

## PLANNING COMMITTEE

Date: 25<sup>th</sup> July 2012

<b>Application Number</b>	12/0591/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	11th May 2012	<b>Officer</b>	Mr Toby Williams
<b>Target Date</b>	10th August 2012		
<b>Ward</b>	East Chesterton		
<b>Site</b>	Elizabeth House 1 High Street East Chesterton Cambridge Cambridgeshire CB4 1WY		
<b>Proposal</b>	Change of the use from offices (Class B1) to managed hall of residence for 261 students (use class C2).		
<b>Applicant</b>	United States of America		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>-The change of use is acceptable in principle</li> <li>-Residential amenity is safeguarded</li> <li>-Car parking levels are reduced</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is Elizabeth House, a modern 4-storey office block (85m wide) set within its own landscaped grounds facing the Chesterton Road/Elizabeth Way roundabout. The site is approximately 1.05 ha in size. The building is unexceptional in appearance, being constructed in a beige brick with salmon rendered panels between windows. The main entrance is centrally located. To the rear, the building has a single storey wing extending to the north. Within the grounds are approximately 101 car parking spaces, which are interspersed by landscaping consisting of a mixture of deciduous and

coniferous trees, which thicken towards the southern boundary of the site. Access is from Chesterton High Street, which is also shared with Chesterton Nursing Home.

- 1.2 The boundaries of the site consist of a metal railing fence onto the roundabout to the south and a mixture of close-boarded fencing in various states of repair around its perimeter. There is no formal boundary with Chesterton Nursing Home to the east, which is segregated by the continuation of the access road to car and cycle parking provision at the rear of the site and low level landscaping. At ground level, immediately adjacent to building, are a variety of air-conditioning units.
- 1.3 To the north of the site is a modern residential development accessed from Pearl Close. To the north east is Chesterton Medical Centre, whose boundary with the site is defined by an unused gate which, at some point, would have provided an alternative means of access. To the east is Cambanks, a series of flatted 3-storey residencies accessed from Union Lane, separated from the site by a landscaping belt. To the east/southeast is Chesterton Nursing Home, a relatively modern and mainly two-storey cross-shaped building separated from the site by a small car parking court. To the south, across Chesterton High Street, are a series of detached two-storey houses accessed from Hall Court. To the west is Laburnum Close, a series of two-storey semi-detached properties with gardens that abut the application site.
- 1.4 The site is not within a Conservation Area and the building is not listed or locally listed. The site falls outside the controlled parking zone. The building is located within the Air Quality Management Area. There are tree preservation orders on the site protecting numerous trees around its boundaries.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks planning permission for a change of use from offices (Class B1) to managed hall of residence for 261 students (use class C2). The accommodation is intended for students from the Cambridge Education Group (CEG) either attending CATS College, or the Cambridge School of Visual Performing Arts (CSVPA).

- 2.2 Various external changes are proposed, which include: the removal of most of the existing car parking and tarmac; the provision of new landscaping; a synthetic turf multi-use games area; three covered purpose-built cycle parking shelters; the removal of ground level condensing/air conditioning units and their replacement at roof level together with the insertion of solar panels.
- 2.3 Internally, the building will be completely re-fitted to provide study bedrooms, common rooms, reception, social facilities and study rooms. All bedrooms will be en-suite. Kitchens are provided to enable students to prepare food, but there is no large scale catering provided, as this takes place at CEG's central facility in Cambridge. The applicants state that the refurbishment will meet BREEAM very good. There will be no significant change to the facades.
- 2.4 The application is accompanied by the following supporting information:
1. Planning Statement
  2. Design and Access Statement
  3. Sustainability Assessment
  4. Student Management Plan
  5. Statement of Pastoral Principles and Practice
  6. Sustainability Checklist
  7. Transport Statement
  8. Travel Plan
- 2.5 Amended landscaping plans have been received.

### **3.0 SITE HISTORY**

- 3.1 None relevant

### **4.0 PUBLICITY**

- |     |                        |     |
|-----|------------------------|-----|
| 4.1 | Advertisement:         | Yes |
|     | Adjoining Owners:      | Yes |
|     | Site Notice Displayed: | Yes |

Pre-application exhibition of 14 March 2012.

## 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	CSR1, SS1, SS2, T9, T14, ENV3, ENV7, WM6
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1, 3/4, 3/7, 3/8, 3/11, 4/3, 4/4, 4/13, 5/7, 8/2, 8/3, 8/5, 8/6, 8/16, 10/1

5.3 **Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations**

Central Government Guidance	National Planning Policy Framework March 2012  Circular 11/95  Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction  Planning Obligation Strategy  Public Art
Material	<u>Central Government:</u>

Considerations	<p>Letter from Secretary of State for Communities and Local Government (27 May 2010)</p> <p>Written Ministerial Statement: Planning for Growth (23 March 2011)</p>
	<p><u>Citywide:</u></p> <p>Arboricultural Strategy</p> <p>Biodiversity Checklist</p> <p>Open Space and Recreation Strategy</p>
	<p><u>Area Guidelines:</u></p> <p>Northern Corridor Area Transport Plan</p>

## 6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No Objection: The Transport Assessment demonstrates that the proposed use will generate fewer trips than the current use as offices. The site access arrangements will operate satisfactorily. No contribution towards the Northern Corridor Area Transport Plan is required. The reduction in car parking from 101 spaces to 6 spaces and the increase in the no. of cycle parking spaces to 268 resulting in more than one space per student is acceptable. More disabled car parking spaces should be provided. The Travel Plan and Student Management Plan state that students will be instructed that the residence is a car free facility.
- 6.2 Recommends: the provision of a limited number of visitor car parking spaces on-site to avoid overspill into the surrounding area and the submission of a Travel Plan, to include: a parking survey of surrounding streets and financial provision for the introduction of Traffic Regulation Orders if there is evidence of overspill; corporate membership of a car club for staff and students and the provision of a car club space on site if commercially viable for an operator; and discounted bus tickets for students travelling to their place of study.

## **Head of Environmental Services**

- 6.3 No Objection: Recommends a noise assessment and implementation of noise insulation as necessary to protect students from noise from the nearby roads and electricity sub-stations to be secured by condition. Housing Standards advise that the premises will be a licensable HMO.
- 6.4 Proposed conditions include: construction hours, noise insulation from plant, 24/7 Warden and security presence as per the Student Management Plan, restriction on the hours of use of the MUGA, contaminated land and waste storage. Various informatives are proposed.

## **Access Officer**

- 6.5 Seeks 18 rooms for disabled students and disabled car parking. Various internal standards to accommodate disabled users are proposed.

Disability Consultative Panel (Meeting of 20th June 2012)

- 6.6 Awaiting confirmed minutes. These will be reported on the amendment sheet or orally at the meeting.

## **Head of Landscaping**

- 6.7 No objection: Amendments to the original landscaping scheme have been received following negotiations with the Principal Landscape Architect. Final comments are awaited and these will be reported on the amendment sheet or orally at the meeting. The landscaping concept is supported.
- 6.8 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 The owners/occupiers of the following addresses have made representations:

### In Objection

- Cambanks, Union Lane (x2)
- 41 Pearl Close
- 43 Pearl Close
- 52 Scholars Walk
- 10 Pepys Court

### In Support

Old Chesterton Residents' Association, 119 High Street, Chesterton

#### 7.2 The representations can be summarised as follows:

- Loss of privacy in the evenings and the weekends
  - Noise and disturbance from students, especially in the evenings and weekends
  - Kitchen and bedroom windows will require screening
  - Increased noise from air conditioning units
  - The bin store is located directly adjacent to Cambanks and will cause smell
  - Noise and disturbance from converted store room.
  - Overspill car parking by visitors and students owning cars
  - New 1.8m fencing is too low adjacent to Cambanks
  - Concern regarding the use of the premises out of term-time
  - The area between Cambanks and Elizabeth House could turn into a noisy smoking area for students.
  - Gates should be installed between the nursing home and Elizabeth House.
  - The new plant should be installed to affect the least no. of people.
  - Loss of property value
  - A tree between Elizabeth House and Pearl Close is in poor condition.
- 
- The application is an exception in that it re-uses an existing building that is likely to reduce current traffic levels.
  - Local amenity space is provided.
  - The age-range of the students (16-19) is one that is unlikely to cause noise and disturbance.
  - The application will result in the removal of existing air conditioning units, which currently cause noise and disturbance to neighbours.

-The management of the students will be carefully controlled.

- 7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

## **8.0 ASSESSMENT**

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Public Art
4. Renewable energy and sustainability
5. Disabled access
6. Residential amenity
7. Highway safety
8. Car and cycle parking
9. Third party representations
10. Planning Obligation Strategy

### **Principle of Development**

- 8.2 The application seeks planning permission for a change of the use from offices (Class B1) to a managed hall of residence for 261 students (use class C2). The development would be for the Cambridge Education Group (CEG) and students attending either CATS or Cambridge School of Performing Arts (CSPVA).
- 8.3 CATS operates from premises on Round Church Street in central Cambridge and offers a wide range of courses to prepare students to study in UK Universities through A-level courses, international Baccalaureate, specialised programmes for medics and Oxbridge preparation courses. The CSPVA operates from Bridge Street in Cambridge and provides foundation courses in art and design and drama and BA honours degrees in fashion and graphic design. The minimum course length would be 1 year. Students are currently housed in a variety of locations around Cambridge, including housing stock. A large proportion of the students (80-85%) are from overseas. The proposal does not involve language school student occupation.



- 8.4 Policy 5/7 of the Local Plan sets out that the development of supported housing and the development of properties for multiple occupation will be permitted subject to three criteria. These are:
- a) the potential impact on the residential amenity of the local area.
  - b) the suitability of the building or site.
  - c) the proximity of bus stops and pedestrian and cycle routes, shops and other local services.
- 8.5 In relation to criteria (a), I discuss the impact on residential amenity in the relevant residential amenity section below.
- 8.6 In relation to criteria (b), the building would appear entirely suitable for conversion into student accommodation. The floor plan is flexible and well-proportioned for the provision of student rooms accessed off a series of central corridors located on each of the floors. Minor structural alterations are required to facilitate the proposed use. The site is located off a busy roundabout but is set back from the road and has landscaping around its front boundary and space around its sides to easily accommodate bin, cycle and car parking provision.
- 8.7 In relation to criteria (c), there is a bus stop directly outside the main entrance. The site is located in a sustainable location, close to a main transport corridor and within easy walking and cycling proximity to the town centre locations that CEG and CSPVA operate from.
- 8.8 In my opinion, subject to application meeting criteria a) of policy 5/7, the scheme is compliant and should be supported in principle.
- 8.9 Policy 7/10 of Local Plan refers to development proposals for speculative purpose-built student hostel accommodation. This application is not for a purpose-built hostel and is therefore not applicable.
- 8.10 In terms of the proposed loss of approximately 4,000 sqm of B1a office space, there are no current policies that restrict the loss of premises in this use class. This is an issue that is being

explored as part of the Local Plan Review at the Issues and Options stage.

- 8.11 The applicants state that the provision of the student accommodation would free up existing housing stock for family housing. I place minimal weight on this argument. The local planning authority has no control over the vacation by students of houses or their return to family accommodation. In any event, the figure has not been quantified.
- 8.12 In summary, the application is acceptable in principle and accords with policy 5/7 of the Cambridge Local Plan (2006).

#### Context of site, design and external spaces

- 8.13 There are minimal external alterations proposed to the building. Plant at ground level is to be relocated to the roof and shielded by an array of solar panels. Condition 2 seeks to control the appearance and location of the roof top plant and solar panels.
- 8.14 The change of use will be most perceptible through proposed changes to the external grounds at the front of the building and, to a lesser extent, the rear. The grounds contain numerous mature and semi-mature trees as well as shrub planting, grassed areas and car parks.
- 8.15 The proposals for the landscaped grounds are for the car parks to the front of the building (south) to be replaced with soft landscape and an artificial turf five-a-side football pitch (with 1.2m high timber bounce back fence, not lit) and equipment store. Proposals also include two covered cycle parking facilities, changes to existing parking areas to the rear of the building, the removal of kerbs and hard surfaces resulting in an overall gain of soft (permeable) surface. Proposals also include considerable tree works.
- 8.16 An Arboricultural Impact Assessment has been submitted together with a tree condition survey and plan. The documents identify that, as well as poor tree management, some trees on the site are diseased and have a limited life remaining (less than 10 years remaining contribution). As a result the tree survey plan highlights that several mature trees (mainly Leylandii) on the western and southern boundaries should be felled as well as some within the site.

- 8.17 The trees on the southern and western boundaries of the site give a considerable presence to the street scene and an amenity value to the surrounding area by virtue of softening a busy transport corridor and giving screening to and from the residential and commercial properties adjacent. Should permission be granted, the removal of the trees, particularly on the boundaries, will have a visual impact on the area and a loss of some high level screening of the road for some of the residential properties on Laburnum Close and for Elizabeth House itself.
- 8.18 The landscape proposals include replacement tree planting both on the boundaries and within the site which should, in time, give an overall gain in screening and add to the age diversity of the tree planting. As well as tree planting there is also a considerable amount of shrub planting, which will result in effective layered screening between the road and the site.
- 8.19 The Council's Principal Landscaping Officer supports the overall landscaping concept. Conditions are proposed which include adequate protection of retained trees during the construction and agreement on the new planting species mix.
- 8.20 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 4/4.

### **Public Art**

- 8.21 The application constitutes a major proposal that triggers a requirement to provide public art, either on-site or through a commuted sum, to a value, which equates to 1% of the capital construction costs of the project.
- 8.22 The supporting planning statement to the application suggests that the S106 could fund a new sign for Chesterton Village as part of the public art contribution. I understand that this is an on-going local project. A cost has not been attributed to it. I am supportive of the suggestion that the public art contribution could be partly or fully used for such a purpose depending on its cost and the value of the 1% contribution.

- 8.23 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and 9/8 and Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010. I recommend that a S106 is secured to this effect.

### **Renewable energy and sustainability**

- 8.24 Policy 8/16 requires that major development proposals provide at least 10% of the development's total predicted energy requirements from on-site, renewable energy sources.
- 8.25 In their sustainability assessment, the applicants state that they intend to make alterations through internal glazing and energy performance, including additional insulation that will deliver in excess of the 10% that would be delivered from renewable sources. The applicants also propose to install solar panels on 44sqm of flat roof to heat hot water and air source heat pumps for the heating and cooling of rooms. Detailed calculations have not been undertaken.
- 8.26 In my opinion, the proposed improved energy efficiency of the building is to be welcomed. This will reduce the amount of energy required through the 10% requirement from renewable sources. Subject to a condition (no 3), which secures the 10% requirement as per policy 8/16, the application is supported.

### **Disabled access**

- 8.27 The planning statement sets out that all rooms within the building will be accessible to disabled persons and that eight bedrooms, two on each floor (close to the stair core), have been designed with additional width to assist wheelchair users, including larger en-suites. The front and rear access points to the building are ramped.
- 8.28 In terms of disabled parking provision, the applicants adopt a policy that all students are not allowed to keep cars in Cambridge. An exception to the policy would be made if there were a specific requirement, but from the applicants' experience, it has been preferable that CEG makes any special transport arrangements on behalf of the student/s with a mobility issue. I note that the adopted car parking standards require at least one space for every room specifically designed

for the disabled and that only two disabled spaces are provided in this case (rather than 8). County Council Highways have raised this as an issue.

- 8.29 Whilst the level of provision is contrary to adopted policy, I see good reason in not adhering to the ratio in this case because most students are likely to be between 16-19, from overseas and in the event that they do have a mobility issue, CEG are more than likely to either provide transport for that student themselves or apply their policy in a flexible manner.
- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12. In the event that Members do not agree with the officer position, it would be possible to amend the landscaping scheme via a condition to seek 8 disabled spaces rather than two.

### **Residential Amenity**

- 8.31 Any application for student residential accommodation, particularly of this scale, is likely to result in concerns from local residents regarding the impact of the use on residential amenity.
- 8.32 A number of objections have thus been raised in relation to the impact of the proposed change of use from residents of Cambanks and Pearl Close. I discuss these in turn below.

### Loss of privacy

- 8.33 There is concern that there will be a loss of privacy from increased overlooking by students, especially at the weekends and evenings.
- 8.34 Cambanks is approximately 24m and Pearl Close approximately 20m from the main rear façade of Elizabeth House. The boundary with Cambanks consists of a number of semi-mature trees that will provide partial screening throughout the year. The trees are mainly within the Cambanks external communal garden. A Horse Chestnut tree stands between Elizabeth House and Pearl Close, is within the application site and is to be retained.

- 8.35 I acknowledge that the change of use will result in additional overlooking into adjacent buildings and spaces from the development in the evenings and weekends. This would be partially mitigated by the existing landscaping. I am also mindful that the distance between the respective buildings is, in my opinion, reasonable. Furthermore, I would expect that during the course of the day, students are more than likely to be within one of the two student teaching centres in the city centre and that overlooking during these times may be less than at present. I do not consider it reasonable to condition the screening of kitchen and bedroom windows. This would reduce the amenity for the students to an unacceptable level.

#### Noise and disturbance

- 8.36 There is concern from objectors that there will be an increase in activity at the site during the evenings and weekends which will impact on the amenity of the residents of Cambanks and Pearl Close.
- 8.37 I accept that there may be an increase in activity at the site during these times. However, the design of the front external environment to Elizabeth House greatly improves the amenity space and landscape function for students. Most students who do choose to socialise will do so here, rather than at the rear, as it will be a larger, more desirable space. I do not consider that it would be necessary to insist on the installation of gates between the nursing home and Elizabeth House to avoid socialising in the rear area of the site
- 8.38 The applicants have submitted a student management plan. This provides contact details for the community to CATS Chief Operating Officer. In addition, the building itself will have an on-site Director of Housing and Students. This individual will be available at all times to answer any questions or address concerns from neighbours. There will also be a 24/7 security presence.
- 8.39 The management plan includes reference to a student Code of Behaviour and specifically states that 'students will be advised that the areas of the northern side of the building are not to be used as a social space so to as avoid any adverse impact on residential neighbours'.

- 8.40 In my opinion, the site has been laid out and landscaped to avoid potential nuisance to neighbours. The management plan appears to have appropriately considered potential issues arising. Members of the public should feel confident that there is clear line of communication to on-site management personnel to ensure issues are resolved quickly and effectively.

#### Other Amenity Issues

- 8.41 Concern has been raised regarding the potential increase in noise from additional air conditioning units to be placed on the roof. In my opinion, the removal of most of the existing plant from ground level around the building will reduce the noise impact. I propose condition 4 to deal with the insulation of the new plant, which will be at roof level, to ensure it is within acceptable noise limits. I note that the Old Chesterton Residents' Association support this aspect of the proposal.
- 8.42 The landscaping plans show a new bin store (accommodating 8 bins) located in close proximity to the external garden area of 40-45 Cambanks. There is concern that it will cause smell to the detriment of existing residents. I agree that the location of the bin store is not ideal. I propose condition 5 to ensure that an alternative location for the store is agreed with the Local Planning Authority prior to the commencement of the use.
- 8.43 There is a small store-room proposed on the boundary with 40-45 Cambanks. I do not consider that its use will pose a significant impact on residential amenity.
- 8.44 There is concern that the premises could be used outside term-time for conferencing. The application documents do not indicate this is the intention. However, given the location of the site, this could prove to be an attractive possibility. Given the lack of on-site car parking and that any such temporary uses would be outside of planning control, I intend to remove, by way of a clause in the S106, the ability of the applicants to operate the premises in this manner.
- 8.45 In my opinion, the use of the site as a temporary conferencing facility or equivalent temporary use would, due to its location and lack of on-site car parking, result in significant overspill of parking on local streets not within the CPZ, such as Laburnum Close. This would be to the detriment of residential amenity.



- 8.46 Conversely, I do not consider it likely that a problem would arise regarding overspill car parking by visitors or students owning cars due to the controls the applicants seek to impose on car ownership. This could be secured via a S106 obligation.

#### Summary

- 8.47 In my opinion, the impact on residential amenity will be acceptable. Subject to a condition to ensure that the submitted management plan is implemented, conditions to control noise from plant, the relocation of the bin store, a S106 to prohibit student ownership of a car within Cambridge and the removal of conferencing as a temporary use, the application is in accordance with Local Plan policy 5/7, criteria a).

#### Amenity for future occupiers of the site

- 8.48 City Council Environmental Health recommend a noise assessment and subsequent implementation of noise insulation as necessary to protect students from noise from the nearby roads and electricity sub-stations. This is to be secured by conditions. I agree with this advice and seek to impose conditions 6 and 7.
- 8.49 In my opinion, given the landscaping improvement to the front of the site, the proposal will provide a high-quality living environment for students. The application is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

#### Highway Safety

- 8.50 No objections have been raised by the County Council with regard to highway safety or transport impact. The Transport Assessment demonstrates that the access arrangements are suitable for the change of use and that the proposed use will generate fewer trips than the current use as offices.
- 8.51 County advice recommends the submission of a Travel Plan, to include a parking survey of surrounding streets and financial provision for the introduction of Traffic Regulation Orders if there is evidence of overspill. I intend to secure the agreement of the Travel Plan through the S106 agreement, which would also include the potential for corporate membership of a car



club for staff and students, the provision of a car club space on site if commercially viable for an operator and discounted bus tickets for students travelling to their place of study.

- 8.52 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.53 The application proposed a reduction in car parking from 101 spaces to 6 spaces and the increase in the number of cycle parking spaces to 268 resulting in more than one space per student. The quantum of both general car parking and cycle parking accords with the adopted standards. The revised external layout incorporates a pick-up and drop-off area. Condition 8 seeks the details of the bike shelters proposed.
- 8.54 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.55 The impact of the scheme on residential amenity has been considered in the relevant section above. One objection raises the issue of loss of property value. This is not a planning consideration.

### **Planning Obligations**

- 8.56 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
- 8.57 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered

these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure: open space, public art, a travel plan, S106 monitoring. In addition, the applicants have indicated their willingness for the S106 to control the nature of the student occupation to ensure that it is not occupied on a seasonal basis for language student use.

### **Open Space**

- 8.58 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities and informal open space. The total contribution sought has been calculated as follows.

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238	261	£62, 118
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
Total					£62, 118

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such	Total £

				units	
studio	1	269	269	261	£70,209
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
Total					£70,209

Informal open space					
Type of unit	Persons per unit	£ per person	£ per unit	Number of such units	Total £
studio	1	242	242	261	£63,162
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
Total					£63,162

8.59 The applicants state that the application site provides sufficient informal open space to meet the needs of their students. The nature of the space provided on site is private communal landscaped garden/amenity space. It is not informal public open space. It is unrealistic to assume that future students would not place an additional demand on informal open spaces locally. In my opinion, the sought contribution is justified.

8.60 The applicants state that CEG students all have access to Anglia Ruskin University (ARU) and Cambridge University (CU) formal open space and indoor sports facilities via an arrangement with those institutions. The Planning Obligation Strategy provides a mechanism whereby full contributions will not be sought if the accommodation is directly linked to a College by a S106 agreement and that adequate provision of those facilities is made by that College.

8.61 The accommodation is for CEG students and not for College students. There is no evidence put forward by the applicants with regard to such an agreement with ARU or CU. There is no guarantee that such an agreement would continue into the foreseeable future or for what period it covers. Further, given my knowledge of the location of Cambridge University formal

open space and indoor sports facilities, I cannot be certain that CEG students would be likely to use those facilities.

- 8.62 Subject to the completion of a S106 planning obligation to secure the full requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010. I will report any further evidence put forward by the applicants to substantiate their S106 position on the amendment sheet or orally at the meeting.

#### Public Art

- 8.63 The development is required to make provision for public art and officers have recommended, as set out in paragraphs 8.21 to 8.23 above, that in this case a commuted sum would be appropriate.
- 8.64 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and 9/8, Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

#### Monitoring

- 8.65 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term and £300 per non-financial head of term. Contributions are therefore required on that basis.

#### Planning Obligations Conclusion

- 8.66 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

## 9.0 CONCLUSION

- 9.1 The principle of the change of use is acceptable. The application adequately respects the residential amenity of its neighbours. Subject to conditions and a S106 agreement, the application is supported.

## 10.0 RECOMMENDATION

1. **APPROVE** subject to the satisfactory completion of the s106 agreement by 17 October 2012 and subject to the following conditions and reasons for approval:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to their installation, full details of the plant and solar panels shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and shall be retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the appearance of the building.  
(Cambridge Local Plan 2006, policy 3/7)

3. Prior to commencement of development full details of the renewable energy technology shall be submitted to and approved in writing by the Local Planning Authority. These details shall include calculations to demonstrate that the chosen technology can achieve the 10% reduction required by policy 8/16 of the Cambridge Local Plan (2006). The proposed on-site renewable energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The renewable energy technologies shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16).

4. Before the development/use hereby permitted is occupied, a scheme for the insulation of the building(s) and/or plant 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 and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

Reason: To protect the amenity of nearby properties. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

5. Prior to the commencement of the use hereby permitted, full details of the on-site storage facilities for waste, which shall include a revised location for the storage facility, 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 wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason; To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 4/13)

6.
  - a. Prior to the occupation of the development a noise report prepared in accordance with the provisions of PPG 24 'Planning and Noise', that considers the impact of noise on the Elizabeth Way and High Street Chesterton façades upon the proposed development shall be submitted in writing for consideration by the local planning authority.
  - b. Following the submission of the PPG 24 noise report and prior to the occupation of development, a noise insulation scheme for protecting the affected residential student units from noise as a result of the proximity of the student rooms to high ambient noise levels on the Elizabeth Way and High Street Chesterton façades (dominated by traffic and vehicle noise), shall be submitted to and approved in writing by the local planning authority.

The scheme shall detail the acoustic noise insulation performance specification of the external building envelope of the affected residential student units (having regard to the building fabric, glazing and ventilation) and achieve the internal noise levels recommended in British Standard 8233:1999 'Sound Insulation and noise reduction for buildings-Code of Practice'.

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall not be altered without prior approval.

Reason: To protect the amenity of the proposed student residential accommodation. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

7. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.



Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

8. The student accommodation provided shall be managed in accordance with The Student Management Plan submitted with the application. A warden or similar shall be present on site whenever students are in residence.

Reason: To protect the amenity of nearby properties. (Cambridge Local Plan 2006, policy 3/7)

9. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)



10. 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 and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

11. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
- i) contractors access arrangements for vehicles, plant and personnel,
  - ii) contractors site storage area/compound,
  - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
  - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

12. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.
- (a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.
- (b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.
- (c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs d), e) and f).
- (d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: To protect the amenity of future residents. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

13. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

14. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

**INFORMATIVE:** This planning permission should be read in conjunction with the associated deed of planning obligation prepared under s.106 of the Town and Country Planning Act 1990 (as amended). The applicant is reminded that under the terms of the s106 Agreement you are required to notify the City Council of the date of commencement of development.

**INFORMATIVE:** The applicants attention is drawn to the Access Officer's consultation response regarding the internal layout of the building to ensure that it meets the needs of disabled students under Part M of the Building Regulations

### **Reasons for Approval**

1. This development has been approved subject to conditions and the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: CSR1, SS1, SS2, T9, T14, ENV3, ENV7, WM6

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8, P9/9

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/11, 4/4, 4/13, 5/7, 7/10, 8/2, 8/3, 8/5, 8/6, 8/16, 10/1

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

**2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 17 October 2012, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason:**

The proposed development does not make appropriate provision for public open space, public art, travel plan, occupation and temporary use restrictions and monitoring in accordance with Cambridge Local Plan 2006 policies 3/4, 3/7, 3/8, 3/12, 5/5, 5/7, 7/10, 5/14, 8/3 and 10/1 (Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, the Public Art Supplementary Planning Document 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010.

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:**

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses 『 exempt or confidential information 』
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected on the City Council website at:  
[www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess)  
or by visiting the Customer Service Centre at Mandela House.



# Key to proposals

- 1 Existing surfaces for parking removed and replaced with recreation area comprising turfed tennis, mown grass, sports surface and paths.
- 2 Raised paved area outside main entrance at floor level (300mm above site). Existing ramps and railings retained. New steps, handrails and seating.
- 3 Car and taxi drop-off area in half coloured aggregate for visual definition. Edges in a continuous small unit between curb for vehicle overrun and take away.
- 4 New 2.5m C&G sign.
- 5 Bicycle parking for west wing. Design to comprise two ends and full steel climbing plant screens to visually associate with adjacent tree canopy. Dimensions of ends and ends to comply with CCC standards. Fencing 1.5m high on three sides. State coloured concrete black paving.
- 6 Bicycle parking for east wing. Design as for west wing parking. Aisle width allows service access to boiler and electrical plant rooms.
- 7 Existing substantial cycle parking features and walls removed and replaced with new roads and shelters. Design generally as per shelters to front but existing wall screens.
- 8 Existing access arrangements for Hunting Horse retained. Route provides access to rear of Elizabeth House.
- 9 Existing parking between east and west wing with planting areas adjacent to the building on both sides. Provides privacy to ground floor rooms.
- 10 Service and parking area reconfigured to accommodate cycle and turning head for refuse vehicle. Turning area includes refuse collection to rear of building and hunting horse without vehicle reversing past car and cycle parking areas.
- 11 Parking reduced and repositioned. Four standard and two disabled access spaces.
- 12 Refuse enclosure for recycling and refuse bins (if too 'unobtrusive' accommodated). Broken fences with ramp rails and gates take the bins and prevent unsafe access.
- 13 Existing electric vehicle access gate and pedestrian gate retained (access staff only).
- 14 Artificial simulated full sports surface. Minimum 1.5m for football free-throw. 1200mm high border located back fence on all sides. Two spring loaded pedestrian gates covering outdoors for safety. Drive building adjacent to secure games equipment.
- 15 Path to sport enclosure, bench for gate.
- 16 Fire fighting vehicle access in reinforced grass (proprietary system of nylon mesh and subgrade mesh). Provides access to within two metres of south elevation. Drive to rear provides access to east wing and single storey rear wing.
- 17 Existing aerial to store building converted to use as grounds maintenance equipment store.
- 18 Area to rear enclosed with gates and fencing. Emergency access only. All conditioning equipment removed.
- 19 Tree surgery undertaken for all trees in accordance with pre-development survey and recommendations. Required for safety of residents, neighbours and users of highway and to allow to maximize remaining life span.
- 20 Existing hard retained and planted with native ground cover plants.
- 21 Existing vehicle and pedestrian access gates removed. Metal railings on street boundary retained and repositioned.
- 22 New timber panel fence on concrete abut points to boundary with Laburnum Close and Cammells (1.8m) and bicycle parking screen (1.4m).
- 23 Existing paved areas retained. Surfaces and gradients (including lateral parking) comply with Part 8 of the Building Regulations.
- 24 Primary footpaths surfaced to proprietary system of resin bound half coloured aggregate.

Existing trees to be felled

Existing trees to be retained

This drawing to be read with drawing DRA 05-78-02 which provides a key to trees, their condition and recommendations for management and tree surgery.

Proposed trees  
(Species, planting sizes and positions to be confirmed).

Proposed planted areas  
(This covers numerous planting types, species, sizes and arrangements to be confirmed following conclusion of site planning and consultation).

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metres 30m

ZVI Construction Co LLC  
Elizabeth House Cambridge  
Proposals for external works and planting

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