

## CAMBRIDGE CITY COUNCIL

**DRAFT Notes of a Development  
Control Forum**

**9 – 15 Harvest Way, Cambridge**

**1 July 2009**

**10.00am – 11.30am**

**Application No:** 09/0382/FUL

**Site Address:** 9 – 15 Harvest Way, Cambridge

**Description:** Erection of 112 residential apartments, comprising 44 affordable units and 68 private flats, provision of a commercial space at ground floor level comprising 217m<sup>2</sup> to be used for A1, A2, A3, B1(a) or D1 (in the alternative); and associated infrastructure (following the demolition of the existing building).

**Applicant:** Almaren PLC and Eastern Gate Properties Ltd

**Agent:** Januarys Consultant Surveyors, York House, 7 Dukes Court, 54-62 Newmarket Road, Cambridge

**Lead Petitioner:** Harmke Kamminga on behalf of Petersfield Area Community Trust and Riverside Area Residents' Association

**Case Officer:** Tony Collins

### **Present:**

<b>For Applicant</b>	<b>For Petitioners</b>
Colin Brown – Januarys Consultant Surveyors	Harmke Kamminga – Petersfield Area Community Trust
Estelle Littlewood – Archial Architects	Lynette Gilbert – Riverside Area Residents Association
Patrick Lanaway – SLR Consulting	Richard Allen – Petersfield Area Community Trust

### **Members of the Planning Committee**

Councillors Al Bander, Blair, Blencowe, Dixon, Hipkin, Stuart and Zmura

### **Other Members in attendance**

Councillors Walker and Wright

### **Declarations of Interest by Members**

None declared

### **Officers**

Peter Carter (Chair), Tony Collins (Case Officer) and Fatima Rahman (Committee Manager)

## **Text of Petition**

### **09/0297/FUL**

Concerns regarding:

- The application for multiple uses in the alternative, for the commercial space at ground floor level
- The height and bulk of the proposed development
- Parking in surrounding streets
- Traffic problems at the New Street/Coldham's Lane junction

## **Introduction**

The Chair welcomed everyone to the meeting and explained the role and purpose of a Development Control Forum. The Chair provided a short summary of the application and stressed that this was not a formal meeting and that although notes would be circulated they would be picking up on the main points of the discussion and not be formal minutes.

## **Case by Applicants**

Colin Brown made the following points:

- 1) The site is located in an area that the Cambridge Local Plan designates for major change over the life of the plan.
- 2) Outline consent was granted in 2006 for a mixed-use development which included the present application site, and is valid until 2011.
- 3) This development was for office, residential, business and community uses, and also included 200 car parking spaces on a larger site. The applicant has not been able to acquire all the larger site.
- 4) The scheme included about 85 residential units, whereas the current application is for 112 apartments, but with a mix of both private and affordable.
- 5) The outline scheme included approval to the scale and massing of the development, with five storeys on the Newmarket Road frontage, and varying storey heights rising up to five storeys in the pavilion buildings.
- 6) The Development sites in the locality include: this site; the hotel site to the east; the unacquired land to the west; the land between Abbey Street and Occupation Road; land on the far side of Coldhams Lane; the Mackays site where redevelopment may be expected; and the Brunswick site where there are major residential applications under consideration.
- 7) This demonstrates that the site is located within the heart of a major regeneration area for the Council.

- 8) The area suffers badly at present from low visual quality, poor traffic management, and inadequate local facilities for community use.
- 9) We note local residents concerns that the application includes reference to community use, but does not make it explicit that the space at ground floor level (a little over 2000 sq ft) will be reserved for such use.
- 10) The application seeks to provide flexibility as to how this space may be used so that if it cannot be delivered as a community facility, its alternative uses would hopefully be clarified via a planning permission.
- 11) My clients are not in any way seeking to exclude the community element from the scheme.
- 12) They positively welcome the possibility and have engaged with PACT, having been very impressed by their dedication and commitment towards delivering a facility which is badly needed in the area.
- 13) My clients are quite happy for the use of the commercial space to be dedicated to community use.
- 14) This would be subject to the level of provision being equal to the scale of the development itself, and not by seeking to make this particular development fund a facility that is disproportionate in size and scale to what a development of this type would be expected to deliver.
- 15) Local Plan policy would require developments of this type to either make on-site provision or to make a financial contribution towards other facilities locally.
- 16) Delivering the entirety of the commercial space as a community facility will cost significantly more than could be justified by reference to Local Plan policy.
- 17) My clients therefore need to be compensated for this level of provision, either directly by way of financial assistance (perhaps from other S106 monies) or alternatively, by off-setting some of the other usual S106 requirements such that the additional cost of making the community provision can be justified.

Estelle Littlewood made the following points:

- 18) The design has evolved over the past year through a continuing consultation process with Cambridge City Council following on from the outline planning consent.
- 19) The development comprises of 112 residential apartments (44 affordable and 68 private flats, together with car parking, cycle parking, refuse stores, hard and soft landscaping and means of vehicle access.
- 20) The scheme will have a longitudinal block of accommodation fronting onto Newmarket Road and some of the development projecting towards Harvest Way.

- 21) The provision and integration of green spaces has been one of the main design concepts from the outset.
- 22) Vehicular access will be via Harvest Way with a ramped access secured with railings and gates into a basement car park serving 71 car spaces, six of which will be disabled and generous cycle parking, 192 spaces in the basement and 49 spaces at ground floor level.
- 23) The development will facilitate the provision of a dedicated bus lane on the site frontage.
- 24) A land transfer will be provided for through the Section 106 Agreement and will enable the Highway authority to procure the bus lane in due course.
- 25) The design creates an environment that is safe to use and pleasant to experience for all visitors and occupants, including wheelchair users, parents with pushchairs and people with visual impairments.
- 26) The community use along with the residents living in the flats above ensures a positive, active addition to Newmarket road, providing an environment which is full of life and vitality throughout the day and night.
- 27) This new development has the potential to play a major role in improving the environment for people who live, work and shop along Newmarket Road.
- 28) We have created a strong vertical emphasis to the development along Newmarket Road by introducing two projecting elements clad in terracotta, flanked on either side by a vertical run of glazing containing the living room windows.
- 29) There has been a change to the materials to Cambridge Stock brick and the window treatments.
- 30) There is the use of pop out windows within the east, west and central elements of the scheme's Newmarket Road façade.
- 31) 10 Strategic views were agreed with Cambridge City Council which illustrates how the proposed residential development relates in both scale and massing to the adjacent Consented Office Scheme.
- 32) The strategic views illustrate that the proposed building has been considered in the round.
- 33) The layout and form of the building relates well to the site constraints, the proposed height is the same as the adjacent consented office scheme.
- 34) There will be minimal visibility from Priory Road and Elizabeth Way Junction.
- 35) The scheme will not be visible from St Matthew's Piece, St Matthew's Gardens, the junction of Victoria Avenue and the River Cam.
- 36) It will be visible from Elizabeth Way Bridge where the design has a reduced impact on the skyline with the top floor broken up into three recessed elements set back from the main frontages.
- 37) The development will be unobtrusive from New Street.

- 38) The applicant has considered the concerns voiced during this consultation process regarding scale and massing and there is a potential proposal to remove the 5<sup>th</sup> floor accommodation next to the Cambridge Refrigeration Technology building which will reduce the scale and massing of the proposed development, dropping the height of the lift and stair towers significantly from this view.
- 39) We are proposing to remove the additional top floor accommodation next to the proposed hotel site at the eastern end of the building.

Patrick Lanaway made the following points:

- 40) The application has been supported by a transport assessment.
- 41) We are working with the highway authority to ensure all transport aspects have been addressed to its satisfaction.
- 42) The development will provide a basement car park accommodating 71 parking spaces; a number of which are designed and allocated for people with disabilities.
- 43) Cycle parking will be provided, which the Council has confirmed meets its standards.
- 44) The Transport Assessment concludes that the site is served by a high quality public transport service and is within easy walking distance of the city centre.
- 45) Residential travel packs, promoting non-car use, will be provided for all residents.
- 46) Whilst it is not the intention of the developer to promote or rely on parking for residents on the streets surrounding the site, the parking surveys carried out on surrounding streets showed that none were at full capacity in the evening, with spaces remaining available throughout the night.

### **Case by Petitioners**

Richard Allen made the following points:

- 47) The density has increased and the size of the community centre has gone down by more than half.
- 48) Therefore anything agreed on original consent is now null and void because of the new application.
- 49) The key issues are height, mass, design-the lack of integration of social and market housing, and traffic.
- 50) The height of the development is out of keeping with the local area and there are deep concerns over the impact on the conservation area.
- 51) The slab of unbroken wall along Newmarket Road will create a 'canyon' effect.

- 52) There are safety and parking concerns in the local community.
- 53) There is an uncertain provision of community facility despite there being a S106 agreement still in force.
- 54) At six storeys high and some 90m long, the mass and height of the proposed development fails to respond sensitively to its context and is in breach of Cambridge Local Plan (2006), policy 3/4.
- 55) This exceeds the parameters set by the Urban Design Team for future development of the Mackay's site, which is also part of proposal site 7.01 of the Cambridge Local Plan: three storeys for residential development.
- 56) The height will be out of proportion to any other housing in the surrounding residential areas and will be 5 – 6 m higher than the residential component of plans with existing outline consent.
- 57) The development's visual impact will dwarf the nearest (2-storey) housing on the former Simper's site.
- 58) It will have an adverse impact on views in and out of the Riverside conservation area, in breach of Local Plan policy 4/11.
- 59) It will be visible from Riverside from the north and from St Matthew's Gardens from the south.
- 60) The development offers no improvement on the existing buildings on the stretch of Newmarket Road (contrary to Local Plan policy 3/7).
- 61) The design fails to have a positive impact on the building's setting, in contravention of Cambridge Local Plan (2006), policy 3/12 (a).
- 62) The building 'turns its back' on Newmarket Road, and does not present an active frontage at street level. There is no space for any trees.
- 63) The social housing is nearly all on the Newmarket Road frontage, and acts as a noise and fume buffer for the market housing (none of which fronts directly onto Newmarket Road). There is no social integration across the development, contrary to Local Plan policy 3/7(g).
- 64) The courtyard design doesn't provide any play area for resident children, which is required for higher density family housing, as defined by the Homes and Communities Agency's Design and Quality Standards.
- 65) There is no valid transport assessment for this site, because it has been rejected by the County Council. They are seeking a 'Nil detriment' capacity impact.
- 66) Incoming traffic can come in from two directions: Coldham's Lane and New Street. It can only exit via Abbey Street and then New Street.
- 67) It will put traffic on to narrow roads that are one way to vehicles heading south towards Abbey Street or east towards New Street but have contra-flow cycle access, without proper defined lanes for either vehicles or cycles.
- 68) The junction at the top of York Street will bear the traffic, whatever direction it exits in.

- 69) PACT was promised a Community Centre when the notion of redeveloping the Harvest Way site was first introduced to us.
- 70) Changes to the housing density, local population and its ethnic diversity have meant that the demand for the proposed centre has increased year on year.
- 71) We have had a major input into the internal design of the community centre, both in the outline plans and in the current proposals.
- 72) However, the (smaller) space is no longer dedicated specifically to a community centre. The application for multiple use classes in the alternative is of deep concern to PACT.
- 73) The developer has openly said that the provision of the community centre is, under the current economic squeeze, an expensive 'ask'.
- 74) They would be seeking additional assistance from the City Council by injection of other funding to achieve the build. This is for a centre less than half the size of the original proposal.
- 75) PACT are seeking a commitment that the provision of a community facility is a headline requirement for any development on this site and is fully funded.

**The Case Officer's comments:**

Tony Collins made the following points:

- 76) This application was received on 30<sup>th</sup> April 2009.
- 77) Notification of the application was sent to neighbours at all addresses within the quadrangle formed by Newmarket Road, Abbey Street, New Street and Coldhams Lane.
- 78) All addresses on the south side of New Street between York Street and Coldhams Lane, all addresses on the north side of Newmarket Road from 135 to 213, all addresses on the south side of Beche Road between Priory Road and Godesdone Road (including Beche Court), all of Godesdone Road and Abbey Street, and all addresses on the former Simperts rope work site.
- 79) Notification was also sent to the Riverside Area Residents' Association and PACT. A site notice was also posted and an advertisement placed in the Cambridge Evening News on 15<sup>th</sup> May.
- 80) Written representations have been received from 54 residents, mostly within or close to this area, and also from the Riverside Area Residents' Association, the Petersfield Area Community Trust, the Beche Court Management Company, Simperts Ltd, the sustainable transport charity Sustrans, and Councillor Wright.
- 81) There are seven main grounds for objecting.
- 82) Principle of development. These objections suggest variously that the site is not suitable for residential use, that the scheme represents over development, that the intensity of occupation is greater than that in the

outline approval, that the loss of small business units is unacceptable, and that the application does not guarantee community facilities on site.

- 83) Design. These objections suggest the proposed building is too high, and that its length is insufficiently relieved by articulation, its massing oppressive, and its appearance lacking in visual interest. It is suggested that this would be harmful to the conservation area. The proposed courtyards are also criticised as too small and lacking play space. The landscaping is said to be inadequate, the absence of a footpath link between Newmarket Road and Harvest Way is regretted, and the concentration of affordable units on the Newmarket Road side criticised.
- 84) Residential amenity. These objections refer to visual domination, loss of privacy, and overshadowing.
- 85) Car parking. These objections assert that the level of car parking to be provided is too low, and that unacceptable pressure will be placed on on-street car parking space in the vicinity. Objectors also criticise the location and design of the cycle parking.
- 86) Traffic issues. Objections under this heading assert that the use would generate an unacceptable pressure will be placed on on-street car parking space in the vicinity. Objectors also criticise the location and design of the cycle parking.
- 87) Traffic issues. Objections under this heading assert that the use would generate an unacceptable increase in traffic, which together with the proposed road widening, would endanger the safety of cyclists and pedestrians. It is also suggested that the proposed extension to the bus lane would be ineffective.
- 88) Air quality. Objections suggest that this issue is not sufficiently considered by the application.
- 89) Application process. Comments suggest that the applications on this and the adjoining site to the east should be determined together, and that comparisons in the application with an 'original scheme' are misleading.
- 90) I have undertaken a number of policy consultations.
- 91) The Highway Authority seeks additional disabled parking spaces, a proportional allocation of car parking space between market and affordable units, improvements to cycle parking, redesign of the ramp, and the exit from it, and conditions relating to provision of bi-directional cycle flow in Harvest way, and the completion agreements to enable the bus lane extension.
- 92) The County Transport Department does not consider the application's Transport Assessment satisfactory, and raises concerns about possible increases in traffic through the Newmarket Road corridor. If approval is to be granted, a condition requiring a residential travel plan is sought.
- 93) The Environment Agency does not at present have sufficient information to be satisfied that the risk to water pollution is acceptable.

- 94) Anglian Water state that predicted surface and foul water flows from the development can be accommodated within the existing networks.
- 95) Cambridgeshire Constabulary objects to an open basement car park. The Architectural Liaison Officer states that 'Security By Design' standards should be applied and makes recommendations regarding railing heights, door and window design, external lighting.
- 96) The Planning Policy Manager concludes that the loss of the present employment uses does not involve conflict with development plan policy. She states that residential use is acceptable, but raises concerns about the percentage of affordable housing included, the tenure mix proposed, and the distribution of affordable units within the site.
- 97) She also indicates that the level of car parking proposed is in line with local plan policy, but raises concerns about a statement within the application regarding on-street parking, and suggests that a Green Travel Plan should be required.
- 98) She states that retail use on the ground floor would be acceptable, subject in the case of Class A3 (café or restaurant) use to consideration of environmental impact, but considers that community use would be preferred, and that the absence of Class D1 community use on the site would only be acceptable if it were clear that alternative sites were available nearby on which a commuted sum could be used to provided alternative community facilities.
- 99) The Joint Urban Design Team supports a high-density mixed use on the site. The e-shaped footprint, ground floor layout, elevations and relationship with the streets are also supported. However, the team judges the height of the building to be unacceptable, with negative impacts on the conservation area. The team state that a revised approach is required, which brings the scheme within the scale parameters of the existing outline approval. The public art proposals included are not considered to be appropriate.
- 100) The Head of Environmental Services recommends refusal on air quality grounds. No other objections are raised, but he recommends conditions relating to construction noise, construction hours, piling, concrete crushing, construction deliveries, dust suppression and wheel washing, ground contamination, plant noise, fume extraction and waste storage provision.
- 101) The Principle Landscape Architect recommends refusal on grounds of extreme contrast of height, mass and style with surrounding context, poor quality amenity areas, and inadequate landscaping on Newmarket Road.
- 102) The Historic Environment Manager recommends refusal on basis of a bland and characterless design without reference to local distinctiveness, and grossly overlarge scale.

- 103) The Head of Active Communities has not given formal advice, but in informal discussion has raised concerns over the limited scale of the community facility proposed compared to that shown in the outline approval.
- 104) The County Archaeology Unit recommends a condition requiring archaeological investigation.
- 105) The Access Officer suggests a number of improvements which are necessary to car parking layouts and design of the interior.
- 106) I have also consulted, but have not yet received a response from Defence Estates Safeguarding, and the City Council Cycling Officer.
- 107) The application has also been discussed by the Council's Design and Conservation Panel. The panels view was that the height of building is overbearing and that it should be reduced by at least one storey and the topmost floor cut back.
- 108) The panel also state that tree planting should be of an appropriate scale and continuity with adjacent sites. The panel unanimously gave the proposal a RED light.
- 109) The application has not yet been discussed by the Council's Disability Access Panel.

**Members' questions and comments:**

- 110) How many car park spaces and how many bedrooms and flats will there be?

*The consent of the Outline Scheme had 207 car park spaces, 200 of which were in the basement which stretched across the whole area of the building. 50 spaces were reserved for office use; 150 spaces for 123 flats and other uses. (7 surface disabled spaces).*

*The current application proposes 71 spaces (6 of which will be disabled spaces for 112 flats).*

- 111) How many affordable flats have access to car parking?

*Whilst we understand there needs to be a provision for this, there isn't however currently one in place, although the Local Authority have asked us to look into this.*

- 112) With regard to affordable housing, is there any room to manoeuvre allocation for development?

*Every unit will deliver an acceptable living unit. The air quality can be dealt with satisfactorily.*

- 113) What is the development brief for this area? If there is not one, can you explain why?

*There is no specific development brief for the wider area. In the 1996 Local Plan the area was a special policy area for development control, together with the Belvedere/Homerton Street. The City Council has not prepared a development brief for the wider area. Some work has been done on the Mackay's site, but not on the larger area to which Mr Brown referred. Although relatively close together they are not necessarily closely inter-related, as they are divided by major roads.*

114) What is the tenure mix on market and social housing?

*Three quarters: quarter division between rented and shared equity. We have proposed 44 affordable houses. 10 will be shared equity; of the rented accommodation there will be 24 one-bed units, 8 two-bed units and 2 three-bed units.*

115) What are the split of beds across the whole development?

*There will be 33 one-bed units, 64 two-bed units and 15 three-bed units therefore amounting to 112 units.*

116) *We feel the location has excellent access to the St Matthews play area as it is only a few minutes away.*

117) How can we move the community facility forward?

*The community provision was envisaged on the first application, however we now feel it has not been possible to bring it forward. Therefore the scheme has been brought forward as a separate proposal. There has not been a conscious decision to re-arrange the scheme.*

118) What is the relationship between the development and the prospect of the returned application for the hotel?

*The closest point between the hotel and the apartment is 12 metres at the front of Newmarket Road. The elevation of the building is 16 metres from the hotel.*

119) Would the social housing be more greatly affected by that proximity than the market housing?

*The hotel will be submitted with alternative designs in the near future and will be set behind affordable housing units.*

120) Regarding the frontage treatment of Newmarket Road, how much activity will be generated with regard to dropping people off and deliveries to apartments being made.

*We have adjusted the proposals in order to create more activity on the street frontage. Highways have been very clear that they do not want to see an increase in activity.*

121) Could the recessed frontage of the hotel be continued through to the apartment block? It would be helpful to have both the two developments being brought back to committee together in one application.

*The application for the 112 residential apartments will be heading to Planning Committee at the end of this month. Therefore we do not have the ability to bring back both applications together.*

122) *Both the development for apartments and the hotel development will be set back more than the current industrial building which will allow for a bus lane. We do not think we will be able to set the whole building back any further.*

### **Summing Up by the Petitioner**

Harmke Kamminga made the following points:

123) We have seen nothing to allay our concerns.

124) The offer to remove part of the fifth floor is not enough to make us feel happier.

125) This plan has very high storeys at three metres which is unusually high. The strategic views of the applicants are 'too strategic' and do not show the real picture.

126) The applicants may fit in an extra floor which will thereby increase the density and therefore put more pressure on local facilities.

127) The submission of these plans are new as the Outline Consent is valid until 2011.

128) The applicants want to offer less community facilities.

129) We accept that Cambridge needs more affordable and disable housing but it is being offered at a minimum level.

130) The building has a serious detrimental impact on the area.

131) We understand the wish of the applicant to seek more housing, but the cost of this is too high. It is not good design and does not therefore accord with national and local planning policy.

### **Summing Up by the Applicant**

132) The Outline Consent has been left behind as we originally applied for it in 2002, it was granted in 2006 and was valid until 2011. We therefore had no alternative but to bring in an alternative proposal.

133) The site has been condensed which as a result has reduced the community space.

- 134) In terms of density, there is a greater mix of use in the scheme.
- 135) We have provided exactly what was agreed from the Council for the building height and in terms of the strategic images.
- 136) With regard to the active frontage, we have done everything to animate the street which will add considerably to Newmarket Road.
- 137) We are ready and willing to have discussions with all concerned about bringing the community facility forward.

**Final Comments of the Chair**

- 138) The Chair stated that the notes of the meeting would be brought to Planning Committee and thanked everyone for attending.

The Meeting concluded at 11.30am