

**DRAFT CONSULTATION RESPONSE ON UNIVERSITY OF CAMBRIDGE OUTLINE
PLANNING APPLICATION AND DRAFT S106 HEADS OF TERMS FOR
DEVELOPMENT AT NORTH WEST CAMBRIDGE**

To: **Cabinet**

Date: **12th June 2012**

From: **Executive Director: Economy, Transport and Environment**

Electoral division(s): **Castle and Bar Hill**

Forward Plan ref: **Key decision: Yes**

Purpose: **To invite Cabinet to consider the draft response to consultation and key issues in relation to the proposed University development at Cambridge North West.**

Recommendation: **Cabinet is invited to:**

- i) Consider and endorse the draft response to the consultation as set out in Appendix A including agreeing to removing holding objections as described;**
- ii) Consider and endorse County S106 Heads of Terms as set out in Appendix B;**
- iii) Delegate to the Lead Member for Growth and Planning in consultation with the Executive Director: Economy, Transport and Environment and Local Members, the authority to make any minor changes to the draft consultation response prior to its submission**
- iv) Delegate to the Lead Member for Growth and Planning in consultation with the Executive Director: Economy, Transport and Environment and Local Members, the authority to finally approve the Adoption and Public Access Strategies.**

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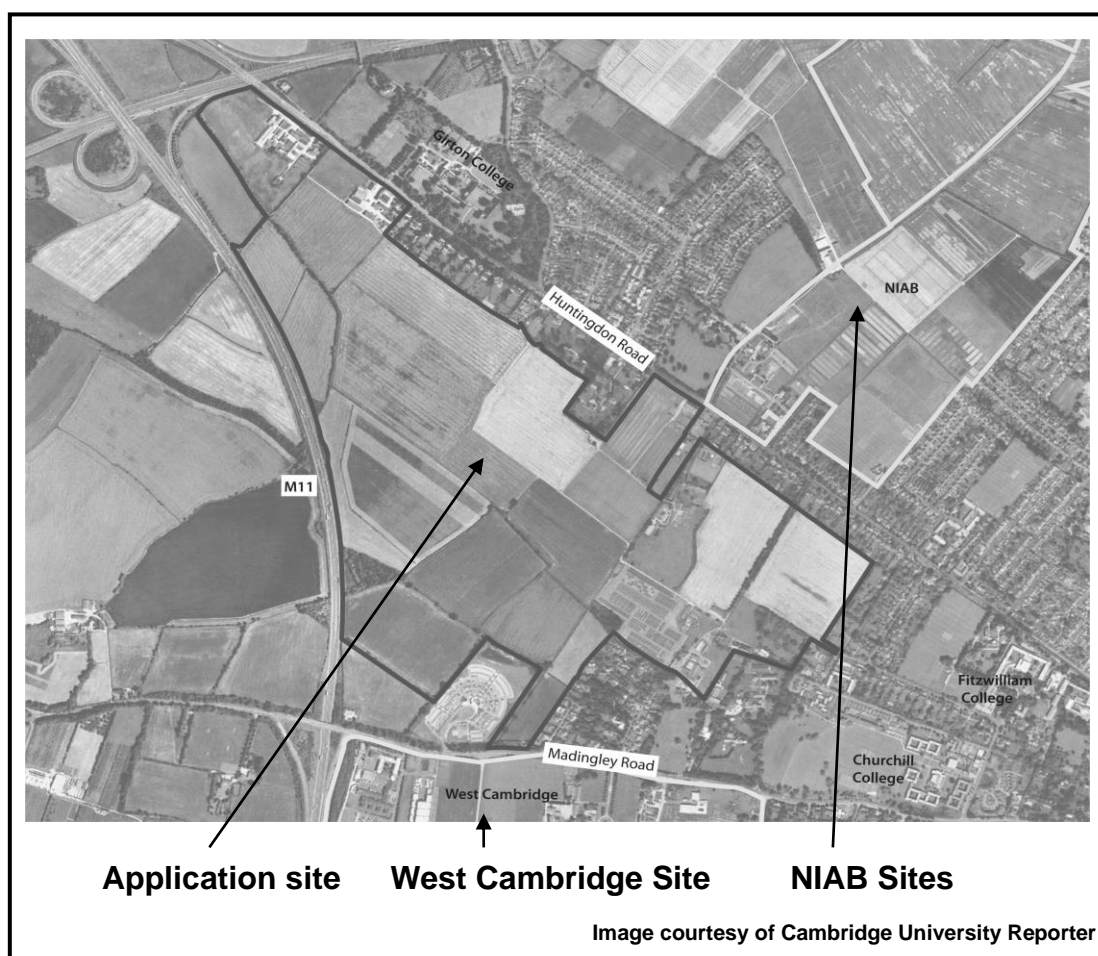
1. PURPOSE

- 1.1 This report sets out for Cabinet's consideration and comment the proposed response to the recent consultation on the Cambridge University planning application for development at North West Cambridge.

2. BACKGROUND

- 2.1 The University of Cambridge is proposing a new sustainable urban extension to the north west of Cambridge through provision of living and research accommodation, public amenities and open space.
- 2.2 The University already has planning consent for development at Cambridge West (land south of Huntingdon Road), to provide an academic and research environment for the University's physical science based faculties. This site is now nearing completion and therefore additional land and development is required to meet the University's longer term need.
- 2.3 Figure 1 the shows the main application site, the nearby National Institute Agriculture and Botany (NIAB) application sites to the north and the University West Cambridge site to the south.

Figure 1: University Application Site



- 2.4 The principle of development at north-west Cambridge including this site is well-established in planning policy. A copy of the North West Cambridge Area Action Plan is available to view at the following link:

http://www.scambs.gov.uk/environment/planning/districtplanning/localdevelopmentframework/north_west_cambridge_aap.htm

- 2.5 The planning application proposes the following development:

- Up to 3,000 dwellings
- Up to 2,000 student bedspaces
- 100,000 sq.m. employment floorspace for a mix of business and research
- Up to 5,300 sq.m. gross retail floorspace (Use Classes A1 to A5) (of which the supermarket is 2,000 sq.m. net floorspace)
- Senior living accommodation of up to 6,500sq.m. (Class C2)
- Community centre
- Indoor sports provision
- Police station
- Primary health care facilities
- Primary school and nurseries (Class D1)
- Hotel (130 rooms)
- Energy centre
- Associated infrastructure including roads, pedestrian, cycle and vehicle routes, parking, drainage, open spaces and earthworks.

- 2.6 Following the initial consultation in November 2011 to which the County Council commented, the University submitted amendments in April 2012 to the application to seek to address issues and concerns in relation to the original submission. This report contains the proposed response to these amendments. Since the submission of these amendments, officers have continued to work with the University to resolve outstanding matters of detail and all have now been agreed or are close to agreement or will be subject to detail in reserved matters applications.

3. KEY ISSUES

- 3.1 Cabinet considered this application last in November 2011 and agreed a consultation response to this planning application. A number of key areas of concern were raised on which further detail was required before the Council could conclude that the application is acceptable. Accordingly, a holding objection was made on the following areas:

- Education
- Transport
- Adoption of roads and access

- 3.2 The following sections of this report detail the current position in relation to these areas and the proposed consultation response is contained at Appendix A for consideration by Cabinet. The proposed Heads of Terms for the s106 agreement are contained at Appendix B.

Education

- 3.3 Despite significant pre-application discussions with the University, a number of outstanding issues existed in relation to primary education provision for the proposed development. At the time of the previous Cabinet paper in November 2011 the following issues remained to be resolved:
- The desire of the University to control the form and design of the school whilst not necessarily being the promoter. At the time, the Council's and national procedures for the delivery of schools did not allow for what the University were seeking;
 - A clear ability, given what the University were seeking for the Council to secure its statutory responsibilities to provide sufficient education places; and
 - The level of S106 contribution to be provided to deliver the education provision required.
- 3.4 Since the November Cabinet report, a number of changes have occurred, both legislatively and in Council policy, that have allowed a revised approach to be taken. The Council is currently reviewing its approach to major capital procurement and particularly in respect of the role of developers in building schools. Notwithstanding this and ahead of the outcome of this process, it has been agreed with the University that the S106 agreement will include a number of clauses that provide sufficient flexibility and assurance to meet both the Council's statutory duties and the University's design aspirations and potentially different methods of procurement.
- 3.5 As a result, the University will provide the school site and appropriate capital funding to the Council to deliver the school through the S106 agreement in line with the approach adopted within other S106 agreement. This will secure the Council's ability to control and influence the delivery of the school to meet the necessary timescales.
- 3.6 In parallel with this, the Council has agreed to establish a joint stakeholder group with the University, and when identified, the promoter of the new school, to provide strategic guidance for the design of the school. The University will also lead the selection of the design team, and has undertaken to meet, if necessary, any increase in costs arising from meeting their high design aspirations. This approach will provide the University with sufficient influence on the design process to ensure their aspirations will be secured. It also largely mitigates the Council's exposure to significant cost increases arising through the planning process.
- 3.7 Should the University submit and be successful with an application to promote the new school, the S106 agreement will allow greater control to be transferred to the University, as the new school's promoter. This follows a procurement model being tested in the Cambridge Southern Fringe. This approach will involve a legal agreement that secures fixed delivery expectations, to ensure that the Council's statutory responsibilities are met. All matters in relation to the primary school holding objection have therefore now been satisfactorily met.

- 3.8 In terms of secondary education, the University development has always proposed that provision would be made off-site. A contribution towards the new secondary school proposed as part of the NIAB development has been agreed. The S106 agreement also allows for this contribution to be used, should the NIAB development be delayed or not occur, to expand secondary school provision elsewhere in the City to meet the demands of the development
- 3.9 The combination of these approaches means that the Council is confident that the University will appropriately mitigate the educational impact of their development, and that the Council's ability to fulfil its statutory obligation is met. As a result, it is recommended that the Council's holding objection to the development in relation to education provision be lifted, and the development proposals be supported on the basis of the points noted above.

Transport

- 3.10 The Transport Assessment and Travel Plan are regarded as being robust and completed to a standard acceptable to the County Council. However, as reported to cabinet in November 2011, there were a number of items of concern that required further discussions between the University and the County Council. The items were:
- Design of the site access junctions
 - Design of on-site highways
 - The adequacy of the bus strategy
 - Confirmation of the transport mitigation measures to be provided or contributions to be delivered through the s106 agreement.
- 3.11 The University submitted a Transport Assessment Addendum earlier this year to respond to the issues raised by the County Council. The view of the key outstanding transport issues based on this is as follows:

Design of the site access junctions

- 3.12 The site access junctions have now been agreed in principle by Officers and are subject to the outcome of the Road Safety Audit Stage 1 currently being undertaken. Detailed comments have been made on the site access junctions particularly with regards to walking and cycling infrastructure. These can be resolved through the detailed design stages, the Design Code for the site and reserved matters applications.

Design of on-site highways

- 3.13 Officers are content with the design of the on-site highways. Detailed comments have been made on the site access junctions particularly with regards to walking and cycling infrastructure. These can be resolved through the detailed design stages, the Design Code for the site and reserved matters applications

Bus strategy

- 3.14 A full bus strategy has now been provided. The proposals for the University Site complement the existing public transport routes operating in the area and include the provision of a radial bus service and an orbital bus service. The University will provide a total of £1.2 million through the S106 to support the provision of the bus services. On this basis, officers are satisfied with the proposals for buses.

Transport mitigation measures to be provided or s106 contributions

- 3.15 The transport measures provided by the University to mitigate the impact of the development are now deemed by officers to be acceptable although there are some detailed design elements that would need to be addressed at a later stage. These measures for the site are currently valued in the region of £7.6 million, and include measures such as the provision of bus services and enhanced walking and cycling facilities along Huntingdon Road and Madingley Road as noted above.
- 3.16 In addition, the Council is seeking a series of financial contributions through a s106 agreement. All matters in the s106 agreement are now agreed between the University and the Council although details of some triggers still need to be refined.
- 3.17 On this basis, enough information has now been submitted by the University for the Council to remove its holding objection on the basis of transport mitigation measures and s106 contributions.

Adoption and Public Access

- 3.18 The University has submitted for consideration a road Adoption Strategy and has committed to an Access Agreement ensuring freedom of movement across and within the site. The site will be largely maintained in private ownership by the University with the majority of roads built to adoptable standard but remaining private and in University ownership. The only exception to this is the main spine road which runs through the site and a link onto Huntingdon Road.
- 3.19 In addition to vehicular access, the County Council has made clear to the University the necessary principle of permeability across and within the site. Pedestrian and cycle routes have also been identified as necessary to be identified within the strategy and they will need to remain open to all in perpetuity.
- 3.20 The County Council is seeking assurances and legal advice to ensure that there will be no longer term risks with this strategy and to ensure that public access is maintained throughout the life time of the development. Officers have agreed with the University in principle that public access will be unrestrained across the site.
- 3.21 Despite the progress that has been made there are still concerns over the road adoption strategy. Discussions with the University are continuing and the current position will be reported orally to Cabinet. Given that officers feel that

all of these matters can be resolved, Cabinet is therefore asked to delegate authority for final approval of the strategy to lead member for Growth and Planning in consultation with the Executive Director: Economy, Transport and Environment and Local Members.

- 3.22 Cabinet should also note that there is a right for freehold frontagers at some point in the future to ask the County Council to instigate adoption of highways that are unadopted. Although this is considered unlikely and a small risk it nevertheless is an issue that requires clarity from the University. The County Council should seek written assurance from the University Senate that they would not permit such action by freeholders if legally possible. This issue is not considered serious enough to withhold planning consent but the outcome of discussions will be reported to Cabinet at the meeting.

Other comments

- 3.23 In addition to these specific areas and issues, there are some further minor comments on the amendments that officers are recommending be made. All of these comments are set down in Appendix A. The proposed s106 agreement Heads of Terms for the site is contained in Appendix B.

4. ALIGNMENT WITH PRIORITIES AND WAYS OF WORKING

The application proposals have been subject to a robust consultation process. This has included consultation with statutory consultees and the local community (including local public exhibition events). A Statement of Consultation is included within the outline application and provides further details of this.

4.1 Developing the local economy for the benefit of all

The University of Cambridge is a world class university and the development of research and academic facilities will benefit the local economy through the development of the site housing to meet needs, and the provision of job and learning opportunities

4.2 Helping people live healthy and independent lives

The development will provide a range of community facilities, such as a health facility, senior care facility, faith residential provision, a new primary school and a community hall, which will contribute towards this priority.

4.3 Supporting and protecting vulnerable people

The scheme will support community facilities and as such will benefit the on and off-site community, including the most vulnerable citizens.

4.4 Ways of Working

The scheme will support community facilities and as such will benefit the on and off-site community, including the most vulnerable citizens.

5. SIGNIFICANT IMPLICATIONS

5.1 Resource and Performance Implications

The s106 package will need to mitigate the impacts of the development and fund the necessary infrastructure measures required. Members are asked to endorse Officers in seeking full payment of all of the County Council's requirements.

5.2 Statutory, Risk and Legal Implications

The planning application will be determined by the Joint Development Control Committee, of which the County Council, in conjunction with South Cambridgeshire District Council and Cambridge City Council will have Member voting rights. It is imperative that the County Council through s106 negotiations fully cover the risk impact of being able to provide the necessary public services for existing and future residents of North West Cambridge.

5.3 Equality and Diversity Implications

There are no significant implications for equality and diversity.

5.4 Engagement and Consultation

County Council officers were consulted on pre-application documents in March 2011 and have met with the applicant numerous times.

There were two public consultation events on the application held on 15th and 20th October 2011. These events were attended by nearly 400 people with a range of views expressed. Transport was a general issue that most people wanted to understand more about. The consultation results will be posted on the Cambridge City and South Cambridgeshire District Council's websites shortly and summarised in the Joint Development Control Committee report on the planning application.

The Council was formally consulted on the application between 23rd September and 21st October 2011. The local authorities were advised in advance of that deadline that the Council response would need to be endorsed by Cabinet on 15th November 2011.

Source Documents	Location
University Planning Application	New Communities 2 nd Floor, A Wing, Castle Court, Shire Hall and Members' Lounge, Shire Hall, Cambridge

Appendix A

County Council Comments on the University Development at Land between Madingley Road and Huntingdon Road. Amended Planning application April 2012

The following sections contain the County Council's formal response to the current planning application. This covers areas where holding objections were made at the time the last comments were provided and additional minor comments made by officers.

Given the progress of the negotiations since the County Council last made comments on this application, the County Council now withdraws its holding objections and supports the development subject to conditions being imposed as noted below.

A) Education

Early Years

The Council is very supportive of the level of early years and childcare provision that is proposed as part of the development. However, the applicant is asked to consider the additional requirement placed upon the County Council by recent Government announcements to secure access to free provision for up to 40% of two year olds.

Primary

The Council now supports the strategy for the provision of primary education being proposed by the University.

The University will provide the school site and appropriate capital funding to the Council to deliver the school through the S106 agreement in line with the approach adopted within other S106 agreement. This will secure the Council's ability to control and influence the delivery of the school to meet the necessary timescales.

In parallel with this, the Council has agreed to establish a joint stakeholder group with the University, and when identified, the promoter of the new school, to provide strategic guidance for the design of the school. The University will also lead the selection of the design team, and has undertaken to meet, if necessary, any increase in costs arising from meeting their high design aspirations. This approach will provide the University with sufficient influence on the design process to ensure their aspirations will be secured. It also largely mitigates the Council's exposure to significant cost increases arising through the planning process.

Should the University submit and be successful with an application to promote the new school, the S106 agreement will allow greater control to be transferred to the University, as the new school's promoter. This approach will involve a legal agreement that secures fixed delivery expectations, to ensure that the Council's statutory responsibilities are met.

As a result of these points, all matters in relation to the primary school holding objection have therefore now been satisfactorily met.

Secondary provision

The University have agreed that the development will contribute financially towards securing additional secondary school provision, regardless of location. This will be on the NIAB development or if that development does not deliver the school within an appropriate timeframe, it will be through the provision of additional capacity at existing schools within Cambridge City. The financial contributions are included in the draft s106 Heads of terms contained in Appendix B. The County Council is satisfied with these proposals.

B) Transport

These comments relate to the amended planning application documents and provide an update on the main issues that need resolving before the transport matters can be finally agreed.

- *Design of site access junctions*
County officers are content with the design of the site access junctions subject to sign off from the traffic signals team and the Stage 1 Road Safety Audit. Officers are awaiting a full set of junction plans from URS to enable sign off.
- *Design of on-site highways*
County officers are content with the design of the on-site highways, and no further information is required at present. However Officers reserve the right to comment should further information be submitted as part of on going adoption discussions.
- *Bus strategy*
A full bus strategy has been submitted by the applicant and this has been agreed by the County Council.
- Confirmation of the transport mitigation measures to be provided within the S106 agreement
S106 mitigation measures have been agreed as part of the discussions and responses on the transport assessment.

C) Adoption and Public Access

A second draft of the Adoption Strategy has been submitted by the University. There remain some issues with this as follows and it is suggested that these be addressed through condition.

- The proposed dedication of rights of way for all modes need to be clarified and understood across the site as this information is required to assess connectivity, and inform design. Requirements for the design of public rights of way may differ from those for private routes.

- Connectivity and works associated with Bridleway 30. The works associated with this site need to find a resolution for the particular route prior to the approval of the application and the County Council would support a condition to this effect.
- Connectivity of walking/cycling between the site and external destinations and that the site will have open and unfettered access at all times requires explicit and clear clarification.
- Parking and cycle parking strategy require clarification prior to the commencement of development.

D) Other Comments

Minerals & Waste Service

Officers suggest that if planning permission is granted, the development should be undertaken in accordance with the Construction Environment Management Plan (March 2012) and the Site Waste Management Plan and this should be secured through a condition.

Ecology

The County Council is happy for the happy for the district councils to lead ecological advice for this planning application. However, the following detailed information should be secured through planning conditions, which must be in accordance with the Ecology and Nature Conservation chapter of the Environment Statement:

- detailed Landscape and Nature Conservation Strategy should be produced in accordance with the CEMP and the Environmental Statement.
- details for watercourses, water bodies and sustainable drainage to be submitted and approved as part of condition.

APPENDIX B – Draft S106 Heads of Terms

	County requirement	LA Trigger
Access to Countryside M11 upgrade	£75,000	Commuted sum prior to 50 th occupation
Improvement of existing footpath from site to Madingley Road to Bridleway standard	Up to £30,000	Commuted sum prior to 50 th occupation
Creation of link from Madingley Road to Cambridge University 800 year old wood	Up to £30,000	Commuted sum prior to 50 th occupation
Contribution to library fit out	£76,880	Occupation of 1000 th dwelling or commencement of library building, whichever occurs sooner
Children's Centre	£289,394 provisionally agreed	Facility to be provided on NIAB site
Primary school - capital	£9.8m for 2.5FE Q2 2012	IFE to be available for 1 st Occupation, 2FE completion of 1600 dwelling
Primary school - revenue	Not applicable if academy or free school, County reserve right to claim should this revert to LEA control.	
Secondary school - capital	£5.919M at Q4 2011 for 2.1FE – cost to be agreed when size of school agreed	Triggers for payments ; 10% by occupation of 400 unit, 25% on occupation of 800 units, 30% on occupation of 1200 th unit and remainder on occupation of 1600 unit.
Waste Recycling Centre	£706,125	Payment once CCC has permission for new recycling centre

<i>Transport S106/Conditions</i>	<i>Developers Indicative costs (not agreed yet)</i>	
Northwest Cambridge Travel Plan Measures	£2,085,000	To be agreed
Public Bus Transport Subsidy	£1,200,000	To be agreed

<i>Transport S106/Conditions</i>	<i>Developers Indicative costs (not agreed yet)</i>	
Huntingdon Road Corridor Works Scoot and Mova traffic signal optimisation - Huntingdon Road - Site Access West Scoot and Mova traffic signal optimisation - Huntingdon Road - Site Access East Scoot and Mova traffic signal optimisation - Huntingdon Road – NIAB	£255,000 £250,000 £250,000	Condition(s) To be agreed
Monitoring scheme, with potential further traffic calming, along Oxford Road / Windsor Road link	£150,000	To be agreed
Enhancements to cyclist movements along Huntingdon Road	£50,000	To be agreed
Improve pedestrian and cyclist movements through Huntingdon Rd / Victoria Rd / Castle St junction	£60,000	To be agreed
Whitehouse Lane commuter cycle route crossing of Huntingdon Road	£50,000	Condition To be agreed
Enhancing the traffic calming scheme along Huntingdon road	£10,000	To be agreed

<i>Transport S106/Conditions</i>	<i>Developers Indicative costs (not agreed yet)</i>	
Demand responsive pedestrian and cyclist crossings incorporate to Western Huntingdon Road junction (part of site junction works)	Included in site access junction works.	Condition To be agreed
South verge of Huntingdon Rd, 560m of cycleway/footway, 2.5m width	£510,000 £35,000	To be agreed
Madingley Road Corridor Works Queen St / Madingley Rd/ Northampton St junction.	£5,000	To be agreed
SCOOT and MOVA traffic signal optimisation at M11 J13 Northbound off slip road. SCOOT and MOVA traffic signal optimisation at M1 J13 Southbound On slip road. SCOOT and MOVA traffic signal optimisation at Park and Ride. SCOOT and MOVA traffic signal optimisation at NWC and West Cambridge Site Access junctions.	£115,000 £115,000 £115,000 £115,000	Condition To be agreed

Transport S106/Conditions	Developers Indicative costs (not agreed yet)	
Improvement of cycle path along Madingley road	£235,000	Condition To be agreed
University Side Wide Travel Plan Measures Co-ordinated Travel Plan measures across University's facilities	£500,000	To be agreed
Promotional campaign for guided bus way	£300,000	To be agreed
Other Works M11 J13 Southbound slip road, possibly incl ramp metering	£130,000 £975,000	To be agreed
CPZ	£100,000	To be agreed
Transport Contributions	Overall total in region of £7,610,000 to University calculation.	Overall S106 figure dependant on works for inclusion in conditions and those for S106.
WCATP Contribution	£235,000	