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## Appeal Decisions

Inquiry held on 16-18 October 2013

Site visit made on 18 October 2013

**by John L Gray DipArch MSc Registered Architect**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 26 November 2013**

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### **Appeal A1: APP/Q0505/A/13/2191482 50 and 60 Station Road, Cambridge, CB1 2JH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Brookgate CB1 Limited against the decision of Cambridge City Council.
  - The application, ref. 12/0502/FUL, was refused by notice dated 25 July 2012.
  - The development proposed is "the demolition of 32-38 Station Road and the construction of two new office buildings comprising: 7,806 sq.m office floorspace (Class B1) for 50 Station Road and 8,621 sq.m office floorspace (Class B1) and 271 sq.m of retail/café and restaurant floor space (Class A1/A3) for 60 Station Road as a phased development, including ancillary accommodation/facilities with an additional single level basement to both buildings and up to 61 car parking spaces, with associated plant; along with the re-alignment of the northern section of the southern access road; 432 external cycle parking spaces; and hard and soft landscaping (including additional public realm and landscaping over the cycle storage area and basement entrance)".
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### **Appeal A2: APP/Q0505/E/13/2191474 32-38 Station Road, Cambridge, CB1 2JH**

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
  - The appeal is made by Brookgate CB1 Limited against the decision of Cambridge City Council.
  - The application, ref. 12/0496/CAC, was refused by notice dated 25 July 2012.
  - The demolition proposed is of 32-38 Station Road, Cambridge.
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### **Appeal B1: APP/Q0505/A/13/2196604 50 and 60 Station Road, Cambridge, CB1 2JH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Brookgate CB1 Limited against the decision of Cambridge City Council.
  - The application, ref. 12/1556/FUL, was refused by notice dated 6 March 2013.
  - The development proposed is "the demolition of 32-38 Station Road and the construction of two new office buildings comprising 7,279 sqm of office floorspace (Class B1) for 50 Station Road and 8,621 sqm of office floorspace (Class B1) and 271sq.m of retail/café and restaurant space (Class A1/A3) for 60 Station Road as a phased development, including ancillary accommodation/facilities with an additional single level basement to both buildings and up to 76 car parking spaces, with associated plant, up to 576 internal and external cycle parking spaces, re-alignment of the northern section of the southern access road, and hard and soft landscaping".
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### **Appeal B2: APP/Q0505/E/13/2196639 32-38 Station Road, Cambridge, CB1 2JH**

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
  - The appeal is made by Brookgate CB1 Limited against the decision of Cambridge City Council.
  - The application, ref. 12/1553/CAC, was refused by notice dated 6 March 2013.
  - The demolition proposed is of 32-38 Station Road, Cambridge.
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## Decisions

1. **Appeal A1 is allowed.** Planning permission is granted for the demolition of 32-38 Station Road and the construction of two new office buildings comprising 7,806 sqm office floorspace (Class B1) for 50 Station Road and 8,621 sqm of office floorspace (Class B1) and 271 sqm of retail, café and restaurant floor space (Class A1/A3) for 60 Station Road, as a phased development, including ancillary accommodation/facilities with an additional single level basement to both buildings and up to 61 car parking spaces, with associated plant, along with the re-alignment of the northern section of the southern access road, 432 external cycle parking spaces and hard and soft landscaping (including additional public realm and landscaping over the cycle storage area and basement entrance), on land at Station Road, Cambridge, CB1 2JH, in accordance with the terms of the application, ref. 12/0502/FUL, subject to the conditions set out in the attached schedule.
2. **Appeal A2 is allowed.** Conservation area consent is granted for the demolition of 32-38 Station Road, Cambridge, CB1 2JH, in accordance with the terms of the application, ref. 12/0496/CAC, subject to the conditions set out in the attached schedule.
3. **Appeal B1 is allowed.** Planning permission is granted for the demolition of 32-38 Station Road and the construction of two new office buildings comprising 7,279 sqm of office floorspace (Class B1) for 50 Station Road and 8,621 sqm of office floorspace (Class B1) and 271 sqm of retail/café and restaurant space (Class A1/A3) for 60 Station Road, as a phased development, including ancillary accommodation/facilities with an additional single level basement to both buildings and up to 76 car parking spaces, with associated plant, up to 576 internal and external cycle parking spaces, re-alignment of the northern section of the southern access road, and hard and soft landscaping, on land at Station Road, Cambridge, CB1 2JH, in accordance with the terms of the application, ref. 12/1556/FUL, subject to the conditions set out in the attached schedule.
4. No action is necessary on Appeal B2, since conservation area consent is granted by virtue of allowing Appeal A2.

## Application for costs

5. At the inquiry, an application for costs was made by Brookgate CB1 Limited against Cambridge City Council. This application is the subject of a separate decision.

## Main Issues

6. There are two main issues in the appeals.
7. The first issue has six overlapping strands to it – whether 32-38 Station Road make a positive contribution to the character and appearance of the Central Conservation Area; whether that contribution was taken into account when outline planning permission was granted for the CB1 development in 2010; what the relationship of the appeal schemes is to the outline permission; whether there has been any material change of policy since the outline permission was granted; whether retention of the terrace would be in keeping with the evolving character and appearance of Station Road; and whether the design quality of the proposed development would preserve or enhance the character and appearance of the Conservation Area.

8. The second issue is whether, or to what extent, the contributions in the section 106 agreements satisfy the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations.

## **Reasons**

### ***First main issue – 32-38 Station Road***

#### Contribution to the Conservation Area

9. Nos. 32-38 Station Road are commonly known as (and hereafter referred to as) Wilton Terrace. The terrace was built in the 1880s and is fairly typical of its time. It originally comprised four houses of three storeys over a semi-basement, constructed of gault brick, with red brick decorative courses and 'quoins', under a slate roof. What can be said to take the terrace a little out of the ordinary are the three-storey (including basement) canted bays at the front with their encaustic tiled panels at ground and first floors; the mullions, sills and lintels, however, are devoid of ornament. There are very plain three-storey bays at the rear and also two-storey rear 'outshuts' with their floors at half-landing level; the arrangement is unusual and leads to a somewhat cluttered architectural composition. The crow-stepped gables may be unusual but do not amount to significant architectural or historic interest. The terrace has also lost the context of whatever rear gardens originally existed, perhaps giving the rear façade a rather starker appearance than originally.
10. Various other aspects of the terrace are identified in the Case for Listing – such as the probability that the design was by Richard Reynolds Rowe, associations with figures of local historical importance, the location close to the station, the carriageway access and egress and the use of concrete. Neither those nor the group value with the station and war memorial were enough to outweigh what English Heritage called the "lack of architectural distinctiveness" and to bring the terrace up to listable standard. It is, nevertheless, designated by the Council as a Building of Local Interest (BLI) and thus subject to saved Local Plan Policy 4/12, which (in short) seeks the conservation of such buildings in beneficial use.
11. Even as a BLI, however, Wilton Terrace's contribution to the character and appearance of the Central Conservation Area, while positive, must be considered very modest. The distance between it and the station diminishes the group value there, as does the very distinct difference in architectural styles (in effect, it is only that both are Victorian that bestows group value). In the opposite direction, the war memorial is hardly prominent from the terrace (or the station). On the other hand, the large villas on the north side of Station Road do afford a visual linkage of buildings of traditional character amongst more recent developments in overtly modern styles. Those villas are also BLIs – and the overall quality of their design, detail and ornament makes them much more attractive than Wilton Terrace. Thus, while those villas provide a link in the visual chain, they also emphasize that Wilton Terrace's architectural interest is somewhat limited.
12. In accordance with Policy 4/12, therefore, the demolition of Wilton Terrace may be permitted if clear public benefits would flow from redevelopment. And that is precisely the conclusion reached by officers when reporting on the outline application in 2008.

### The outline planning permission

13. The *Station Area Development Framework* (SADF) was adopted in 2004 and set out the City Council's aspirations for the redevelopment of the Station Road Area. It envisaged the retention of Wilton Terrace in an area to be redeveloped for housing, affordable housing and business uses around the "key requirement" of an effective transport interchange.
14. The application for outline planning permission for the CB1 development was considered by the Planning Committee on 15 October 2008. It appears that the only reference to Wilton Terrace in the *Design and Access Statement* for the application is the factual one that it is a BLI. The Masterplan shows a landmark building in its place. The parameter plans with the application show clearly that Wilton Terrace would be replaced by Block I2. *Volume 2* of the *Environmental Statement* (Jan 2008) accompanying the application recognises the individual quality of Wilton Terrace but concludes that "its removal offers a significant opportunity to enhance the townscape quality of Station Road ..." (and thus also the character and appearance of the Conservation Area). It describes the site as "the key 'pivot' between the conflicting characters of" the west end of Station Road and the station square; and it says that a conservation area consent application will accompany the planning application for the building to replace it. The *Heritage, townscape character and visual quality* chapter of the *Environmental Statement* (July 2008) acknowledges a "moderate adverse" impact from the loss of Wilton Terrace.
15. An *Additional Conservation Issues Report* was prepared following feedback from the County Council in July 2008. It contains a more comprehensive analysis of Wilton Terrace, as a building and in its context, describing what are seen as its qualities and shortcomings. The conclusion is the same as before – that there is a real opportunity for a comprehensive redevelopment at the east end of Station Road; that the potential sense of drama of redevelopment would be lost if Wilton Terrace was retained; and that the necessary quality of the redevelopment could be ensured at the reserved matters stage.
16. The report to the Planning Committee took into account all that could be expected of it. It reasons why an application for conservation area consent to demolish Wilton Terrace was inappropriate at that time (having argued, in the context of Policy 4/12, that demolition was justified by the aims of the scheme); and also why an outline application in the Conservation Area could be supported, contrary to Local Plan Policy 4/11. And it considers the heights for the various Blocks in the context of the Conservation Area and nearby listed buildings and BLIs. It recommends that outline planning permission be granted subject to the completion of a section 106 obligation and subject to appropriate conditions.
17. The Committee accepted the recommendation. A section 106 obligation was executed on 9 April 2010 and outline planning permission granted that day. There have been representations that Policy 4/12 was not properly addressed and that the deadline for executing the section 106 obligation was not met – but the simple facts are that the outline planning permission was granted, it was not challenged and it remains extant.
18. The 2012 *Conservation Area Appraisal* of the *New Town and Glisson Road Area* of the Central Conservation Area notes that the Wilton Terrace houses

“are pleasant BLIs, but, as part of the Masterplan for the redevelopment of CB1, are to be demolished with an expectation that they will be replaced by a building of quality that will make an equal or enhanced contribution to the character and appearance of the Conservation Area”. That puts in a nutshell the position after the grant of outline planning permission.

#### Relationship of the appeal schemes to the outline planning permission

19. The appeal schemes were the subject of full planning applications rather than reserved matters applications. That represents something of a technicality rather than a radical change of approach. The realignment of part of the southern access road, between Blocks I1 and I2, was approved as a non-material amendment to the outline planning permission. The practical effect of that is to enlarge the site for I2, with a corresponding reduction for I1. The frontage of I2 to Station Road could now be up to about 55.5m, around 10m longer than in the outline permission; and the access road is now at right angles to Station Road instead of at 80° to it, enabling I2 to be designed within a larger and rectangular site. However, the parameters for I1 and I2 in the outline permission remain unaltered and the proposed designs for I2 (the appeal schemes) go beyond those parameters. Hence, applications for full planning permission were necessary.
20. It remains the case that a reserved matters application could be made for a building on Block I2 that fully complied with the parameters in the outline planning permission. Any such application would have to be accompanied by a conservation area consent application for the demolition of Wilton Terrace. However, since the outline permission clearly anticipates the demolition, on the basis of the public benefit arising from the CB1 redevelopment as a whole, conservation area consent could only reasonably be refused if the reserved matters proposal was thought to be of inadequate design quality.
21. That is not the position adopted by the City Council in these appeals. In essence, the first reason for refusal of conservation area consent in both appeals is that there is no approved and contracted redevelopment scheme – which is technically correct, since planning permission for the redevelopments was being refused. The second, however, is that the public benefit from the development does not justify demolition of the BLI – a conclusion that seems to run contrary to what led to the grant of outline planning permission.

#### Changes in circumstances

22. The National Planning Policy Framework (NPPF) was published in March 2012. It superseded Planning Policy Statement 5 *Planning for the Historic Environment* but made no material change to how heritage assets should be considered when making planning decisions. In the terms of the NPPF, Wilton Terrace is an undesignated heritage asset within a designated heritage asset, the Central Conservation Area; in relation to para. 134, the harm to the designated heritage asset would be less than substantial and the harm from the loss of the terrace should be weighed against the public benefits of the proposal.
23. An application was made earlier in 2013 to consider Wilton Terrace for statutory listing. English Heritage’s Initial Assessment Report of 28 August 2013 was to reject the application. The terrace’s status as a Building of Local Interest is therefore no different now to when the application for outline planning permission was being considered.

24. Neither of the above events means that the proposed demolition of Wilton Terrace falls to be considered in a new light. Nor has there been any other change of circumstances which could prompt that.

#### The evolving character of Station Road

25. There is a considerable amount of modern development along Station Road. Kett House, the 'Three Deities' office buildings and Daedalus House, all to the west of Wilton Terrace, and Murdoch House to its east, date from the later decades of the 20<sup>th</sup> century; indeed, Wilton Terrace is the only older building on the south side of Station Road. On the north side, opposite Wilton Terrace, are the recent-built Microsoft offices and the cleared Red House site. In consequence, the visual character and appearance of the street may not be what one might naturally assume from its being within a conservation area.
26. The CB1 Masterplan may be thought more in keeping with the 20<sup>th</sup> century influences than those of the 19<sup>th</sup>. The Microsoft building is Block E1 of the Masterplan. The J Blocks would replace the Three Deities and Daedalus House, using a not dissimilar rhythm of building and space. Block I2 is intended as the focal point along the south side of Station Road, containing the tallest building in the street, before a step-down in height through Block I1 to Station Square. Accordingly, the outline planning permission sets the scene for what is aspired to in Station Road by both the City Council and the developer (then Ashwell, now Brookgate).
27. Lest there should be any doubt about the merit of such substantial new development in the Conservation Area, one needs only to look at English Heritage's recently published *Constructive Conservation: Sustainable Growth for Historic Places*. In it, the Cambridge Station Gateway is commended as "a fitting gateway to a city noted for its historic architecture". English Heritage accepted the demolition of some buildings which contributed to the distinctiveness of the area "as their replacement by buildings of high quality design and materials with significant upgrading of the public realm will improve the setting of the Grade II listed station and enhance the redeveloped conservation area". In other words, the national guardian of built heritage is sufficiently convinced to put into one of its own publications its support for the loss of a particular heritage asset because of the wider benefits for a designated heritage asset.

#### The design quality of the appeal schemes

28. Both appeal schemes satisfy the height parameters of the outline planning permission. Both have longer a frontage to Station Road than Block I2 in the outline permission. They also have a larger footprint than approved Block I2 (and a broadly rectangular one). Both schemes, however, are designed as two clearly separate buildings rising above a single basement and ground floor. That is the key design feature. It reduces, at a stroke, the perceived mass of the appeal schemes compared with a single building on the approved I2 site, even if such a building were to use a device such as a significant setback to reduce or fragment its apparent bulk.
29. There are further advantages from having what are apparently two buildings. Not only is the overall mass or bulk reduced, the proportions of the two buildings are much more satisfactory. The stair tower of the eastern building becomes visually more important and prominent in its own right, less of a design feature seeking to break up the mass of the building to which it

belongs. The difference in the heights of the two buildings enables a smoother gradation from Block J4 through to J1, then no. 50, then no. 60, which was and remains the location of the highest point in the street scene. The recessed frontage of no. 50 compared to no. 60 also contributes a significant improvement to the street scene in Appeal B1. The increased overall frontage may mean that the high point of the development is marginally closer to the station than the outline permission anticipates but the nature of the step down from I2 through I1 to Station Square would not be materially different.

30. Local opposition to the height of the proposed buildings is not sustainable, because the very same height of building could be approved under a reserved matters application. Apart from that, local objection is primarily to a perceived generic office design style.
31. It is true that office requirements, particularly where the occupier is unknown and flexibility is required, tend to prompt a type of floor layout and resultant building design more constrained than the modern buildings referred to at the inquiry – such as the splendid architectural examples at the Sidgwick site. The outline planning permission, however, provides a more specific development context within which the design of the proposed buildings is to be judged.
32. The buildings are designed to have a base (the two-storey arcade on Station Road providing the entrances to the two office buildings), a body (four and five office storeys) and a cap (the two office floors above that expressed as one elevationally). The potentially uniform two-storey arcade on Station Road would be successfully interrupted by the glazed first floor volume above the ground floor café/restaurant; and the essence of the two-storey base would be carried around the other three elevations. The façades of the office floors would comprise tall narrow windows between reconstituted stone mullions, offering a calm arrangement of solid and void, varied spacing of the mullions on different elevations and a play of light and shade created by the depth of the stone mullions and, on some façades, their arrangement at different angles. A dull sense of uniformity in the design would be avoided. The stone is intended to be a buff colour in keeping with the gault brick common in Cambridge. The plant rooms above the office floors would generally not be visible from ground level but their treatment is carefully designed to avoid any sense of appearing as a utilitarian appendage on top of the buildings.
33. All told, and subject to the control of materials and details by way of planning conditions, the proposed designs would make a fitting contribution to the street scene. They would repay English Heritage's confidence that redevelopment would enhance the conservation area and significantly improve the public realm. The Appeal B scheme is definitely to be preferred, because having the façade of no. 50 set back a little behind that of no. 60 would bring extra variation to the benefit of the street scene – overall, however, each scheme is of a quality that is entirely acceptable in the context of both the CB1 Masterplan and the character and appearance of the Conservation Area.

#### The alternative design

34. This is not influential in the first main issue but is logically addressed here. The alternative proposal is a concept design and detailed criticisms of it, while relatively easy to make, are thus inappropriate. It is entirely possible that

further work could lead to an attractive design and a potentially viable scheme. That is little to the point, however. The task in these appeals is to consider whether the proposed schemes are acceptable in planning terms. Comparison of the two schemes cannot lead to allowing one and dismissing the other if both are acceptable on their merits. Similarly, comparisons with the alternative design can carry no weight if either appeal scheme is acceptable on its merits.

### Conclusion

35. Accordingly, the conclusions on the first main issue are these. Wilton Terrace makes a positive contribution to the character and appearance of the Central Conservation Area but not one so great that consent for demolition should be withheld in the face of an acceptable redevelopment scheme. That was also the conclusion when outline planning permission was granted for the CB1 development in 2010. The outline permission assumed demolition of Wilton Terrace but, wholly understandably, it was thought more appropriate for a conservation area consent application to accompany a detailed redevelopment proposal. There has been no material change of circumstances since the outline permission was granted that could warrant a full reappraisal of how development of the appeal site and Block I2 of the CB1 scheme should be undertaken. Retention of the terrace would tend to be out of keeping with the evolving character and appearance of Station Road. And, lastly, the design quality of the proposed development would enhance the character and appearance of the Conservation Area
36. On that basis, there is no conflict with saved Policies 3/4, 3/7, 3/12, 4/11 and 4/12 of the Cambridge Local Plan 2006. Nor is there conflict with Policy 9/9, which broadly defines the land uses for the Station Area. In addition, in that the surgery previously housed in Wilton Terrace is now in new premises, there is no conflict with Policy 5/11 on the protection of existing facilities.

### **Second main issue – section 106 contributions**

37. Preparation of the section 106 obligation with the outline planning permission pre-dated the coming into force of the Community Infrastructure Levy (CIL) Regulations on 6 April 2010. Even so, the obligation is dated 9 April 2010, three days after those Regulations came into force. Given that that obligation was an agreement and that there was no subsequent challenge to it, it must be taken to comply with CIL Regulation 122.
38. The obligations with the appeal schemes are necessary because it is full planning permission that is being sought, not approval of reserved matters. Accordingly, they must themselves satisfy Regulation 122 – that is, they must be “necessary to make the development acceptable in planning terms”, “directly related to the development” and “fairly and reasonably related to it in scale and kind”.
39. The appellant argued at the inquiry that the contributions towards the Cambridgeshire Guided Bus (CGB) and the Southern Corridor Area Transport Plan (SCATP) fail the Regulation 122 tests. There is no dispute between the parties about any of the other provisions, all of which are agreed to satisfy the tests. The particular CGB and SCATP provisions are calculated in accordance with the obligation accompanying the outline permission (ie. *pro rata* to the overall CB1 provisions) but there is a clause in both agreements, which were executed before the close of the inquiry, to the effect that, if the appeal



decision specifically states that any of the obligations do not comply with Regulation 122, then they shall be deemed to be deleted.

#### Cambridgeshire Guided Bus (CGB)

40. In 2007, when the contract for the construction of the CGB was let, the total cost of the scheme was £116.2 million, the Department for Transport allocation was £92.5 million and the funding gap, to be covered by contributions from developments, was thus £23.7 million. The County Council borrowed money in order to be able to construct the CGB, anticipating its recovery as and when development took place. At the time of the inquiry, taking into account what has already been received or is expected to be received from other developments, the funding gap was around £3.3 million. The obligation with the outline permission identifies a total contribution from the CB1 development of £3.016 million. The contribution from the appeal schemes in the respective obligations is calculated *pro rata* to that.
41. Looking only at these figures, the contributions in respect of the two appeal schemes are clearly necessary to make the developments acceptable, directly related to them and fairly and reasonably related in scale and kind.
42. The CGB has now been constructed and is operating. The County Council accepted that it would not cease to operate, or even operate at a reduced frequency, if these contributions were withheld. In other words, there would be no impact on the CGB if the payments were not made.
43. That does not make the contributions unnecessary. The CGB is now running because the County Council took the decision to cover the funding gap and provide the infrastructure before development took place. It is to be praised, not penalised, for so doing. The fact that the CGB exists is not a reason to avoid a contribution when its construction was based upon that contribution being forthcoming (albeit through implementation of the outline permission). The remaining funding gap is now a little higher than what was calculated when the obligation accompanying the outline permission was executed. Accordingly, there can be no doubt that the sums in the two obligations are to be considered necessary to make the developments acceptable, directly related to them and fairly and reasonably related in scale and kind.

#### Southern Corridor Area Transport Plan (SCATP)

44. Consideration of the SCATP is less clear. The starting point is that, in 2002, the SCATP recognised that the transport systems in the southern part of Cambridge were under pressure, that further development had the potential to exacerbate not only transport capacity problems but also attendant congestion, delay, air quality and quality of life issues. It was estimated that, if all of the major sites allocated for development were to come forward, there could be more than 13,000 additional daily trips in the area. The SCATP provides the mechanism whereby contributions from developments could be sought to address the problems that would be caused by the overall level of development. Contributions would be pooled in order to fund transport schemes to provide the necessary additional capacity.
45. The CB1 development is one of those contributing to the additional travel demand in the southern area and a contribution from that development cannot be considered other than necessary. Given the scenario, that all allocated developments would contribute to deteriorating conditions in the

southern area, then a contribution to any improvement scheme providing some sort of transport mitigation in the Southern Area may be considered directly related to any development proposed. That applies to the CB1 development. It must also apply to the two appeal schemes. Although they require full planning permission, they are an integral part of the overall CB1 development. The complex inter-connection between developments that would generate additional traffic movements, where in the Southern Area those movements might occur and what sort of problems they might cause must be extraordinarily complex; indeed, it seems incapable of simple resolution into which major site developments might contribute towards which specific transportation improvement schemes.

46. The appellant argues that one must understand what the contributions would be spent on. One does – and indeed can; in general, the moneys would be spent on transportation schemes in the Southern Area which would help to mitigate the consequences of developments in the area generating additional travel demand with which the existing network cannot cope or will be unable to in the future. It could be argued as inappropriate in the circumstances to have to be more specific. Accordingly, only the question of scale and kind remains to be considered.
47. The obligation contributions towards SCATP are £221,181 and £213,745 respectively for Appeals A1 and B1. Those figures are calculated in accordance with the obligation accompanying the outline permission for the CB1 development. That much is straightforward.
48. The potential problem arises from the schemes to which the contributions might be put – specifically, the multi-storey cycle park beside the railway station and the provision of cycle lanes on Hills Road. Neither project is identified as a SCATP scheme or one shortly to be included in it, although both are said by the County Council to be expected to enter the SCATP process in due course. The SADF affords some support, because it seeks contributions from all developments in the area towards the cycle park; the cycle lanes, however, do not appear to be identified in the SADF.
49. The evidence to the inquiry was that these were the two projects to which the contributions would go and that there were no other projects to which they might be applied. That appears to contradict what is set out in the SCATP itself and to go against the essence of the problem and the potential solutions – that all allocated developments in the area would contribute to worsening conditions and that all should contribute to appropriate measures to mitigate against that. The contributions in the obligations going with these appeals are calculated *pro rata* to the provisions, previously unchallenged, in the obligation accompanying the outline permission. The obligations also provide that any unused part of the contribution should be repaid after ten years. That affords accountability – and also flexibility, in two ways. It could enable implementation of schemes not presently in the SCATP but which may come forward in the near future and would clearly help to ease the problems in the transport network overall; it also ensures that the developer does not suffer the unnecessary or inappropriate loss of any moneys contributed but not spent within a reasonable timescale.
50. At the inquiry, I calculated aloud (and *impromptu*) what a contribution to the cycle park might be that was appropriate in scale and kind. In essence, the additional requirement from the development, if the travel plan was as

successful as is hoped in changing the modal share of car travel towards walking, cycling and public transport, would be no more than 40 spaces; on that basis and in relation to the funding gap for the project, a proportionate contribution would be around £5,000. That is only a very small percentage of what the obligations actually provide for. It may or may not have been correct arithmetic – more importantly, though, it ignores the general context that the allocated developments in the southern area should contribute generally to measures to ease the problems in the transport network. Also, my calculation was potentially flawed because it was made in ignorance of how the funding gap was calculated as what it was said to be. All told, it seems very possible that seeking to apply contributions to specific projects, when the problem to be resolved is a much wider and more general one, might fail to secure adequate funding to achieve the overall improvement that is, or will be, necessary.

51. Since the inquiry closed, and in response to an invitation from the Planning Inspectorate to consider the matter further, Deeds of Variation to the two Agreements have been submitted. They delete the substantive clause that, if any of the obligations relating to the CGB or the SCATP are found by the Secretary of State not to comply with Regulation 122, then they shall be deemed to be deleted. That leaves the contributions towards the SCATP satisfying two of the Regulation 122 tests but potentially not the third – because the amount of the contributions may be argued significantly to exceed what would be fairly and reasonably related in scale and kind.

#### Conclusion

52. The contributions in the obligations towards the CGB and the SCATP are to be considered “necessary to make the development acceptable in planning terms”, “directly related to the development” and “fairly and reasonably related to it in scale and kind”. In short, they comply with CIL Regulation 122. Those towards the SCATP arguably exceed what would be fairly and reasonably related in scale and kind – but some level of contribution is both necessary and directly related to the development. The contributions will allow projects that are so related to be implemented and secure appropriate mitigation of the effects of development. They enable the two appeal proposals to comply with saved Policies 8/2, 8/3 and 10/1 of the Cambridge Local Plan 2006.

#### ***Car parking***

53. Although not a main issue in the appeals, representations were made about there being too few car parking spaces in both appeal schemes and the consequent likelihood of people parking their cars in nearby residential streets. The two locations particularly referred to were: in and around Rustat Road, on the east side of the railway line with access by way of the footbridge; and around Newton Road, off Trumpington Road and with access along Brooklands Avenue.
54. Both section 106 agreements provide for two or, if necessary, three parking surveys to be undertaken – the first before development begins, the second and third once it is occupied and on notification by the County Council. The ‘Defined Area’ for the surveys is actually fairly loosely defined – it names various specific streets but concludes “or such other roads as the County Council may determine acting reasonably”. If, on the basis of the surveys,

the County Council concludes that a residents parking scheme should introduced, then the obligations provide for a contribution of up to £75,000 towards the costs incurred in implementing such a scheme.

55. The expectation is that harmful or troublesome parking will not occur in nearby residential roads as a result of the proposed development. If that were to prove wrong, however, the obligations provide for appropriate measures to overcome any problem.

### **Conditions**

56. The Statement of Common Ground contained a long list of conditions agreed by the appellant and the City Council, were the appeals to be allowed and planning permission and conservation area consent granted. I provided hand-written comments and queries (based on the draft Statement) and the suggested conditions were discussed on the final morning of the inquiry.
57. At first glance, it seemed that there was considerable repetition and a number of separate conditions on matters which might have been combined in one. The benefits of some conditions being repeated separately for nos. 50 and 60 were explained – essentially because the two buildings might be funded separately and the funders would wish to know precisely which conditions applied to which building. Also explained were the benefits to both the appellant and the Council of some matters, primarily external materials and finishes, being identified in individual conditions.
58. Despite the explanation, some of the site-wide conditions seem susceptible to separate treatment and the only difference between the separated sets of conditions is the condition applying to the café/restaurant use in no. 60 (meaning that suggested condition no. 50 is appropriate but no. 37 is not). It is therefore unnecessary to set out conditions separately for nos. 50 and 60 (condition no. 50 can be more precisely framed). Otherwise, the format of the suggested conditions may be retained and modifications or amalgamations in the interests of greater clarity or precision may be made only where it was agreed at the inquiry that that might be done.

### **Overall conclusion**

59. All other matters raised in the representations have been taken into account. There is nothing in those, individually or combined, that can outweigh the following overall conclusion.
60. Both appeal schemes would provide an acceptable form of development in the context of the Central Conservation Area and the approved CB1 Masterplan. Both would comply with the relevant saved policies in the Cambridge Local Plan. The consultation period on the Issues and Options for the emerging Local Plan concluded in September 2013, which means that no effective weight can be given to its provisions. Section 106 agreements have been executed in relation to both appeals. Subject to appropriate conditions, the appeals may be allowed and planning permission and conservation area consent granted.

*John L Gray*

Inspector

## APPEARANCES

### FOR CAMBRIDGE CITY COUNCIL AND CAMBRIDGESHIRE COUNTY COUNCIL

Douglas Edwards QC	instructed by Simon Pugh, Head of Legal Services for the City Council, and Quentin Baker, Director of Law and Governance for the County Council.
He called	
Michael Salter	Transport Assessment Manager, Cambridgeshire County Council.

### FOR BROOKGATE CB1 LIMITED

Christopher Katkowski QC	instructed by Mills & Reeve LLP, Botanic House, 100 Hills Road, Cambridge, CB2 1PH.
He called	
Neven Sidor	Partner, Grimshaw Architects, London.
Dr John Burgess	Director, Beacon Planning, Cambridge.
Andrew Rawlings	Associate Director, Mott MacDonald, Cambridge.
Michael Derbyshire	Planning Director, Savills, London.

### INTERESTED PERSONS

Robin Pellew	}
Frank Gawthrop	} local residents
Margaret Cranmer	}
Noel Cavanagh	County Councillor for Collingwood Ward
Robin Clifton	}
Joseph Saunders	}
Adele MacDonald-Hewson	} local residents
Shirley Smith	}
Clive Wilmer	}
Shapour Metfah	City Councillor for Trumpington Ward
Tom Karen	local resident
Damien Tunnacliffe	City Councillor but speaking in a personal capacity
Sophie Smiley	local resident
Francesca Leadley	local resident
David Campbell Bannerman	MEP

### **DOCUMENTS received at the inquiry**

- 1 Neven Sidor's PowerPoint presentation.
- 2 Robin Pellew's statement.
- 3 Frank Gawthrop's statement.
- 4 Margaret Cranmer's notes.
- 5 Robin Clifton's statement.
- 6 Joseph Saunders' statement and accompanying documents.
- 7 Shirley Smith's statement.
- 8 Clive Wilmer's statement.
- 9 Shapour Metfah's statement, with plans.
- 10 Tom Karen's statement.
- 11 List of schemes currently being progressed under the SCATP.
- 12 Letter to Cambridge evening newspaper by Bruce Stuart, submitted by David Campbell Bannerman.
- 13 Letter from H C Hymas.
- 14 Letter from Ruth Lambert.
- 15 Extract from Planning Statement, June 2013.
- 16 Agreed Statement of Common Ground, dated 16 October 2013.
- 17 Executed Section 106 Agreements.

### **DOCUMENTS submitted (as requested) after the inquiry**

- 18 County Council statement re. Cambridgeshire Guided Bus.
- 19 County Council statement re. Southern Corridor Area Transport Plan.
- 20 Appellant's response to Documents 15 and 16.
- 21 Letters dated 31 October 2013 from the Planning Inspectorate to the appellant and the Council requesting further consideration of the executed obligations (Documents 17.1 and 17.2)
- 22 Letter dated 20 November 2013 from Mills & Reeve to the Inspectorate.
- 23 Deeds of Variation to Documents 17.1 and 17.2.

## **SCHEDULES OF CONDITIONS**

### **APPEAL A1: APP/Q0505/A/13/2191482 Land at Station Road, Cambridge, CB1 2JH Conditions attached to planning permission**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PC-L-100 C, PC-L-101, PC-L-102, PC-L-107, PC-L-108 A, PC-L-109 C, PC-L-110, PC-L-111, PC-L-130 A, PC-L-131 A, PC-L-132 A, PC-L-133 A, PC-A-140, PC-A-141, PC-A-142 A, PC-A-143, PC-A-144, PC-L-160 A, PC-L-161 A, PC-L-162 A.

#### Landscaping and ecology

- 3) Landscaping shall be carried out in accordance with the approved drawings. All management and maintenance of landscaping shall be carried out in accordance with the Landscape Management Plan by Robert Myers Associates dated December 2012. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 4) Ecological management and maintenance shall be carried out in accordance with the Ecology Report by RPS dated January 2013.
- 5) The elevations of the cycle store adjacent to the southern boundary of the site shall incorporate façade greening and climbing plants in accordance with details, including a maintenance plan, first submitted to and approved in writing by the local planning authority. Development shall be carried out and thereafter maintained in accordance with the approved details.

#### Cycle and car parking

- 6) Development shall not begin until a plan for the phased delivery of cycle parking for use in association with both 50 and 60 Station Road has been submitted to and approved in writing by the local planning authority. The approved facilities for each building shall be provided in accordance with the approved delivery plan before first occupation of that building and shall thereafter be retained solely for that purpose.
- 7) Prior to first occupation of either 50 or 60 Station Road, management and security arrangements for the cycle parking areas for that building shall be put in place in accordance with details first submitted to and approved in writing by the local planning authority. Those arrangements shall be retained thereafter.
- 8) Prior to first occupation of either 50 or 60 Station Road, security arrangements for the basement car parking areas for that building shall be put in place in accordance with details first submitted to and approved in writing by the local planning authority. Those arrangements shall be retained thereafter.

- 9) Five per cent (5%) of the car parking spaces provided for both 50 and 60 Station Road shall be suitable for and reserved for people with disabilities.

#### Drainage

- 10) Development shall not begin until a strategy for and details of surface water drainage have been submitted to and approved in writing by the local planning authority. The strategy shall demonstrate its consistency with the approved site-wide surface water strategy for the CB1 development. The details shall include all flow control systems, any infiltration systems to be used and the design, location and capacity of all strategic SUDS features. Details of ownership, adoption, management, maintenance and inspection arrangements shall also be provided. Development shall be carried out in accordance with the approved details before first occupation of any part of either 50 or 60 Station Road.
- 11) Development shall not begin until details of foul water drainage, consistent with site-wide foul drainage arrangements for the CB1 development, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before first occupation of any part of either 50 or 60 Station Road.

#### Water environment

- 12) Development shall not begin until details of foundations have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 13) Development shall not begin until a scheme for the provision and implementation of measures for the control of potential pollution of the water environment has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

#### Café/restaurant/retail units

- 14) The retail/café/restaurant units shall not be open outside the hours of 07:00-23:00 daily.
- 15) Prior to first occupation of 60 Station Road, details of equipment for the extraction and/or filtration of fumes and/or odours (or, in the absence of known uses/users, for the incorporation of such equipment within the fabric of the building) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

#### Deliveries

- 16) Deliveries to both 50 and 60 Station Road, and to the retail/café/restaurant units, shall not be made outside the hours of 07:00-23:00 on Mondays to Fridays, 08:00-13:00 on Saturdays or at any time on Sundays or Bank or Public Holidays.

#### Materials

- 17) Development, other than demolition, site preparation and foundation work, shall not begin until full details and samples of the materials, fixtures and fittings to be used on the external surfaces of the buildings hereby permitted



have been submitted to and approved in writing by the local planning authority. For the avoidance of doubt, these details shall include:

- a) all real and artificial stonework, including plinths, columns, mullions and transoms, and including sample panels where appropriate to establish details of bonding, coursing, and the colour and type of jointing;
- b) the roof glazing system, including framing materials and edging and flashing methods;
- c) all types of glass to be used in the curtain walling, windows, doors and other glazed features;
- d) non-masonry walling systems;
- e) the colours and finishes of roofing and rooflights;
- f) all external joinery (or comparable, metal, upvc or hybrid construction), including frames, thresholds, mullions, transoms, finishes and colours and location in relation to the surrounding walling, mullions and/or transoms;
- g) colonnade soffits;
- h) copings;
- i) signage;
- j) metalwork, including the fixings, finishes and colours of all stairs, balustrades, railings, grilles, louvers, brackets, meshes and frames;
- k) visible brackets, clamps, restraints or other masonry support systems;
- l) roof-top plant screening systems;
- m) window cleaning gantries;
- n) solar and/or photovoltaic panels;
- o) external lighting.

Development shall be carried out in accordance with the approved details.

#### BREEAM and renewable energy

- 18) Prior to first occupation of either 50 or 60 Station Road, a certificate following a post-construction review of the respective building shall be issued to the local planning authority by a BREEAM Licensed Assessor to show that the building achieves an Excellent or higher BREEAM rating (or any such equivalent rating as may supersede BREEAM as a national measure of the sustainability of a building design).
- 19) The renewable energy technologies for both 50 and 60 Station Road proposed in the Energy Strategy Report by Hilson Moran dated 28 November 2012 shall be installed and operational before first occupation of the respective building and shall be maintained in operational use thereafter in accordance with a maintenance programme first submitted to and approved in writing by the local planning authority.

#### Decontamination

- 20) Development shall not begin on either 50 or 60 Station Road until:
  - a strategy for investigating contamination present on the site for that building has been submitted to and approved in writing by the local planning authority;
  - an investigation has been carried out in accordance with the approved strategy; and

- a written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified in the initial investigation but found during construction work shall be carried out in accordance with details submitted to and approved in writing by the local planning authority subsequent to its discovery.

#### Noise control

- 21) Details of noise attenuation and insulation measures to achieve internal noise levels as recommended in BS 8233:1999 *Sound Insulation and Noise Reduction for Buildings* shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented in both 50 and 60 Station Road before first occupation of the respective building.
- 22) Details of an insulation scheme to minimise the noise emanating from the development or its plant shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in both 50 and 60 Station Road before first occupation of the respective building.

#### Waste storage and collection

- 23) Full details of on-site storage facilities for trade waste for 50 and 60 Station Road, including waste for recycling, shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be provided prior to first occupation of the respective building.
- 24) Full details of the means by which waste will be collected from 50 and 60 Station Road, including the means by which refuse containers will be moved to and from specified locations on the street frontage, shall be submitted to and approved in writing by the local planning authority. The approved arrangements shall be operable before first occupation of the respective building and shall be retained thereafter.

#### Construction period

- 25) Demolition or construction works shall not take place outside the hours of 07:30-18:00 Mondays to Fridays and 08:00-13:00 on Saturdays and not at any time on Sundays or Bank or Public Holidays.
- 26) Development, including works of demolition, shall not begin on either 50 or 60 Station Road until a Construction Management Plan for that part of the development has been submitted to and approved in writing by the local planning authority. The Plan shall be adhered to throughout the construction period and shall include consideration of the following:
  - a) the phasing of demolition and construction;
  - b) the location of contractor's offices;
  - c) access and parking for the vehicles of site operatives and visitors;
  - d) loading and unloading of plant and materials, including preferred vehicle routes to and from the site and the hours for deliveries and collections;
  - e) storage of plant and materials used in constructing the development;
  - f) a soil management strategy;

- g) drainage control measures;
- h) a waste management plan;
- i) consideration of sensitive receptors (in relation to water);
- j) maximum noise levels and means of monitoring, recording and mitigation;
- k) maximum vibration levels and means of monitoring, recording and mitigation;
- l) wheel washing facilities;
- m) measures to control the emission of dust and dirt during construction;
- n) the use of concrete crushers;
- o) prohibition of the burning of waste;
- p) site lighting;
- q) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- r) access and protection arrangements around the site for pedestrians, cyclists and other road users;
- s) external safety and information signing and notices;
- t) prior notice and agreement procedures for working outside agreed limits;
- u) complaints procedures;
- v) membership of the Considerate Contractors Scheme.

**APPEAL A2: APP/Q0505/E/13/2191474**  
**32-38 Station Road, Cambridge, CB1 2JH**  
**Conditions attached to conservation area consent**

- 1) The works hereby authorised shall begin not later than three years from the date of this consent.
- 2) The works of demolition hereby authorised shall not be carried out before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.
- 3) The works of demolition hereby authorised shall not begin before a record of the building has been made in accordance with a specification first submitted to and approved in writing by the local planning authority and that record has been submitted to and approved in writing by the local planning authority.
- 4) No demolition shall take place until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the period of the works and shall provide for:
  - a) a programme of works;
  - b) the location of contractor's offices;
  - c) access and parking for the vehicles of site operatives and visitors;
  - d) loading and unloading of plant and materials;
  - e) storage of plant and materials used in the works;
  - f) the erection and maintenance of security hoardings;
  - g) wheel washing facilities;
  - h) measures to control the emission of dust and dirt during demolition;
  - i) a scheme for recycling/disposing of waste resulting from demolition works.
- 5) No demolition shall take place until a schedule of items to be salvaged for re-use within the approved redevelopment, details of the means of removing them from the existing building and details of their incorporation into the approved redevelopment have been submitted to and approved in writing by the local planning authority. The removal and re-use of the scheduled items shall be carried out as approved.

**APPEAL B1: APP/Q0505/A/13/2196604**  
**Land at Station Road, Cambridge, CB1 2JH**  
**Conditions attached to planning permission**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: GA-L-100 E, GA-L-101 F, GA-L-102 A, GA-L-107 B, GA-L-108 A, GA-L-109 B, GA-L-110 C, PC-L-111 A, GA-L-130 A, GA-L-131, GA-L-132 A, GA-L-133 A, PC-A-140 A, PC-A-141 A, PC-A-142 B, PC-A-143 A, PC-A-144 A, GA-L-160 B, GA-L-161 A and GA-L-162 A.

Landscaping and ecology

- 3) Landscaping shall be carried out in accordance with the approved drawings. All management and maintenance of landscaping shall be carried out in accordance with the Landscape Management Plan by Robert Myers Associates dated December 2012. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 4) Ecological management and maintenance shall be carried out in accordance with the Ecology Report by RPS dated January 2013.
- 5) The elevations of the cycle store adjacent to the southern boundary of the site shall incorporate façade greening and climbing plants in accordance with details, including a maintenance plan, first submitted to and approved in writing by the local planning authority. Development shall be carried out and thereafter maintained in accordance with the approved details.

Cycle and car parking

- 6) Development shall not begin until a plan for the phased delivery of cycle parking for use in association with both 50 and 60 Station Road has been submitted to and approved in writing by the local planning authority. The approved facilities for each building shall be provided in accordance with the approved delivery plan before first occupation of that building and shall thereafter be retained solely for that purpose.
- 7) Prior to first occupation of either 50 or 60 Station Road, management and security arrangements for the cycle parking areas for that building shall be put in place in accordance with details first submitted to and approved in writing by the local planning authority. Those arrangements shall be retained thereafter.
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- 11) Development shall not begin until details of foul water drainage, consistent with site-wide foul drainage arrangements for the CB1 development, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before first occupation of any part of either 50 or 60 Station Road.

#### Water environment

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#### Café/restaurant/retail units

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have been submitted to and approved in writing by the local planning authority. For the avoidance of doubt, these details shall include:

- a) all real and artificial stonework, including plinths, columns, mullions and transoms, and including sample panels where appropriate to establish details of bonding, coursing, and the colour and type of jointing;
- b) the roof glazing system, including framing materials and edging and flashing methods;
- c) all types of glass to be used in the curtain walling, windows doors and other glazed features;
- d) non-masonry walling systems;
- e) the colours and finishes of roofing and rooflights;
- f) all external joinery (or comparable, metal, upvc or hybrid construction), including frames, thresholds, mullions, transoms, finishes and colours and location in relation to the surrounding walling, mullions and/or transoms;
- g) colonnade soffits;
- h) copings;
- i) signage;
- j) metalwork, including the fixings, finishes and colours of all stairs, balustrades, railings, grilles, louvers, brackets, meshes and frames;
- k) visible brackets, clamps, restraints or other masonry support systems;
- l) roof-top plant screening systems;
- m) window cleaning gantries;
- n) solar and/or photovoltaic panels;
- o) external lighting.

Development shall be carried out in accordance with the approved details.

#### BREEAM and renewable energy

- 18) Prior to first occupation of either 50 or 60 Station Road, a certificate following a post-construction review of the respective building shall be issued to the local planning authority by a BREEAM Licensed Assessor to show that the building achieves an Excellent or higher BREEAM rating (or any such equivalent rating as may supersede BREEAM as a national measure of the sustainability of a building design).
- 19) The renewable energy technologies for both 50 and 60 Station Road proposed in the Energy Strategy Report by Hilson Moran dated 28 November 2012 shall be installed and operational before first occupation of the respective building and shall be maintained in operational use thereafter in accordance with a maintenance programme first submitted to and approved in writing by the local planning authority.

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- a written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.

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- 24) Full details of the means by which waste will be collected from 50 and 60 Station Road, including the means by which refuse containers will be moved to and from specified locations on the street frontage, shall be submitted to and approved in writing by the local planning authority. The approved arrangements shall be operable before first occupation of the respective building and shall be retained thereafter.

#### Construction period

- 25) Demolition or construction works shall not take place outside the hours of 07:30-18:00 Mondays to Fridays and 08:00-13:00 on Saturdays and not at any time on Sundays or Bank or Public Holidays.
- 26) Development, including works of demolition, shall not begin on either 50 or 60 Station Road until a Construction Management Plan for that part of the development has been submitted to and approved in writing by the local planning authority. The Plan shall be adhered to throughout the construction period and shall include consideration of the following:
  - a) the phasing of demolition and construction;
  - b) the location of contractor's offices;
  - c) access and parking for the vehicles of site operatives and visitors;
  - d) loading and unloading of plant and materials, including preferred vehicle routes to and from the site and the hours for deliveries and collections;
  - e) storage of plant and materials used in constructing the development;
  - f) a soil management strategy;



- g) drainage control measures;
- h) a waste management plan;
- i) consideration of sensitive receptors (in relation to water);
- j) maximum noise levels and means of monitoring, recording and mitigation;
- k) maximum vibration levels and means of monitoring, recording and mitigation;
- l) wheel washing facilities;
- m) measures to control the emission of dust and dirt during construction;
- n) the use of concrete crushers;
- o) prohibition of the burning of waste;
- p) site lighting;
- q) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- r) access and protection arrangements around the site for pedestrians, cyclists and other road users;
- s) external safety and information signing and notices;
- t) prior notice and agreement procedures for working outside agreed limits;
- u) complaints procedures;
- v) membership of the Considerate Contractors Scheme.