.

94. The Landscape Officer has commented that a condition should be added to an approval given for the scheme to require a detailed design for the landscaping including a self-watering system for the proposed trees which lie within the containers on the roof of the building.

Ecology

95. An Ecology Report was submitted with the application. A small population of common lizard have been identified at the site and trapping and translocation programme has been provided. The Ecology Officer has commented that the proposal will comply with the Wildlife and Countryside Act 1981 (as amended), and that conditions will be introduced within this permission in regard to a reptile mitigation strategy, site clearance and nesting bird protection and a scheme for ecological enhancement.

Air Quality

96. The Environmental Health Officer is satisfied that the Air Quality Assessment submitted as part of the application concludes that the air quality will not be significantly worsened as a result of the development.

Noise

97. The Environmental Health Officer has considered the proposal in regard to impact on residential properties during construction and traffic noise from the adjacent A14 and noise from the proposed commercial element. Accordingly, no objections are raised subject to conditions being added should consent be granted to require further details in terms of plant equipment, noise from retail uses, sound insulation.

Contaminated Land

98. The whole of Orchard Park was granted consent under approval S/2379/01/O, with a requirement as a condition for a contamination investigation. The Contaminated Land Officer has commented on the proposal and requests that a full desk study and ground investigation are required by way of a condition should approval be granted for this proposal.

Flood Risk/Surface Water

99. Cambridgeshire County Council Local Lead Flood Authority initially objected to the proposal and now raises no objections as the drainage plan has been updated to demonstrate that surface water can be dealt with on site by using geo-cellular storage and limiting the discharge rate off site to 21/s. In line with the Flood Authorities comments a condition shall be added to require details of the surface water drainage scheme to be submitted. The proposal therefore complies with Policy NE/11 and NE/12 of the LDF and the National Planning Policy Framework.

Renewable Energy

100. A sustainability statement has been submitted with the application. The Renewable Energy Officer has commented that further details are required in regard to design

stage SAP calculations and therefore a condition shall be added should consent be granted to require these details.

Archaeology

101. The Archaeology Officer has raised no objections or requirements as the development site has been archaeological dealt with under the original approved application.

Public Art

102. A condition would be added to any consent granted to request details of public art in line with Policy SF/6 of the LDF which requires the provision of publicly accessible art, craft and design works.

Section 106 Contributions

103. From 6 April 2015, the use of 'pooled' contributions toward infrastructure projects has been restricted. Previously, LPAs had been able to combine planning obligation contributions towards a single item or infrastructure 'pot'. However, under the Community Infrastructure Levy Regulation 123(3), LPAs are no longer be able to pool more than five planning obligations together if they were entered into since 6 April 2010, and if it is for a type of infrastructure that is capable of being funded by the CIL. These restrictions apply even where an LPA does not yet have a CIL charging schedule in place.
104. Cambridgeshire County Council have confirmed that given the proposed development is for one bedroom studio flats, they would not expect children to live within the development and therefore there would be no requirement for developer contributions towards education, libraries or strategic waste. Five strategic waste contributions have been pooled towards the waste project and the library at Arbury Court can accommodate the resident's needs within its existing facility.
105. Contributions towards the provision of affordable housing, highway mitigation, off site sports facilities, health and household bin provision would be required and sought by way of a S106 Agreement.

Conclusion

106. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

107. Officers recommend that the Committee approve the application subject to:

Requirements under Section 106 of the Town and Country Planning Act 1990

- (a) Completion of an agreement confirming payment of the following as outlined in Appendix 1
- £75,000 towards improvements to cycle facilities on Arbury Road
 - £12,00 towards outside gym equipment at the Community Centre
 - £23,805 towards refurbishment and improvement of the facilities at Arbury Road surgery

- £9,450 towards household waste bins
- Scheme of 40% affordable housing

Conditions

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1:1250, 401PL(21) 01 Rev C Amended 11/10/2016, 401PL(90) 01 Rev A Amended 28/09/2016, 401PL(21) 02 Rev A Amended 28/09/2016, 401PL(21) 03 Rev A Amended 28/09/2016, 401PL(21) 04 Rev A Amended 28/09/2016, 401PL(21) 05 Rev A Amended 28/09/2016, 401PL(21) 06 Rev A Amended 28/09/2016, 401PL(21) 07 Rev A Amended 28/09/2016, 401PL(21) 08 Rev A Amended 28/09/2016, 401PL(21) 09 Rev A Amended 28/09/2016, 401PL(21) 10 Rev A Amended 28/09/2016, 401-SK01 & CSA/2932/100 Rev C.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (3) No development shall take place until details of the materials to be used in the construction of the external surfaces 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 the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (4) No development shall take place until full details of both hard and soft landscape works and details of the self-watering system for the trees in containers have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- (5) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- (6) No development shall commence on site until there has been submitted to and approved in writing by the Local Planning Authority a revised tree protection scheme and arboricultural impact assessment to incorporate the substitution of the tree protection fencing with an alternative form of tree protection to that proposed in the arboricultural report submitted with the application. The development shall be carried out in accordance with the approved details.
(Reason - There is insufficient space to accommodate the proposed steel mesh fencing panels as detailed in the submitted arboricultural report to protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (7) No development shall commence until a scheme for ecological enhancement including native planting and in-built features for nesting birds and roosting bats, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the agreed scheme.
(Reason: To provide a habitat for wildlife and enhance the site for biodiversity in accordance with Policy NE/6 of the adopted Local Development Framework, the National Planning Policy Framework and the NERC Act 2006.)
- (8) If site clearance is timed during 1 March to 31 August inclusive in any given year, a nesting bird inspection shall be completed by a suitably qualified ecologist within 48 hours prior to the removal of dense vegetation. If active nests are found, they shall be left undisturbed with a sufficient buffer area until chicks have fledged. No inspection is required outside of this time period.
(Reason: To minimise disturbance, harm or potential impact upon protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and their protection under the Wildlife and Countryside Act 1981).
- (9) No development shall commence until a Reptile Mitigation Strategy has been submitted to and approved in writing by the Local Planning Authority. This shall include, details of the layout of temporary reptile fencing, timing and methodology of a trapping and translocation scheme for common lizard; details of a suitable Receptor Site including pre-works enhancement measures and mechanisms for beneficial long-term management, ideally including a ten year annual management plan for the Receptor Site; and a methodology for site clearance works which will minimise the risk to reptiles. All works must then proceed in strict accordance with the agreed mitigation strategy.
(Reason: To minimise disturbance, harm or potential impact on protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and the Wildlife and Countryside Act 1981 (as amended.)
- (10) No development approved by this permission shall be commenced until:
- a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
 - b) 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.
 - c) The works specified in the remediation method statement have been

completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.

d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.

(Reason (a) - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007).

- (11) No development shall commence on site until the developer has contacted the Highway Authority and provided an Approval in Principle document in accordance with BD2 Volume 1 Highways Structures: Approval Procedures and General Design, Section 1 Approval Procedures of the Design Manual Roads and Bridges.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- (12) The proposed vehicular access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway and from a bound material to prevent debris spreading onto the adopted public highway.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- (13) No buildings shall be occupied until a Travel Welcome Pack for residents has been submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented in accordance with the approved details.

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

- (14) Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage for the site based on the agreed surface water drainage scheme (as detailed on the drawing - Title Indicative Drainage Network, Drawing No: 177-2015-SK01 Rev P1, received by LLFA of the 14th October 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and implemented in accordance with the approved details 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 ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- (15) Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any building. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance

purposes. The maintenance plan shall be carried out in full thereafter.
(Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework and with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- (16) No hard-standing areas shall be constructed until the works have been carried out in accordance with the approved surface water strategy, unless approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- (17) No power operated machinery (or other specified machinery), or any construction work or construction deliveries shall be operated or take place other than between the hours of 08.00am on weekdays and 08.00am on Saturdays nor after 18.00pm on weekdays and 13.00pm 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 minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (18) There shall be no retail or commercial related deliveries to the approved development outside the hours of 07:00 and 19:00 hours (Monday to Saturday) and 09:00 to 17:00 hours (Sundays, Bank and Public Holidays) unless otherwise agreed in writing by the Local Planning Authority. (Reason: To protect the amenity of the adjoining and nearby properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (19) Public opening hours for the retail/commercial units identified as Commercial 1, 2 and the Gymnasium on drawing PL(21)02A Ground Floor Plan, hereby approved, shall not be outside the hours of 07:30 to 23:00 hours (Monday to Saturday) and 07:30 to 22:00 hours (Sunday, Bank and Public Holidays)
(Reason: To protect the amenity of the adjoining and nearby properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (20) Prior to the commencement of the development an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting and an assessment of impact on any sensitive residential premises on and off site, shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site, on the boundary of the site and at adjacent properties, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light GN01:2011". The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the Local Planning Authority gives its written consent to any variation.

(Reason: To protect local residents from light pollution / nuisance and protect / safeguard the amenities of nearby residential properties in accordance with NE/14 of the adopted Local Development Framework 2007.)

- (21) In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded). Development shall be carried out in accordance with the approved details.
(Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (22) 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 or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance and in writing.
(Reason - To protect the occupiers of adjoining buildings from the effect of odour, dust or fumes in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)
- (23) Before the retail and commercial uses hereby permitted are commenced, (uses other than individual residential premises) a noise assessment as necessary and a scheme for the insulation of the building(s) and/or associated plant / equipment, in order to minimise the level of noise emanating from the said building(s) and/or plant 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 amenities of nearby residential properties in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (24) 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 or fumes from the building(s) but excluding office equipment and vehicles and the location of the outlet from the building(s) 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 buildings (dwellings) from the effect of odour, dust or fumes in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)
- (25) Prior to occupation of the first dwelling, details of a scheme for the provision of public art, to meet the needs of the overall development in accordance with adopted Local Development Framework Policy SF/6, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include

a timetable for the provision to be made and shall be carried out in accordance with the approved details.

(Reason - To ensure a contribution is made towards public art in accordance with Policy SF/6 of the adopted Local Development Framework 2007)

- (26) Prior to the occupation of any buildings, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. The energy statement shall include:
- (a) An assessment of the actual effect on carbon dioxide emissions of the measures previously agreed as part of the energy audit.
 - (b) A statement of how the layout, orientation, design and materials used in the construction of the development have actually been influenced by the energy audit.
- (Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007 and government guidance in PPS1 Delivering Sustainable Development and PPS22 Renewable energy.)

Informatives

- (a) The application should be read in conjunction with the completed Section 106 Agreement.

- (b) Surface Water:

In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:

- a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- b) Confirmation of the critical storm duration.
- c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365/CIRIA 156.
- d) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required.
- e) Where an outfall discharge control device is to be used such as a vortex control or orifice, this should be shown on the plan with the rate of discharge stated.
- f) Calculations should demonstrate how the system operates during a 1 in 100 annual probability critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

- (c) SuDS:

We strongly encourage the applicant to use SuDS features (i.e. wetland, permeable paving) that offer significant advantages over conventional piped drainage system/storage tanks in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. A well designed drainage scheme will involve a number of SUDS features in sequence, forming a

surface water management train. A management train will incrementally improve the quantity and quality of surface water run-off reducing the need for a single, large attenuation feature.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles.

(d) Highway Impact:

The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

(e) Noise & Dust:

The applicant should take all the relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.

(f) Fires:

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

(g) Noise:

To satisfy the noise insulation scheme condition for the residential building envelope and traffic noise, the applicant / developer must ensure that the residential units 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 8233:2014 "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 LAeq (Good) and 40 LAeq (Reasonable) for living rooms and 30 LAeq (Good) and 35 LAeq (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.

The Food & Health & Safety Team, South Cambridgeshire District Council, for advice concerning the proposed premises design/layout, Food and Occupational Safety/Welfare Regulations/requirements and Food Premises Registration, Tel No: 01954 713111.

Anglia Water, Tel No: 0800 145145 regarding the installation of a grease trap for the foul water. If drains are to be altered the foul water from the kitchen should be passed through fat/oil/grease interceptor facilities (prior to entering any shared private drain and/or the public sewer), designed and constructed to the satisfaction of the Local Planning Authority (LPA).

A 'catch all' informative could be attached advising the applicant to have consideration of South Cambridgeshire District Council Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire", Adopted March 2010: Chapter 10- Environmental Health & associated appendices: link- <http://www.scambs.gov.uk/content/district-design-guide-spd>

Any noise insulation scheme required should have due regard to current government / industry standards, best practice and guidance and South Cambridgeshire District Council's Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire", Adopted March 2010: Chapter 10 - Environmental Health & in particular Appendix 6: Noise" downloadable from: <http://www.scambs.gov.uk/content/district-design-guide-spd>

- (h) It is recommended that the applicant engage with the Police Architectural Liaison Officer to discuss crime prevention.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

Where the [Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, then they must be available for inspection—

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
 - (b) on the Council's website; and
 - (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.
- South Cambridgeshire Local Development Framework Development Core Strategy (adopted January 2007)
 - South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
 - Planning File Ref: S/1734/14/OL

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