



Joint Development Control Committee

Date: Wednesday, 14 April 2021

Time: 10.30 am

Venue: This is a virtual meeting and therefore there is no physical location for this meeting.

Contact: democratic.services@cambridge.gov.uk, tel 01223 457000

Agenda

- 1 Apologies
- 2 Declarations of Interest
- 3 Minutes (PAGES 3 - 8)

Application

- 4 127-136 Cambridge Science Park (PAGES 9 - 42)

Miscellaneous Item

- 5 Planning Advisory Service Review of Joint Development Control Committee (PAGES 43 - 68)

All Committee members are welcome to attend the pre-application briefings

- 6 Darwin Green 1 BDW2 revised proposals
- 7 Darwin Green 1 BDW5 and BDW6 proposal

Joint Development Control Committee Members:

Cambridge City Council: Cllrs Baigent, Matthews, Sargeant (Chair), Smart, Thornburrow and Tunnacliffe, Alternates: McQueen, Moore, Page-Croft and Porrer

South Cambridgeshire District Council: Cllrs Bradnam (Vice-Chair), Bygott, Chamberlain, Daunton, Hawkins and Hunt, Alternates: Cone, Fane, Howell and J.Williams

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- Email: democratic.services@cambridge.gov.uk
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JOINT DEVELOPMENT CONTROL COMMITTEE

17 February 2021

10.30 - 11.40 am

Present: Councillors Baigent, Matthews, Sargeant (Chair), Smart, Thornburrow, Tunnacliffe, Bradnam (Vice-Chair), Bygott, Chamberlain, Daunton, Hawkins and Hunt

Officers Present:

Assistant Director Delivery, Cambridge City and South Cambridgeshire District Councils: Sharon Brown

Interim Management Support Officer: Fiona Bradley

Legal Adviser: Keith Barber

Committee Manager: James Goddard

Meeting Producer: Liam Martin

Other Officers Present:

Principal Transport Officer: Tam Parry

FOR THE INFORMATION OF THE COUNCIL

21/8/JDCC Apologies

No apologies were received.

21/9/JDCC Declarations of Interest

Name	Item	Interest
Councillor Baigent	21/11/21	Personal: Personal: Member of Cambridge Cycling Campaign
Councillor Bradnam	21/11/21	Personal: Applications in Milton Parish where she is a councillor. Discretion unfettered.

21/10/JDCC Minutes

The minutes of the meeting held on 16 December 2020 were approved as a correct record and signed by the Chair.

21/11/JDCC Deed of Variation relating to Section 106 Agreement - Land at Plots 1-21 at Cambridge Science Park, Cambridge

A Deed of Variation was submitted in October 2020 seeking to vary the s106 agreement under s106A of the Town and Country Planning Act 1990.

The variation sought approval to agree the s278 prior to occupation of the development but remove the requirement to complete the agreed works prior to occupation.

The Interim Management Support Officer updated her report to amend a typographical error: The s278 requires the works to be completed by ~~21/06/2020~~ **21/06/2021**.

Mr Kaddish (Applicant's Agent) addressed the Committee in support of the application.

Members made the following comments in response to the Officer's comments:

- i. Expressed concern that the junction work would not be completed within the specified 15 week period.
- ii. Expressed concern the application would exacerbate existing traffic issues.
- iii. Expressed concern that s278 agreements took time to take into effect across the city.
- iv. All buildings could be fitted out and used in theory. Queried the impact of this on the car parking space reduction strategy. Would there be higher demand than supply? Or demand to keep spaces (not reduce the number)?

In response to Members' questions the Interim Management Support Officer, the Assistant Director and Principal Transport Officer said the following:

- i. The application was brought to Committee because there was no delegation for officers to deal with amendments to Section 106 Agreements.
- ii. The s106 agreement aimed to mitigate the impact of traffic on the junction.
- iii. The Applicant had done all they reasonably could over several years to progress work. If work was delayed, Officers were confident that the County would manage work appropriately.

- iv. There were severe financial penalties for the developer if work was delayed, so they had no incentive to let the scheme timetable overrun.
- v. The Deed of Variation was in place to ensure work would continue just in case delays occurred.
- vi. The Developer's Team had done all they reasonably could to look at what pipes etc were under the road surface to avoid delays due to the impact on cable infrastructure.
- vii. Work would be undertaken at night, so the road could operate as normal during the day.
- viii. The traffic management agreement for the development was signed off by the County Council. It did not cover the construction period. Limited impact was anticipated as work was due to take place at night for period of 15 weeks.
- ix. The first building occupier was not in place yet. They would not move in until at least 21 March 2021. Low traffic levels were expected as few people travelled in lockdown.
- x. Fitting out of the building could occur under the current legal agreement. The Applicant would be concerned if they could fit out the building but not occupy it immediately.
- xi. Road work could occur at the same time as building occupation, it was a balance between allowing occupation to take place and having the road works occurring at the same time.
- xii. The car parking space reduction strategy was included in the s106 agreement which had been signed off. This sought to neutralise the increase in car parking numbers from this scheme. It would take time to implement and was not a short term strategy. The timescale was set out in the s106 agreement.
- xiii. The variation of conditions would not lead to a conflict between today's proposed variation to the s106 agreement and the car parking reduction strategy. They were two distinct parts of the s106 agreement.

The Legal Officer stated this was a variation to planning obligations, not a condition. There was no appeal open to the Applicant if councillors amended the s106 agreement.

The Committee:

Resolved (by 9 votes to 2) to grant the application to approve the Deed of Variation as below:

- i. In clause 1.1 at the end of the definition of “Milton Road Works” insert the following: “or such other improvement works as may be agreed in writing between the First Owner and the County Council.”
- ii. Delete paragraph 2.1 of Schedule 1 and replace with the following paragraph: “2.1 Unless otherwise agreed in writing between the First Owner and the Councils not to Occupy the Development until a Highways Agreement has been completed in connection with the carrying out of works in the highway in order to implement the Milton Road Works.”
- iii. Delete paragraph 2.2 of Schedule 1.

Councillor Bradnam asked for her objection to the scheme to be recorded.

21/12/JDCC North East Cambridge Area Action Plan Interim Transport Approach

Agenda item 5 - North East Cambridge Area Action Plan Interim Transport Approach - was withdrawn from this agenda.

21/13/JDCC Meeting Dates 2021/22

The following dates were agreed:

- i. 23 June 2021
- ii. 21 July 2021
- iii. 18 August 2021
- iv. 15 September 2021
- v. 20 October 2021
- vi. 17 November 2021
- vii. 15 December 2021
- viii. 26 January 2022
- ix. 16 February 2022
- x. 16 March 2022
- xi. 6 April 2022

The meeting ended at 11.40 am

CHAIR

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**South
Cambridgeshire
District Council**

Report to:

Joint Development Control
Committee

14 April 2021

Lead Officer:

Joint Director of Planning and Economic Development

Milton Parish

127-136 Cambridge Science Park, Cambridge

Proposal: Erection of a building for Office/Research and Development use following demolition of existing buildings, and associated infrastructure and works

Applicant: GCR Camprop Nine Ltd

Key material considerations:

- Principle of Development
- Character/Visual Amenity
- Historic Environment
- Landscaping/Trees
- Biodiversity
- Flood Risk and Drainage
- Transport and Highways
- Sustainable Construction/Carbon Reduction
- Land Contamination
- Air Quality
- Other Matters
- Planning Obligations
- The Planning Balance

Is it a Departure Application?: No

Decision due by: 1 March 2021 (PPA)

Application brought to Committee because: Major development in NECAAP area

Presenting officer: Fiona Bradley

Executive Summary

1. The site is located within an area of land identified as part of the emerging North East Cambridge Area Action Plan (NECAAP). The NECAAP does not yet have sufficient weight to be considered a material consideration in the determination of this application. The NPPF and South Cambridgeshire Local Plan 2018 therefore, form the basis of the determination of this application.
2. The proposal is for additional employment floorspace in an area identified for employment growth in South Cambridgeshire. The principle of development is therefore supported.
3. The proposed development will provide a BREEAM Excellent certified building with a low embodied carbon design whilst also achieving significant carbon reductions once operational.
4. The design and appearance of the building is considered appropriate in its context and respects its urban setting within a business park. Furthermore, the scale and height of the building will not cause visual harm to the wider landscape.
5. The proposed development will not increase on site car parking and therefore, promotes sustainable forms of travel to and from the site. This includes mitigation through internal infrastructure improvements within the Science Park and a financial contribution towards strategic transport infrastructure in north east Cambridge.

Relevant planning history

None

Planning policies, Guidance and Other material considerations

Planning and Compulsory Purchase Act 2004 (as amended)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the LPA is the Cambridge Local Plan 2018.

Community Infrastructure Levy Regulations 2010 (as amended)

The Community Infrastructure Levy Regulations 2010 (as amended) (the CIL Regulations) generally set out regulations relating to the Community Infrastructure Levy (CIL). Part 11 refers specifically to planning obligations (including those in Section 106 Agreements) and is relevant to the consideration of these Applications and will influence the final content of Section 106 Agreement, in the event that planning permission is granted.

CIL Regulation 122 imposes limitations on the use of planning obligations. It states (where there is no CIL charging regime), a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development, and
- (c) fairly and reasonably related in scale and kind to the development.

Equalities Act 2010

The Applications have been assessed against the relevant sections of the Equalities Act 2010. It is not considered that the Applications discriminate against people with protected characteristics (age, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race including colour, nationality, ethnic or national origin, religion or belief, sex, sexual orientation) specified in this Act.

Use Classes Order Change

From 1st September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (2020 No. 757) came into force.

Three new use classes have been created by this change: Class E (Commercial, business and service), Class F.1 (Learning and non-residential institutions) and F.2 (Local community).

Class E creates a new commercial, business and service use class which subsumes retail (A1), financial and professional services (A2), restaurants and cafes (A3) and business (B1a/b/c) use classes. Uses such as gyms, nurseries/creches and health centres (previously in use classes D1 Non-residential institutions and D2 Assembly and leisure) and other uses which are suitable for a town centre area are also included in Class E. Since 1st September 2020 planning permission is not required for changes between these, what were until recently, different kinds of uses. This is because they are now grouped into the same use class and therefore will not constitute development.

For example, a retail shop can change to a restaurant, or an office building could change to a retail supermarket without needing planning permission for a change of use (providing there are no restrictive covenants, conditions, section 106 obligations restricting the existing use).

Uses which can have potential amenity impacts on neighbouring properties will become sui generis and any material change of use will require planning permission. This includes pubs/bars, takeaways, cinemas, concert, dance, and bingo halls.

For any planning applications submitted before 1 September 2020, the Use Classes in effect when the application was submitted will be used to determine the application.

National Guidance

6. National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide 2019

South Cambridgeshire Local Plan (SCLP) 2018

7. S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of Jobs and Homes
S/6 The Development Strategy to 2031
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
HQ/2 Public Art and New Development
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
NH/14 Heritage Assets
E/1 New Employment Provision near Cambridge – Cambridge Science Park
SC/9 Lighting proposals
SC/10 Noise Pollution
SC/11 Contaminated Land
SC/12 Air Quality
SS/4 Cambridge Northern Fringe East and land surrounding the proposed Cambridge Science Park Station
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Development

Cambridge and Peterborough Minerals and Waste Core Strategy 2011

8. CS31 Waste Water Treatment Works Safeguarding Areas

Draft North East Cambridge Area Action Plan (NECAAP)

Greater Cambridge Supplementary Planning Documents (SPD)

9. Sustainable Design and Construction – Adopted January 2020
Cambridgeshire Flood and Water – Adopted November 2016
District Design Guide – Adopted March 2010
Landscape in New Developments – Adopted March 2010
Biodiversity – Adopted July 2009
Trees and Development Sites – Adopted January 2009

Consultation

10. **Milton Parish Council** – Neutral, no recommendation

11. **Urban Design Officer** – no objection subject to conditions

Further Comments

Whilst officers are generally supportive of the proposals from an urban design perspective, and welcome the additional information provided mainly to address height and visual impact concerns, it is disappointing that some of the issues raised in the last urban design consultation (comments dated 30.09.2020) have not been satisfactorily addressed. See comments below.

Height and Visual Impact

In terms of height and impact on the public realm, Officers are satisfied with the information provided by the applicant: a CGI including wireframe information on the approved Plot 1 & 21 and the Village hotel scheme have been provided, demonstrating that the proposal would be in keeping with the future scale and development of the Cambridge Science Park. The height of the design is comparative of the Village Hotel and creates gentle visual stepping stone from the massing of the unit in the foreground up to the greater height of the tower at the back.

Outdoor space

Whilst an area of outdoor seating is now provided by the front entrance (integrated with planter), it is not clear how this can be approved as a drawing, as currently only an image of this outdoor seating concept is included in the 'Supplementary Planning Information – Landscape' document.

Parking layout

It is disappointing that the issue of car park to the south of the site has not been addressed. In the last consultation, the applicant was asked to reduce the prominence of parking (south of the site) by introducing a landscaped seating area to break up the long row of car park, this would also provide the opportunity for staff and visitors and appreciate the public drain.

Public Art

Currently there is very limited information on public art, this is not helped by the lack of meaningful outdoor furniture for staff and visitors.

Initial Comments

Officers support the proposals from an urban design perspective. The proposals are considered to broadly align with the relevant design policies set out in the

‘National Planning Policy Framework’ (2019) (NPPF), the ‘Draft North East Cambridge Area Action Plan July 2020’ (Draft NECAAP) and Policies HQ/1 and SS/4 of the ‘South Cambridgeshire Local Plan’ (2018) (The Local Plan) in relation to design.

Certain aspects of the design can be further improved to ensure a high-quality scheme for Cambridge Science Park. The height of the proposed building would require further justification.

Scale and Height

Whilst the proposals would result in an increase in floor space, as it is still contained within the existing footprint, it would not have an unacceptable impact on land intake. The intensification of commercial floor space also aligns with Policy SS/4 of the Local Plan

In terms of the storey heights, the Draft NECAAP assumes 4m for non-residential development at ground floor, and states that new/replacement buildings in the Cambridge Science Park should be 4-5 storeys in height (maximum 6 storeys 18m), therefore, the proposed height of 6 storeys plus roof plant may be acceptable given its prominent location subject to further justification: it would be useful to have information on the height of the roof plant and visuals to demonstrate that the views of the roof plant would not dominate the skyline and detract from the high quality architecture that this scheme aims to deliver.

The proposed building has the potential to complement the height of the recently approved buildings on the Trinity Hub site, which are 4 to 6 storeys in height.

Layout

Comments provided with regard to alteration of internal layout of toilets and kitchens.

The rationale of providing outdoor terraces on the top floor of the proposed building is supported. However, in line with the other recently office/R& D buildings in the vicinity, the proposals would benefit from having outdoor seating areas at ground level, perhaps located to the arrival area of the site. It would be useful to have an dedicated outdoor seating area to the south of the site

Architecture

The contemporary approach to architecture is supported. The main entrance to the building (north façade) lacks prominence and would benefit from some modification. It is recommended that the projecting element above this entrance is extended to the ground floor to help create a more pronounced entrance.

Public Art

The recently approved scheme at Plots 1-21 includes a public art strategy – cladding in the form of LED screens to address the Milton Road and the Guided

Busway frontages. Given the prominent location of the site, there is scope for public art to be included in the scheme in some way, e.g. the cladding/outdoor furniture can include images/patterns of drawings by local children following a recent youth engagement exercise with the local school. This can be set out in the S106.

12. Landscape Officer – no objection subject to conditions

Updated Comments

Cycle parking – Previous comments apply

Parking – welcome the provision of parking spaces for motorcycles and scooters. Concerns have been addressed.

Existing vegetation – previous comments apply and to be conditioned

Soft landscaping – Welcome the provision of more soft landscaping. Details, specification and maintenance are to be conditioned.

Hard landscaping – although the applicant has retained the ‘hit and miss’ surface treatment to the car park there are some reservations. This material is generally used in rural locations with little usage and not consistent with the local characteristics of the Science Park. Recommend that the applicant replaces this material with a permeable block paving material.

Layout – Welcome the revisions undertaken by the applicant inclusive of enlarged paving area for pedestrians and cyclist to the west of the site and the removal of the layby to the east creating a new planting bed. However, I am concerned that the landscape layout at the entrance of the site with curved lines does not reflect the level of drama, pronounced clean straight and angular lines of the new build. Suggest applicant revisits the entrance layout which accentuates the main entrance and cantilevered projection.

Height – Welcome the provision of a Visual Appraisal and agree with their findings that the greatest visual effects are found within the immediate setting of the site, inside CSP resulting in Slight and Neutral effects. Beyond, where views are available to the proposed development, effects reduce to Minimal and Neutral.

Landscape character – Agree with the applicant that there would be minimal effects on the landscape character given that the proposed development is an office building within Cambridge Science Park and an existing employment area

Artificial lighting – previous comments apply and to be conditioned

Initial Comments

Cycle parking – Welcome cycle parking within the building which is both secure and covered. As per NECAAP applicant to confirm the following:

- At least 5-10% of cycle parking provision should be designed to accommodate non-standard cycles and should consider appropriate provision for electric charging points.
- Details of 2 tier racks to be confirmed

Parking - Appropriate space for motorbikes, scooters and car pool hire scheme vehicles to be included. Applicant to confirm

Existing vegetation – Subject to achieving Planning Permission, a detailed Arboricultural Method Statement and Tree Protection Plan will be required. This will include the following: fencing type, ground protection measures, “no dig” surfacing, access facilitation pruning specification, phasing and an extensive auditable monitoring schedule.

Soft landscaping –Concerned that the development proposals do not demonstrate how landscaping and planting have been considered as an integral part of the development proposal. Landscaping proposals should

- relate to the wider setting of the area with sufficient space for trees and planting to mature and to support biodiversity;
- achieve a suitable visual setting for building(s) having regard to both internal and external views of the area.

Applicant to submit a landscape strategy to confirm how the development addresses the above requirements

Planting details to be confirmed upon the 5th floor roof terrace, roof plan and ancillary building with non-rainfall irrigation methods. Rain garden details to be confirmed Tree, shrub & turf planting specification and schedule to be confirmed with underground root cells to feature trees

Hard landscaping – Applicant has included P7 Hit and miss concrete paving sown with hardwearing and shade tolerant grass seed as parking bays to the south of the site. Other than weekends this grass area will be used for car parking and unlikely to survive due to heavy shading. Suggest applicant replaces material with a permeable paving solution and omits some parking bays to enable sufficient tree and shrub planting. Furniture specification to be confirmed

Layout – The external road layout and pedestrian footways should reflect or respect the design criteria for Secondary streets as outlined within the Draft NEC AAP. These street should be with low traffic volumes, be more inclusive for all users within a shared space with less need for physical segregation, although there should be clear delineation for different users (for example through use of different surfacing materials and low kerb heights) to minimise conflict, particularly for vulnerable users such as those with visual impairments.

Applicant to revisit layout to address this design criteria with particular attention to the front of the site and adjacent to the ancillary area. How this has been addressed to be provided within the landscape statement.

Height – The proposed build appears to be approx. 26m inclusive of roof plant which conflicts with the Draft NEC AAP. Applicant to confirm and provide evidence to demonstrate why the new development deviates from the recommendations of '4-5 storeys typical height, maximum height 6 storeys (18m)'.

Little information has been supplied to demonstrate how the height and mass will impact the townscape, landscape and available views. Applicant to confirm that the new building has a positive impact upon its setting in terms of location on the site, height, scale and form, materials, detailing, wide townscape and landscape impacts and available views. A landscape and visual impact assessment, heritage impact assessment and massing study is required to carefully assess and consider its impact on the historic and wider skyline and its relationships with the surrounding context, the setting of Cambridge and Fen Edge approaches, including their relationship to the Fen Ditton

Previously agreed wider viewpoints can be accessed via Landscape Character and Visual Impact Appraisal: Development Scenarios and Figures

Artificial lighting – Little information has been supplied by the applicant to demonstrate how artificial lighting will increase levels of lighting and its impact upon the townscape, landscape and available views. Applicant to confirm within landscape and visual impact assessment, heritage impact assessment

13. Sustainability Officer – no objection subject to conditions

Updated Comments

Overheating – The document explains that the overheating modelling has been carried out using a future weather profile, recommended in GLA guidance DSY1 (Design Summer Year for the 2020's, high emissions, 50% percentile scenario).

Rainwater & Greywater Harvesting – The applicant has clearly set out the reasons why both rainwater and greywater harvesting are not feasible for the development including:

- Unpredictable levels of rainfall
- High plant space requirements
- Regular maintenance issues
- Storage limits
- System requirements (greywater)

The applicant's response has addressed the queries raised and is acceptable from a sustainable construction point of view subject to conditions set out in the original comments.

Initial Comments

The applicant has provided a full and comprehensive energy and sustainability strategy for the proposed development and the applicant's approach to reducing full lifecycle carbon emissions is welcomed.

Overall, the proposals from a sustainable construction perspective is supported. The proposals are considered to broadly align with the relevant policies set out in the 'National Planning Policy Framework' (2019) (NPPF), the 'Draft North East Cambridge Area Action Plan July 2020' (Draft NECAAP) and Policies CC/3 and CC/4 of the 'South Cambridgeshire Local Plan' (2018).

51.86% carbon reduction through passive design and renewable technology compared to baseline Part L Building Regs.

Further information requested in relation to overheating risk and rainwater/greywater harvesting. Suggest the following conditions be applied to any permission granted:

- Renewable Energy Strategy to be implemented as set out in the Sustainability and Energy Strategy
- BREEAM Design Stage Certificate to be submitted demonstrating BREEAM Excellent as a minimum shall be met
- BREEAM Post Construction Certificate to be submitted

14. Cambridgeshire County Council (Highways Development Management)

No objection subject to condition regarding submission of a traffic management plan

15. Cambridgeshire County Council (Highways Transport Assessment Team)

Final Comments

No objection subject to mitigation as follows;

- Travel Plan (condition)
- Widening of footway on Science Park perimeter road between Science Park roundabout and access road to enable shared walking/cycling (condition)
- Financial contribution of £165,000 for strategic sustainable transport infrastructure to enable modal shift to non-car related transport
- Financial contribution of £5,000 towards on street parking restrictions

Further Comments

Holding objection subject to further information being provided

Initial Comments

Holding objection subject to further information being provided.

16. **Conservation Officer** – no objections

17. **Ecology Officer** – no objection subject to conditions

Proposed conditions regarding removal of vegetation with respect to the protection of breeding birds and provision of a biodiversity enhancement scheme.

18. **Tree Officer** – no objection subject to conditions

Proposed conditions for AMS and TPP, landscaping plan and replacement of landscaping within 5 years

19. **LLFA**

Further comments – no objection subject to conditions

Proposed conditions regarding submission of a surface water drainage scheme (including groundwater modelling) and informatives regarding ordinary watercourse consent, Green roofs and pollution control

Initial comments – Holding objection: further details regarding groundwater displacement and waterproofing of basement

20. **Drainage officer** – no objections subject to conditions

Proposed conditions regarding submission of a surface water drainage scheme and management and maintenance of the surface water drainage system

21. **Scientific Support Officer (Contaminated Land)** – no objections

22. **Environmental Health** – no objection subject to conditions and informatives

Proposed conditions regarding construction hours and burning of waste

23. **Environment Agency** – no objection

24. **Design Out Crime Officer** – supportive

25. **Anglian Water** – Foul drainage from the development is within catchment of Cambridge Water Recycling Centre which does not have capacity to treat the flows from the development. Anglian Water are obligated to accept the flows with the benefit of planning consent and therefore will take the necessary steps to ensure there is sufficient capacity. Recommend informatives.

26. **Airport Safeguarding** – no objection

Representations from members of the public

27. None

The site and its surroundings

28. The application site is located on the eastern side of the Cambridge Science Park. The site currently benefits from 2 access points off the private road. The private road links to the Cambridge Science Park Road (perimeter road circulating within the science park). The main entrance to the science park from Milton Road is also a short distance east of the site. The site is currently occupied by a flat roof single storey office building, containing approximately 1000m² of floorspace which is currently unoccupied. It is central positioned on the site with car parking either side. There is amenity landscaping to along the frontage which includes a mature tree.
29. To the south of the site is the first public drain, a surface water drainage ditch which runs through the science park. The drainage ditch is flanked by vegetation on either side. Beyond the drain is the Trinity Centre and land which is currently being used as a temporary builder's compound for the storage of building materials in association with the development of plots 1-21 opposite. To the north and east of the site are modest two storey office buildings, whilst to the west is a low scale single storey office building of a similar appearance to that occupying the application site.
30. Contemporary office buildings of a more significant scale have recently been completed and are located on land to the east and south-east of the site. These are positioned between Cambridge Science Park Road and Milton Road.
31. The site is located within walking distance of bus stops on Milton Road and the Cambridge Guided busway. The site is also well served by walking and cycling infrastructure to Cambridge North Station which is around 10 minutes walk from the application site.

The proposal

32. The proposal is to demolish the existing building and erect a part 5, part 6 storey office building which contains approximately 6,300m² of floorspace. The building also contains a small basement.
33. The building will be centrally positioned on the site, with its main entrance on the north elevation, set within a scheme of hard and soft landscaping. A secondary entrance is located within the southern elevation, adjacent to the car park. A low level outbuilding containing cycle parking, refuse storage and an electricity substation will be positioned along the western boundary.
34. The building is designed with sustainability in mind. The main structure is proposed to be constructed of cross laminated timber, a low embodied carbon solution and is designed to achieve BREEAM Excellent certification. The internal layout of the building includes a central atrium containing the main circulation space. Lettable office floorspace is positioned either side of the atrium. The upper floor consists of 2 roof terraces, one to the south and the other to the north. The appearance of the building is defined by 3 main elements. The front elevation (north) includes a series of projecting pods and projecting staircase, whilst the

remaining elevations are clad with a secondary skin of perforated metal solar shading. The third element consists of a projecting upper floor within the east elevation to give the impression of a floating office.

35. In terms of access, it is proposed to retain the two existing access points however, these will be altered into a one-way system around the building. Cycle parking is located within the outbuilding along the western perimeter of the site, as well as within the south-west corner of the building at ground floor level. Car parking is positioned to the rear of the building, with the number of parking spaces maintained at existing levels.

Planning Assessment

Background

36. Policy SS/4 of the South Cambridgeshire Local Plan sets out the proposed development approach for Cambridge Northern Fringe East and Cambridge North railway station. The policy advises that the amount of development, site capacity, time scales and phasing of development will be established through the preparation of an Area Action Plan (AAP) and that the final boundaries of land that the joint AAP will consider will be determined by the AAP. The policy sets out a number of criteria for development proposals including that they do not compromise opportunities for the redevelopment of the wider area. Paragraph 3.31 of the supporting text states; *“planning applications submitted before the adoption of the AAP will be considered on their own merits and subject to ensuring that they would not prejudice the outcome of the AAP process and the achievement of the comprehensive vision for the area as a whole that will be established by the AAP.”*
37. The application site is located within the North East Cambridge Area Action Plan (NECAAP) area. A draft NECAAP (Regulation 18) was consulted on between 27 July 2020 and October 2020. The NECAAP covers an area of 182ha and includes all of Cambridge Science Park. The draft plan has currently set out a proposal for around 72,000m² of additional business floorspace on the Science Park, with a typical building height of 4-5 storeys and a maximum of 6 storeys (18m).
38. Land to the east of Milton Road also lies within the AAP area and includes the Milton Waste Water Treatment Plant (WTP). Redevelopment of this land requires the relocation of the WTP which has received significant Government Housing Infrastructure Funding. Relocation of the WTP will enable comprehensive planning of the North East Cambridge Area and Anglian Water have commenced a Development Consent Order (DCO) process to enable the relocation.
39. Work on the NECAAP is progressing to complete the Regulation 18 stage, consider the responses received and prepare the Proposed Submission AAP. This is likely to be completed by the end of 2021. It is then proposed the Councils would make a decision ahead of the DCO Examination to agree the AAP for Regulation 19 publication, but actually carrying out the consultation would be

subject to the successful completion of the DCO process, because of the need at Examination to be able to demonstrate that the development proposed on the site could be delivered. It is anticipated that the AAP process would pause until the outcome of the DCO is known which is likely to be Autumn 2023. This would mean the AAP is not submitted for examination until Spring 2024.

40. Paragraphs 48-50 of the NPPF sets out the following with regard to the status of emerging plans with respect to decision making.

Local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation (the more advanced, the greater the weight), the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies in the emerging plan to the NPPF.

In the context of the presumption of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than in limited circumstances where both; the development proposed is so substantial, or its cumulative effect would be so significant, that to grant planning permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to the emerging plan and; the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.

41. The emerging AAP is at an early stage of its preparation and its progress will be delayed until the outcome of the DCO process with respect to the WTP is known. Furthermore, the proposed development is not of a such significant scale which, if granted, would undermine the plan making process. Given these circumstances it is not considered the draft AAP carries any weight in the determination of this application.

Principle

42. One of the cornerstones of achieving sustainable development through the planning system is helping to building a strong, competitive economy. The NPPF (paragraph 80) recognises that “*planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity and allow each area to build on its strengths*”. Policy S/2 of the Local Plan sets out the vision for the growth within South Cambridgeshire which includes supporting its position as a world leader in research and technology based industries. The site

is located within the Science Park “special policy area” which refers to policy E/1 of the South Cambridgeshire Local Plan. Policy E/1 supports appropriate proposals for employment development within the Cambridge Science Park, particularly where they enable the continued development of the Cambridge Cluster of high technology research and development companies. Policy S/5 identifies an objectively assessed need for an additional 22,000 jobs over the plan period to 2031 to support the Cambridge Cluster. This equates to around 143,000m² of additional floorspace in the “B” use classes.

43. An Employment Land and Economic Development Study 2020 (ELEDs) led by GL Hearn commissioned by the Councils, has recently been published to support the emerging Greater Cambridge Local Plan. For the plan period to 2041, taking account of the committed land supply, it identifies an expected shortfall in B1a/b provision of 50,000-100,000m² and that this type of accommodation is lacking in the City and around North East Cambridge.
44. The application seeks to develop around 6,300m² of new B1(a) employment floorspace for office/research and development, which would result in a net increase of floorspace on the site of around 5,300m². Occupancy levels are estimated at 430 people. The proposal is located on the edge of Cambridge which is in accordance with the spatial development strategy set out in policy S/6. As such the proposal is considered to be in accordance with the NPPF and policies S/2, S/5, S/6 and E/1 of the South Cambridgeshire Local Plan.

Character and Appearance

45. The NPPF identifies, as part of the “social” objective of sustainable development, to foster a well designed and safe built environment. It also states that development which make efficient use of land should be supported taking into account the importance of securing well-designed, attractive and healthy places (para 122). Paragraph 127 of the NPPF requires developments to be sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change (such as increased densities). It goes on to advise that development proposals should be visually attractive as a result of good architecture, layout and effective landscaping. This is supported by policy HQ/1 of the South Cambridgeshire Local Plan which require new development to respond positively to its context in order to create distinctive, high quality, inclusive and safe places. New development should also be constructed in a sustainable manner using high quality materials with integrated landscaping and enhanced biodiversity.
46. The scale and massing of the building is significantly increased from the existing built form. The building is proposed to be 6 storeys (22m) in height however, the footprint of the building is the same, albeit with a different orientation. The scale and massing of buildings in the immediate context are single storey and two storey buildings set amongst landscaped grounds and surface level car parking. However, the wider context of the Science Park has seen the recent introduction of larger scale buildings occupying a greater footprint and the introduction of multi-level car parking. The adjacent site to the south (Trinity Centre) has planning permission for a 6 storey hotel (23m in height) and outline permission

for a 7 storey office building up to 30m in height. The aspirations for the Science Park are to increase densities and therefore, the scale of buildings proposed aligns with those aspirations.

47. As part of further information to support the application, a Landscape Visual Appraisal was submitted to consider the visual impact of the building from location viewpoints agreed with the Council's Landscape Team. The LVA demonstrates that the greatest visual effects are within the immediate setting of the site. The visual effects are considered acceptable in the context of its urban setting. From wider location viewpoints there would be a minimal or neutral effect and as such would not harm the wider landscape. The Council's landscape team is in agreement with the conclusions of the LVA.
48. In terms of the appearance of the building, the contemporary approach is supported. The proposed north elevation includes projecting bays containing meeting rooms which creates an interesting façade in the streetscene. The solar shading (perforated mesh panels) defines the appearance of the other 3 elevations of the building and highlight the sustainable approach with respect to solar gain. It is proposed that the specific details of the materials can be secured by condition.
49. The Council's urban design officer is supportive of the proposal although raised some minor issues with respect to elements of the internal and external layout, appearance of the building and provision of public art. Those matters relating the internal layout are not relevant to the determination of the application. Other matters were considered by the applicant but have not been amended and officers are of the view that the site layout and building's appearance as proposed is acceptable. Policy HQ/2 of the Local Plan encourages the provision of public art as a means of enhancing the quality of the development. Although the policy does not make public art a mandatory requirement, other recent developments within the Science Park include public art provision (eg: Plots1-21). The policy states this can be on site or through a financial contribution. No public art strategy has been put forward by the applicant however, it is considered that appropriate public art provision can be secured by condition.
50. Subject to conditions, the proposed development is considered to comply with the NPPF and policies HQ/1 and HQ/2 of the South Cambridgeshire Local Plan 2018.

Historic Environment

51. The statutory considerations as set out in section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, are matters to which the determining authority must give great weight to when considering schemes which have the potential to impact on heritage assets. This is supported by policies HQ/1 and NH/14 of the South Cambridgeshire Local Plan which seek to conserve or enhance heritage assets, including their setting. There are no designated or non-designated heritage assets within close proximity to the site and the Conservation Officer has raised no objection on heritage grounds. The proposal will therefore, not impact upon the historic environment.

Landscaping/Trees

52. Policy HQ/1 requires the provision of high quality landscaping and public spaces that integrate with its surroundings. The proposal includes a scheme of hard and soft landscaping to the front of the site. Concerns were initially raised with regard to the level of hard surfacing to the front of the property and in response the applicant has increased the amount of soft landscaping. The landscape officer has queried whether the curved form of the landscaping layout is contextually appropriate with the clean lines and angular appearance of the building. It is considered this matter can be addressed through a suitable landscaping condition.
53. The hard surfaced car parking is proposed as a hit and miss surface which will allow for seeding of the gaps between the paving units. The landscape officer does not consider the surface is consistent with local characteristics of the Science Park and is akin to more rural locations or settings such as country parks. The seeding is proposed to contain a high proportion of chewing fescue which salt, drought and shade tolerant and has low nutrient requirements. The use of such a surface has the added benefit of providing natural drainage as well as greening of the car park.
54. The draft NECAAP includes provision for a green corridor along the First Public Drain through the Science Park. It is not currently clear what the extent of this corridor will be, although there is an existing footpath on the southern side. This is not considered to carry any weight in the determination of the application however, the proposed modular laying technique for the car park surface would aid future transition if part of the land were to be included within this corridor or the demand for parking further reduces due to modal shift.
55. No objections are raised to the proposed parking surface however, details of hard surface materials proposed within the development can be secured by condition.
56. The site includes a small number of trees and hedges, all of which will be retained and none of which are subject to statutory protection. The arboricultural impact assessment recommends some minor works during the course of construction to ensure the existing vegetation is suitably managed and protected. This will be secured through an Arboricultural Method Statement and Tree Protection Plan by condition.
57. The proposed landscaping scheme, including retained trees, complies with policy HQ/1 of the South Cambridgeshire Local Plan.

Biodiversity

58. National planning policies seek to ensure that biodiversity is conserved and enhanced. At a local level, planning policy NH/4 requires new development to maintain, enhance, restore or add to biodiversity. The site does sit within the Impact Risk Zone of a nearby statutory protected site; however it does not meet the criteria that would require a consultation with Natural England. There are no non-statutory protected sites in the vicinity that are likely to be impacted by the application.
59. An ecology report has been submitted by the applicant in support of the application. The report found there was no evidence of bats or water vole within the application site. The report has undertaken a biodiversity loss calculation using the DEFRA Metric 2.0. The calculation has found a very low biodiversity value on site and post development calculations show a 130% increase in biodiversity. Although this is a significant increase in percentage terms, it is more a reflection of the lack of biodiversity on site presently. Nevertheless, it complies within Local Plan policy and as such conditions are proposed regarding the removal of vegetation to ensure the protection of breeding birds and the submission of a biodiversity enhancement scheme.
60. The proposed biodiversity enhancement complies with the NPPF and policy NH/4 of the South Cambridgeshire Local Plan.

Flood Risk and Drainage

61. A flood risk assessment and sustainable drainage strategy has been submitted in support of the application. The site is located within flood zone 1 and is a “less vulnerable” use. The development therefore meets national flood risk guidance with regard to being an appropriate location for the nature of the development. Policies CC/7, CC/8 and CC/9 of the Local Plan require new development to protect water quality through sustainable drainage systems and ensure that it will not increase flood risk elsewhere.
62. Sustainable drainage elements such as a green roof, planted rills and raingardens, permeable paving and infiltration trenches/blankets, will provide the required degree of water storage. Surface water generated from the development will discharge via infiltration for the majority of storm events, with overflow into the First Public Drain during severe storm events. Discharge to the First Public Drain will be controlled below the equivalent green-field run-off rates which is a 94% betterment from the existing brownfield rate.
63. The LLFA raised an initial concern regarding the impact of the proposed basement upon potential groundwater levels which are as shallow as 2m below ground level. In response to this concern the applicant produced a technical note which demonstrates this would increase by a maximum of 0.1 metres within the site. The LLFA are satisfied with this estimate subject to more comprehensive modelling which can be secured by condition.

64. With regard to foul drainage, Anglian Water note that the development is in the catchment of Cambridge WRC which currently does not have capacity to treat flows from the development. However, in the event permission is granted and the developer submits their formal application to connect to public sewers, Anglian Water will plan accordingly to accommodate the flows from this development.
65. The proposed surface water drainage strategy complies with the NPPF and policies CC7, CC/8 and CC/9 of the South Cambridgeshire Local Plan.

Transport and Highways

66. Policy TI/2 of the Local Plan requires new development to reduce the need to travel particularly by car and promote sustainable forms of transport. The policy requires new development to demonstrate that it will mitigate the likely impacts (including cumulative impacts) particularly in areas where there are significant transport implications and that opportunities for sustainable travel are maximised. North East Cambridge is one such location where there are significant issues with regard to the capacity of the local highway network in the AM and PM peaks. Policy TI/3 sets out that on site car parking should be design-led and based on indicative ratios set out in Figure 11 of the Local Plan. Cycle parking requirements are applied as minimum standards.

North East Cambridge Transport Position Statement

67. A Transport Position Statement (TPS) has been issued by the County Council with regard to development in North East Cambridge. The County's approach is informed by the transport evidence base for the emerging NECAAP, including the A10 Study, which establishes that Milton Road is already at capacity. The studies recommend the application of a vehicle trip budget in preference to providing additional highway capacity to accommodate new growth. The trip budget works by calculating the existing peak trips generated within the area and apportioning these to the individual sites.
68. The purpose of the TPS is to ensure that development proposals within north east Cambridge that come ahead of the NECAAP submission, do not prejudice or frustrate the delivery of the strategic transport solution or wider development aspirations of the NECAAP area. Fundamentally, the Highways Authority will not consider future development proposals to be acceptable unless they (i) present proposals as part of a clear area-wide transport strategy, (ii) address cumulative impacts, and (iii) accord with the following key transport principles;
- Future growth will need to be delivered in a way that does not add additional car trips to the network
 - Applications within the area must seek to reduce or at worst equal current peak hour vehicle trip generation and should include measures to further reduce this over time.
 - Applications in the area must have a significantly reduced parking allocation / ratio for employment and housing
 - Developers for an area should submit a NEC or sub area-wide Transport Strategy that demonstrates how their individual application fits into the wider

masterplan for the sub area or NEC area as a whole (including reductions in overall parking provision as necessary).

- Each proposal within the AAP area should consider the impacts of cumulative development and provide effective mitigation. Development within the NEC area is required to make financial contributions towards strategic infrastructure.
- Proposed development must not lead to unacceptable air quality.
- Developments should indicate how they will engage with and support the promotion of walking and cycling to and from key nodes – and within the area
- Proposals will be expected to provide for future “area wide” travel planning initiatives as part of the AAP which would seek to ensure a coordinated approach to travel planning across the whole of the site, rather than rely solely on site specific travel plans.

69. The proposal meets with the general principles of the transport position statement and no objection has been raised by the Highway Authority in this regard. These matters are considered in more detail below.

Science Park – Car Parking Management Strategy

70. A car parking management strategy is in place for the Cambridge Science Park which proposes to reduce the number of car parking spaces across the Science Park. This strategy was established through a freestanding legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) between Trinity College, Cambridgeshire County Council, Cambridge City Council and South Cambridgeshire District Council. The strategy was put in place as a result of proposals to develop plots 1-21 (S/2436/17/FL and 17/1193/FUL) and plot 24 (The Hub) (S/4629/18/FL). The level of car parking spaces within the Science Park prior to these applications being granted was 6,977. These applications add further car parking spaces within the Science Park, increasing the total level of parking to 7,498 spaces.

71. The car parking management strategy seeks to reduce the level of car parking back to 6,977 spaces within the Science Park over a 10 year period to 2030. Trinity College currently has control of around 33% of car parking spaces (2,500) within the Science Park. The college have committed to reducing car parking spaces within its control when leases are due to expire. The strategy also acts as a cap on car parking for development proposals coming forward, including this application which does not propose to increase on site car parking.

Trip Generation

72. The applicant has submitted a transport assessment (TA) in support of the application which has been assessed by the County Highways Transport Assessment Team in the context of the above transport principles for north east Cambridge. The Highways transport assessment team initially raised a holding objection to clarify further information regarding the proposal, particularly in relation to the likelihood of increased vehicle trips in the peak periods arising from the proposed development. The forecast vehicle trip generation expects there to be a negligible increase in vehicle movements (11) in the AM and PM peaks and

therefore, relies on a significant modal shift to more sustainable forms of transport. The number of vehicle trips arising from the development would form part of the Science Park's overall trip budget.

73. The baseline conditions on characteristics of travel patterns by employees within the Science Park have been informed by Travel Plan Plus (TP+). This is an area wide travel plan initiative that covers staff and the Science Park, Cambridge Business Park and the Regional College. A summary of staff travel results are set out below in table 1. Also included in the table is the predicted mode share from the proposed development.

Table 1: Travel to Work Mode Share

Mode of Travel	% of staff (survey of existing)	% of staff (predicted from development)
Drive Alone	52%	11%
Car share (drive)	4%	10%
Car share (non-driver)	4%	10%
Cycle	25%	30%
Walk	6%	7%
Motorbike	1%	1%
Train	4%	8%
Conventional Bus	1%	6%
Guided Bus	3%	8%
Staff Shuttle Bus	0%	9%
TOTAL	100%	100%

74. The provision of on site parking spaces (36) remains unchanged as a result of the proposed development and results in a car parking ratio of 1:175m². This ratio aligns with targets set out in the transport evidence base for the emerging AAP. The TA predicts 200 trips in the AM peak and 194 trips in the PM peak compared to 46 in the AM peak and 45 in the PM peak from the existing building. The TA identifies the 36 car parking spaces (18%) would be split between "drive alone" and "car share". Given the restricted level of on site parking, residual travel demand is redistributed to other modes. The predicted modal split assumes a significant uplift in use of sustainable transport, car sharing and a staff shuttle bus. Using data from TP+ surveys of where people live who work in the Science Park, a number of employees (40%) will directly benefit from the future CAM network, Greenway cycle routes and Chisolm Trail. These employees have the potential to switch from car driving to non-car travel. The applicant has also identified that there are limited opportunities for on street parking within 800m of the site which is restricted to streets to the south and west of the application site where there are currently no parking restrictions. Given the significant modal shift to more sustainable forms of transport required to support the proposal the Highway Authority have recommended the following mitigation measures;

- Works to widen the footway to 3m on the inside of the science park perimeter road between the cycle path crossing south of the Science Park roundabout and the junction of the Science Park perimeter road with the

access into the side road leading to 127–136 Science Park. That these works include improving the crossing over the perimeter road south of the access roundabout. Works to be undertaken by the applicant, with the S278 to be agreed prior to occupation

- £165,000 for strategic transport infrastructure
- £5,000 towards parking restrictions in surrounding streets
- Provision of a Travel Plan to include membership of TP+

75. The Highway Authority have indicated the footway widening could be conditioned however, in the absence of a plan which accurately defines the scope and location of this work, it is considered more appropriate to secure a scheme of highways works as a planning obligation through a s106 agreement.

76. The site is accessed off a private road, accordingly the highways officer has no objection subject to a condition regarding provision of a traffic management plan.

77. Cycle parking provision includes 213 cycle parking spaces (1 space per 30m²) which meets Local Plan requirements. This provision is made up of 10 cargo bikes spaces, 23 sheffield stand spaces, 4 lock and dock stations, with the remainder as double stackers. The Council's landscape team have requested provision in accordance with the emerging NECAAP however, this does not carry any weight in the determination of the application. Nevertheless an appropriate mix of cycle parking is considered to be provided which is either within the main building or adjacent outbuilding on the western side of the site. Provision is also made for showers, lockers and changing facilities within the basement.

78. Subject to securing the transport mitigation measures by condition and planning obligations as set out above, the proposed development is considered to comply with policies TI/2 and TI/3 of the South Cambridgeshire Local Plan.

Sustainable Construction/Carbon Reduction

79. The NPPF notes that the planning system should support the transition to a low carbon future and great weight should be given to outstanding or innovative designs which promote high levels of sustainability (paragraph 131). Policy CC/1 requires new development to embed the principles of climate change mitigation and adaptation into the development. Policy CC/3 requires new major developments to reduce carbon emissions by a minimum of 10% through the use of on site renewable energy. Policy CC/4 requires proposals for non-residential development to achieve a minimum water efficiency standard of 2 BREEAM credits for water use. The Sustainable Design and Construction SPD provides further guidance on implementation of relevant Local Plan policies regarding sustainable design.

80. The structure of the building is proposed to be constructed with Cross Laminated Timber (CLT). This is a highly sustainable low embodied carbon solution. It is also the only structural frame solution that provides carbon sequestration – considered carbon negative. It is proposed that the building will be built to BREEAM Excellent standard and is targeting Gold certification under the WELL Building (health and wellbeing) standard.

81. The CLT structure allows for inherent air tightness ideal for a fabric first approach to reduce operational energy consumption. The proposal includes passive design measures such as enhanced fabric thermal performance, external secondary skin shading, maximising natural light and solar shading via internal blinds. Active design measures to reduce energy consumption include low energy LED lighting, natural ventilation with heat recovery and energy metering. In following the energy hierarchy, the proposal also includes provision for onsite renewables to which include air source heat pumps, solar PV panels and solar thermal panels. The combination of passive and active design measures and use of onsite renewable energy delivers a carbon reduction of 51% from the Part L Building Regulations baseline. This exceeds policy CC/3 requirements. The applicant has also carried out an overheating risk assessment which demonstrates that the building's overheating model of passive design measures (in line with the cooling hierarchy) and hybrid natural ventilation system is designed to withstand higher temperatures and adapt to climate change. In addition, comfort cooling is also proposed through air source heat pumps.
82. A Life Cycle Assessment has been undertaken to assess the environmental impact of the proposal, looking at energy requirements and emissions that result from the development from cradle-to-grave, ensuring the embodied carbon that will result from this development is taken into account. Whilst no baseline targets for embodied carbon are set out in the Local Plan, this demonstrates the applicant's holistic approach to delivering a sustainable building.
83. In terms of water consumption, the water saving measures to be included within the development will achieve a minimum 25% improvement over baseline building water consumption. These include;
- Water efficient sanitaryware
 - Soft landscaping and irrigation, including drought tolerant planting and use of planting beds as passive irrigation
 - Water meters
 - Leak detection

This will achieve 2 BREEAM credits as required by policy CC/4.

84. The Council's sustainability officer is in support of the applicant's approach to sustainable construction subject to conditions. The proposal is therefore considered to comply with the NPPF and policies CC1, CC/3 and CC/4 of the South Cambridgeshire Local Plan.

Land Contamination

85. Policy SC/11 of the Local Plan requires applicants to demonstrate there will be no adverse health impacts to surrounding occupiers or end users from ground contamination. The application is accompanied by a site investigation report. The Council's officer agrees with the report's recommendation that there is a very low risk of harm to human health from the land on the application site. As the site is not being developed for a sensitive end use, no contaminated land condition is required.

Air Quality

86. Policy SC/12 of the Local Plan is concerned with air quality impacts and explains that where development proposals would be subject to unacceptable air quality standards or would have an unacceptable impact on air quality standards they will be refused. The policy further identifies that Development will not be permitted where it would adversely affect air quality in an Air Quality Management Area (AQMA). The Council has declared an Air Quality Management Area due to exceedances of the annual mean NO₂ and 24-hour mean PM₁₀ NAQO along the A14 between Bar Hill and Milton, to the north east of the application site.
87. An Air Quality Impact Assessment has been submitted in support of the application. This concludes that the air quality impacts from the proposed development with regard to road traffic are “not significant” and that no mitigation is required. The report recognises there is the potential for dust during the construction phase and that mitigation should be provided to minimise this impact. Subject to this mitigation, the impacts are deemed “not significant”.
88. The site also falls within the safeguarded area for the Cambridge Waste Water Treatment Works (CWWTW). The Council has produced a technical note on the interpretation of the “Odour Impact Assessment for the Cambridge Water Recycling Centre” which has been produced as part of the evidence base for the emerging NECAAP. The site falls outside the odour exposure contours identified within this report and therefore, it is not considered the development will be adversely affected by odour from the CWWTW.
89. In line with policy SC/12 in aiming to improve air quality, the proposed development states that electric vehicle charging points will be provided to serve every car parking space. The type of charging point is not identified however, it is considered a scheme for electric vehicle charging points can be submitted and agreed by condition.
90. The proposed development is not considered to give rise to any significant air quality impacts nor will it be adversely affected by the nearby WWTW. The proposal is therefore, in accordance with the NPPF and policy SC/12.

Other Matters

91. Conditions requested by Environmental Health regarding restrictions on construction hours and burning of waste are not considered to meet the conditions tests to make the development acceptable in planning terms. This is because there are no residents in close proximity to the site and burning of waste can be controlled through environmental protection legislation.
92. The proposed condition regarding submission of a BREEAM post construction certificate has been amended to reflect the fact that certain BREEAM credits cannot be documented before construction is completed. Accordingly, an application to the Building Research Establishment (BRE) for final certification cannot be made until final completion. Therefore, rather than “prior to first

occupation”, it is proposed that the submission of the post construction certificate no later than 6 months after first occupation. Such wording is advised through the Planning Inspectorate to Inspectors proposing such conditions and is therefore, considered reasonable.

Planning Obligations

93. The NPPF states that LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Policy TI/8 of the Local Plan states that planning permission for new developments will only be supported where there are suitable arrangements for the improvement or provision and phasing of infrastructure, services and facilities necessary to make the scheme acceptable in planning terms.

94. The following matters are proposed to be secured through a Section 106 agreement;

- £165,000 towards strategic transport infrastructure
- £5,000 towards on street parking restrictions
- Scheme of highways works to provide footway/cycleway improvements

Planning balance and conclusion

95. Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004). The NPPF is a material consideration which must be taken into account where it is relevant to a planning application. This includes the presumption in favour of sustainable development found in paragraph 11 of the NPPF, which requires approving development proposals that accord with an up-to-date development plan without delay.

96. The NPPF lists the three dimensions to sustainable development: economic, social and environmental. These dimensions are interdependent and need to be pursued in mutually supportive ways to achieve sustainable development. In terms of its economic role, the proposed development will deliver employment led growth within the Science Park which is identified as a location within South Cambridge to deliver appropriate employment proposals. In a social role the proposal will achieve a well designed building appropriate to its context in a modern business park. In an environmental role the proposal makes effective use of previously developed land with a building which embraces sustainable construction through the use of sustainable natural resources (timber) whilst also minimising energy consumption through passive design and use of renewable energy, thus demonstrating a building which is adaptable and resilient to climate change. The proposed development will also provide a net gain in biodiversity and not cause harm to other aspects of the environment such as air, water or soil.

97. The proposed development is therefore, considered to meet the objectives of sustainable development in accordance with the NPPF and South Cambridgeshire Local Plan and it is recommended to grant planning permission.

Recommendation

GRANT PLANNING PERMISSION subject to;

1. The prior completion of a Section 106 Agreement under the Town and Country Planning Act 1990 with delegated authority to officers to negotiate, secure and complete such an Agreement on the terms set out within section 94 this report and any others considered appropriate and necessary to make the development acceptable in planning terms; and
2. The planning conditions specified in this report and detailed in Appendix 1 with authority delegated to officers to include any minor drafting changes thereto; and
3. The relevant informatives as set out in Appendix 1 to be included at the discretion of officers.

Background Papers

North East Cambridge – Interim Transport Approach (Report of Joint Director of Planning and Economic Development to JDCC 17 March 2021)

Appendices

Appendix A: Conditions and Informatives

Report Author:

Name – Phil McIntosh, Interim Management Support

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

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

- 2 The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

- 3 With the exception of demolition, no development shall take place above ground level in respect of the construction of the building, until details of the materials for the external surfaces of the building have been submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area (South Cambridgeshire Local Plan 2018 Policy HQ/1).

- 4 Prior to the commencement of construction works above ground level, a detailed Public Art Strategy and Delivery Plan, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved detail, and retained as such.

Reason: To accord with policy HQ/2 of the South Cambridgeshire Local Plan 2018.

- 5 No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant.

Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (South Cambridgeshire Local Plan 2018; Policy HQ/1).

- 6 Prior to first occupation of the development hereby permitted, a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the local planning authority in writing. The landscape plan shall be carried out as approved. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (South Cambridgeshire Local Plan 2018; Policy HQ/1).

- 7 With the exception of demolition, no development above ground level shall commence until full details of green roofs and roof gardens have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategies (if applicable) and drainage and irrigation details where applicable.

Reason: In the interests of responding suitably to climate change and water management and creation of habitat and biodiversity (South Cambridgeshire Local Plan 2018; Policies HQ/1 and CC1).

- 8 Prior to the commencement of development, a Traffic Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: in the interests of highway safety (South Cambridgeshire Local Plan 2018; Policy CC/6).

- 9 Prior to first occupation of the building a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking. The Travel Plan shall be implemented as approved upon the occupation of the development and monitored in accordance with details to be agreed in writing by the Local Planning Authority.

Reason: In the interests of encouraging sustainable travel to and from the site (South Cambridgeshire Local Plan 2018; Policy TI/2).

- 10 No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties (South Cambridgeshire Local Plan 2018; Policy SC/12).

- 11 No external lighting shall be installed other than in accordance with a detailed lighting scheme that has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall specify the method of lighting (including details of the type of lights, orientation/angle of the luminaries, the headgear cowling, the spacing and height of lighting columns), the extent/levels of illumination over the site and on adjacent land and measures to be taken to contain light within the curtilage of the site. The scheme shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interests of visual amenity (South Cambridgeshire Local Plan 2018 policy HQ/1)

- 12 Prior to first occupation of the development and the installation of any electrical services, an electric vehicle charge point scheme demonstrating the provision of car parking spaces with dedicated electric vehicle charging, shall be submitted to and approved in writing by the Local Planning Authority.

The electric vehicle charge point scheme as approved shall be fully installed prior to first occupation and maintained and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework and policy SC/12 of the South Cambridgeshire Local Plan 2018.

- 13 Prior to the first occupation of the development, the approved renewable/low carbon energy technologies (as set out in the Sustainability and Energy Strategy by Scotch Partners dated 22/07/2020) shall be fully installed and operational and thereafter maintained in accordance with a maintenance program, details of which shall have been submitted to and approved in writing by the local planning authority.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Energy Statement to take account of this shall be submitted to and approved in writing by the local planning authority. The revised Energy Statement shall be implemented development and thereafter maintained in accordance with the approved details

Reason: In the interests of reducing carbon dioxide emissions in accordance with Policy CC/3 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.)

- 14 Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met. Where the certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall be submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Greater Cambridge Sustainable Design and Construction SPD 2020).

- 15 No later than 6 months following first occupation of the development, a BRE issued post Construction Certificate shall be submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Greater Cambridge Sustainable Design and Construction SPD 2020).

- 16 No works to or removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants if appropriate, or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and the 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To protect biodiversity within the site (South Cambridgeshire Local Plan 2018 NH/4).

- 17 Except for demolition and prior to the commencement of development above slab level, a scheme of biodiversity enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details as to how a minimum 10% net gain in biodiversity has been accomplished, along with details of integrated bat and birds boxes, and

native planting. The approved scheme shall be fully implemented prior to first occupation of the development unless otherwise agreed in writing.

Reason: To encourage biodiversity within the site (South Cambridgeshire Local Plan 2018 NH/4).

- 18 Prior to commencement of the development and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any tree works are carried and before equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Reason: To satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with South Cambridgeshire Local Plan 2018 Policy HQ/1.

- 19 The approved tree protection methodology will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with approved tree protection plans, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with South Cambridgeshire Local Plan 2018 Policy HQ/1.

- 20 With the exception of demolition, no development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the building.

The scheme shall be based upon the principles within the agreed Flood Risk and Drainage Strategy Report prepared by Smith and Wallwork Engineers (ref: 000269-SAW-ZZ-ZZ-RP-C-0002) dated 21st July 2020 and shall also include:

- a) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- b) Full details of the proposed attenuation and flow control measures
- c) Full details on the associated risk of groundwater displacement based on site-specific groundwater modelling.

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

- 21 Prior to first occupation of the development, details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with paragraphs 163 and 165 of the NPPF and policies CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018.

Informatives

- 1 Connection to a public sewer

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

- 2 Protection of existing assets

A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

- 3 Building near to a public sewer

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

4 Sewer adoption

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

5 Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

6 Green Roofs

All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).

7 Ordinary Watercourse Consent

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance.

8 Demolition Notice

Before the existing buildings are demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which they will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working.

9 Piling

In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the

local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded). Development shall be carried out in accordance with the approved details.

**To:**

Joint Development Control Committee 14 April 2021

Report by:

Sharon Brown Assistant Director Delivery

Tel: 07725 751708 Email: Sharon.Brown@greatercambridgeplanning.org

RE: Planning Advisory Service Review of Joint Development Control Committee**Wards/parishes affected: All**

1. Executive Summary

- 1.1 Cambridge City Council and South Cambridgeshire District Council (SCDC) jointly commissioned the Planning Advisory Service (PAS) to undertake a review of the City Council and SCDC Planning Committees, as well as the Joint Development Control Committee (JDCC) in early spring 2020. This was in the context of the ongoing implementation of the Shared Planning Service including the programme of service improvements, process and procedural alignments associated with it.
- 1.2 The review was delayed by several months until the late summer/autumn of 2020 because of Covid19 and lockdown, as all pending PAS review projects were put on hold at that time. The review of the JDCC has now been completed and forms part of the same PAS report that considered the City Council Planning Committee. The final PAS report is attached to this report as Appendix A.
- 1.3 The review of the JDCC was dealt with on a “light touch” approach basis compared to the review of the City Council and SCDC Planning Committees. The report contains a range of findings, conclusions and recommendations. Some of these are relevant to the JDCC and some are not. Many of these relate to issues that the Shared Planning Service has already identified as part of its service improvement programme such as updating and streamlining Committee report templates, the approach to officer presentations etc. Other report recommendations are already being implemented such as the programme of member development sessions that began in October 2020 for City and SCDC Planning Committees. The JDCC already has a well- established member development programme and pre-application briefings process that have been operating for many years.

- 1.4 Cambridge City Council Planning Committee considered the PAS report on 24 March 2021. A similar process had already been undertaken by SCDC in relation to the PAS Review report of the SCDC Planning Committee. The SCDC Planning Committee considered the report on 13 January 2021. A Planning Committee Development Group, comprising of six members (three from the Planning Committee and three from the Scrutiny and Overview Committee) and relevant senior officers has been set up to oversee implementation of the SCDC report's recommendations.
- 1.5 Only some of the report recommendations are directly relevant to the JDCC as most of the eleven recommendations focus on the Cambridge City Council Planning Committee. The relevant recommendations are highlighted in paragraph 3.5 of this report and most of these are within the remit of the JDCC to take forward itself so this is reflected in the officer recommendation.

2. Recommendations

- i) To note the content and recommendations set out in the Planning Advisory Service report.
- ii) To endorse the implementation of Recommendations R4, R5 and R8 of the Planning Advisory Service Review report with respect to the Joint Development Control Committee as highlighted in paragraph 3.5 of the committee report.

3. Background

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Context

- 3.1. As part of the ongoing implementation of the Shared Planning Service, a programme of service improvements has been carried out by the planning service throughout 2020 and this will continue into 2021-22. Some of the specific improvements have been/will be included in the Service Plan 2020-2021 and emerging Service Plan for 2021-2022. The objectives for the service improvement programme include alignment and streamlining of processes and procedures wherever possible to maximise efficiency, learning from best practice across the country and making best use of resources. The two Councils operate three Planning Committees across the Greater Cambridge area, all of which function in a different way so there is also an opportunity to review best practice across the three Committees. It is within this context that both Councils jointly commissioned the Planning Advisory Service (PAS) in early spring 2020 to undertake a review of their Planning Committees as well as the Joint Development Control Committee (JDCC).
- 3.2. Due to Covid 19 and lockdown which resulted in all pending PAS reviews being put on hold in the spring of 2020, the review was delayed until the late summer/autumn. The review has now been completed and the final PAS report dealing with both the JDCC and Cambridge City Council Planning Committee in the same report, is attached as Appendix A to this report. The review of the JDCC was carried out on a

“light touch” approach basis compared to the review of the City Council and SCDC Planning Committees.

Review Process

- 3.3. The process carried out by PAS as part of their review included the following elements:
- Review of some virtual JDCC meetings during July, August and September 2020.
 - Meetings with the Chair of the JDCC and Planning lead members for both SCDC and Cambridge City.
 - Meetings with key Council officers including the SCDC Chief Executive, former City Council Chief Executive, Joint Director of Planning, Assistant Director Delivery, Strategic Sites Delivery Manager and legal officers in August and September 2020.
 - Stakeholder engagement meetings with the City Council’s Residents Forum in September 2020 and with SCDC Parish Councils

Report Findings, Conclusions and Recommendations

- 3.4. The review findings, conclusions and recommendations are set out in detail in the PAS report attached as Appendix A. Key findings and conclusions that are relevant to the JDCC include the following:
- Cambridge Council (which provides administrative support for the JDCC) demonstrated a quick response to Covid19 and lockdown by adapting to move the Committees to an on-line platform, minimising disruption to the Committee cycle and putting in place appropriate guidance and information.
 - In the context of Covid 19 and lockdown, the JDCC has retained a good focus on public engagement and in maintaining capacity for the public to speak at Committee. The virtual meetings have been well received by customers and third parties who have wanted to participate.
 - The JDCC provides an example of good joint working between Cambridge City Council and SCDC and the two Councils demonstrated good commitment to maintaining the Committee when Cambridges County Council withdrew from the Committee.
 - The Terms of Reference has been recently reviewed to remove the need for householder and minor applications from being reported to Committee as these had previously been caught by the TOR wording.
 - There is clear role clarity and good trust and confidence between members and officers displayed at Committee.
 - The Chair recognises that there is an ongoing need for further member development focus on 5 year housing land supply , employment, build out and delivery rates, strategic land use policies in the wider sub-region, outlines, reserved matters and full applications and respective Local Plan policies of each Council.
 - Pre-application and other briefings work well and are informative.
 - Grouping of issues into themes on complex items by the Chair is a good approach.
 - JDCC members should be aware that a different approach is required in terms of the process for consideration of large scale applications compared to smaller

applications considered by the other Planning Committees for the majority of the time.

- Noted that there are no limits to ward member speaking time which is inconsistent with other public speakers.
- There are opportunities identified to improve the customer experience of the virtual Planning Committee process
- Learning from best practice from other Councils indicates an opportunity for further collaborative working between members and officers.

3.5. Eleven recommendations are set out in the PAS report. The ones more directly relevant to the JDCC are highlighted below:

- R4 -Review Scheme of Delegation. Although the Terms of Reference for the JDCC were reviewed in the summer of 2020, the Scheme of Delegation was not and has not been updated since 2013. It is therefore recommended that a Review of the Scheme of Delegation should take place during 2021-22 as part of the wider Shared Planning Service review of processes and procedures.
- R5 -the Committee should receive more regular updates on 5 year housing land supply and the housing delivery test including any relevant appeal decisions.
- R8 -The report recommends that consideration be given to the introduction of member site visits for City Planning Committee and it is recommended that the JDCC consider this as well.
- R9 -Consideration should be given to further improvements to the virtual committee experience in terms of use of technology.

3.6. All the above are within the remit of the JDCC itself to consider, except the virtual committee experience and use of technology which would need to be considered alongside the review of the City Council Planning Committee, as the JDCC is administered by Cambridge City Council. Committee are therefore asked to endorse that recommendations R4, R5 and R8 of the PAS Review report are implemented with regard to the JDCC.

4. Implications

a) Financial Implications

Other than the costs arising from the review process itself, there are no direct financial implications arising from the PAS report, although if some of the recommendations are implemented such as the reduction in the length of Planning Committees and officer reports and presentations, this would reduce the costs running Planning Committee meetings and reduce member and officer time spent on them.

b) Staffing Implications

There are no staffing implications directly arising from this report.

c) Equality and Poverty Implications

d) Environmental Implications

None

e) Procurement Implications

None.

f) Community Safety Implications

None.

5. Consultation and communication considerations

Engagement with key members including the Executive Councillors, relevant senior officers and residents groups and Parish Councils took place as part of the joint review process.

6. Background papers

None

List of Appendices

Appendix A –Planning Advisory Service review report of Cambridge City Council Planning Committee and the Joint Development Control Committee completed January 2021

Inspection of papers

If you have a query on the report please contact Sharon Brown.

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Appendix A



Planning Committee Peer Review

**Cambridge City Council and Joint Development
Control Committee**

October 12, 13 2020

1.0 Executive Summary

1.1 This report summarises the findings of a planning committee peer challenge review, organised by the Local Government Association (LGA) with the Planning Advisory Service (PAS) and carried out by its trained peers. The aim of the peer review was to assess the operation of the Council's Planning Committee. This report also includes reference to the Joint Development Control Committee (JDCC) which is comprised of members from both Cambridge City and South Cambridgeshire District Councils and which focuses on large applications on the City fringes.

1.2 Cambridge City Council and South Cambridgeshire District Council operate an integrated shared planning service across the two authorities – the Greater Cambridgeshire Shared Planning Service (GCSPS). The peer team are also reviewing the operation of South Cambridgeshire District Council's Planning Committee.

1.3 Due to the ongoing limitations to normal working practices and the need for social distancing as a result of the continuing Covid 19 world pandemic, the Council agreed with the peer team that the review would be undertaken virtually. Therefore, our report and findings reflect a set of specific circumstances that have prevailed since the coronavirus crisis and the report should be viewed within this context. The peer review was also undertaken around the time of the release of the Government's White Paper 'Planning For The Future' in August 2020, with the consultation not closing until after the completion of this work. The peer team have not therefore considered the potential implications of the proposals in the White Paper on the operation of Planning Committees.

1.4 We clearly recognise the existing and on-going impacts that the Council and planning service has had to manage since March 2020 as a result of the Covid 19 pandemic. This has affected all the work of the planning service, including the requirement to carry out planning committee meetings online to comply with Government guidance and regulations in relation to public meetings in indoor spaces.

1.5 Another important context for our review is that the GCSPS continues to overcome issues of the coming together of the staff into a shared service from Cambridge City and South Cambridgeshire Councils. While the Planning Services merged in 2016 the process of forming the shared service has required substantial organisation, staffing and process changes – including the roll out and delivery of a service wide re-structure and a new ICT solution. This continues to provide challenges for the management team and staff in addition to managing the service through the changes prompted by Covid 19.

1.6 The public and special interest groups take a strong interest in the planning process in the city and want to play a significant role in planning decision making. Members of all political parties are very focussed on community engagement and public accountability which has an impact on the operation of the Planning Committee. In speaking to a number of representatives of residents and special interest groups it was also clear that many have major concerns and frustrations about the way the planning system operates nationally. This continues to create high expectations and heightened demand on an already stretched planning service.

1.7 Members of the Planning Committee have a clear understanding of their roles in determining planning applications. However, the Chair and members need to stay alert to the occasions when the roles are in danger of being blurred under pressure from external influences, or where their role as ward members could influence their decisions. We offer some advice in our report to help limit such occurrences.

1.8 The Planning Committee's compact size at eight members provides good opportunities for enhanced specialised learning and development opportunities that are being rolled out through a new Member Development Programme. We offer some advice on how training might be enhanced as part of this process.

1.9 Members' trust of, and confidence in, officers remains good. However, officer's perceptions were generally different and they sometimes saw robust challenge at planning committee as an indication that members have a lack of confidence in their professional judgements. In order to maximise the opportunities of collaborative working to create a culture of mutual respect for the different but complementary roles of officers and members we provide some suggestions to support change. Some of these involve stronger channels of communication and officers showing political acumen in recognising the different style of questioning and debate at Planning Committee and reacting positively to this.

1.10 We see opportunities for greater emphasis on pre briefings between developers/agents, Planning Committee members, ward members and members of the public at a pre application stage. This allows for information exchange and questions in a non-decision-making forum.

1.11 We would also extend this principle to encourage more pre-Committee dialogue between case officers and Planning Committee members and ward members in order to make the actual Planning Committee more efficient and less dominated by details that could be asked, and dealt with, beforehand. Opportunities exist to make the Planning Committees shorter and more efficient. We respect the desire of the Chair and members to support democratic decision making involving public engagement – but this could be done in a timelier and business-like manner.

1.12 The Planning Committee undertake very few site visits due to members feeling they knew the city well enough and as part of cost cutting measures. There are clear advantages to reviewing this approach in terms of all members seeing those particular schemes that would warrant a site visit. The benefits to members would be seeing the site together with officers and being jointly briefed. Subject to site visits being safely conducted and backed by strong protocols, we see advantages for a review of the current position.

1.13 The Council has not reviewed its Scheme of Delegation for some time and the Planning Committee decides on a number of small scale, sometimes householder applications. The threshold for calling in applications remains very low and the City Council appears to be an outlier in the ease of which applications can be called in. We recognise the broad political consensus on what members referred to as 'democratic decision making' but we would ask the Council to review whether it is making the most efficient use of officer and member time at such long Committees with the attendant drain on costs.

1.14 The Council responded quickly to the Covid 19 pandemic in moving its Planning Committee onto an online platform backed by appropriate guidance and information. We found accessing the Committee relatively easy both in its live form and via web casting. The Council has maintained a good focus on public engagement, especially through maintaining the capacity for the public to speak at Committee. Some of the online Planning Committees have recently experienced significant technical issues. We provide some recommendations for building on the existing online platform to help improve the customer experience.

1.15 The City Council and South Cambridgeshire District Council have shown good commitment to the JDCC especially following the withdrawal of the County Council from that Committee. It provides a good vehicle for facilitating the delivery of growth and

infrastructure through the emerging joint Local Plan between the two councils. We were told of high levels of collaborative working supported by good pre briefings in the run up to formal JDCC decision making meetings. The Chair does however recognise the need for more specific training in some areas that we refer to in the detail of our report.

1.16 While the joint councils have not reviewed the JDCC Scheme of Delegation, they have revised the Terms of Reference and this has helped clarify that the types of applications coming before it are 'major' and in housing terms over 100 units. This avoids small scale matters from having to come back to that Committee for decision.

1.17 While we did not have time to explore the customer experience of the JDCC to the same extent as at the City Council we were told that virtual meetings on the JDCC had been well received by planning customers and third parties who wanted to participate.

2.0 Recommendations

R1 Adopt a set of clear and realistic expectations and improve cultural behaviours between Planning Committee members, ward members and officers that seek to build trust and confidence. The LGA/PAS can give support on a collective agreement of how the behaviours will translate into actions. This is likely to involve a series of small but important steps in consistently doing the basics well in terms of more effective communication between officers and members, stronger briefings and better support to members at Committee.

R2 Ensure that there is a clear channel for communications between Planning Committee, ward members and case officers, including a "who, how and when" to contact officers. This would improve the flow of information between the two parties in advance of the committee meetings.

R3 Explore ways to establish opportunities for informal (non-decision making) pre planning briefings for members of the planning committee, ward councillors, officers, special interest groups and members of the public. For example, some councils such as Cornwall have consultative forums and some councils such as Plymouth have useful guidance on ward councillor involvement in the planning process.

R4 Review the Scheme of Delegation so that the Planning Committee focuses on deciding the most important planning applications for the City and thereby making optimum use of the skills and experience of Planning Committee members.

R5 Ensure Planning Committee receives regular updates on the Council's five-year housing land supply and housing delivery test position to ensure members are aware of this important contextual information. Appeal decisions also need to be brought to the attention of Planning Committee members as part of providing opportunities to learn.

R6 Co-design with members a more targeted and structured planning training programme with expert led input with a good focus, where relevant, on joint training with officers to help engender collaborative working. In particular ensure there is a good focus on areas of particular member interest such as how to apply weight when their political values run ahead of the approved development plan.

R7 Ensure that the efficiency of Planning Committee is maximised through a review of best practice and learning from Planning Committees who face similar challenges to the City Council but who have shorter and more efficient meetings. Examine the measures suggested in the detail of our report including reducing the level of deferrals, staying alert

to the need to separate out ward level responsibilities, aiming to shorten the length of meetings, improve the consistency and quality of officer reports, ensuring consistent high quality and effective officer support to the Chair and members of the Committee.

R8 Examine the opportunities for the reintroduction of officer led Committee site visits in advance of Committee meetings so that all members can have a better understanding of the effects an application may have on an area. This would increase opportunities for improved understanding of the concerns of members in advance of Committee meetings and provide opportunities for improved joint working. Ensure the setting of clear site visit protocols to help manage the meeting and expectations of applicants and third parties.

R9 Improve the customer experience of the online Planning Committee by reviewing opportunities listed in our detailed report to enable members of the public to better understand and follow the decision-making process. This is likely to require corporate support given the shared partnership approach to ICT and the need for possible reinvestment.

R10 Review the operation of the Adjournment Decision Protocol (ADP) to ensure that it continues to meet the needs of efficient and effective planning decision making and its operation is clearly understood by Planning Committee members, officers and stakeholders.

R11 Examine the possibility of creating a joint member/officer Planning Improvement Group on a 'task and finish' model to take the improvement recommendations contained in this report forward alongside other necessary development areas. This will support collaborative working and help build joint accountability.

3.0 Background and Scope of the Peer Challenge

3.1 This report summarises the findings of a planning improvement peer challenge, organised by the Local Government Association (LGA) in cooperation with the Planning Advisory Service (PAS) and carried out by its trained peers. Peer challenges are managed and delivered by the sector for the sector. They are improvement orientated and are tailored to meet the individual council's needs. Designed to complement and add value to a council's performance and improvement, they help planning services review what they are trying to achieve; how they are going about it; what they are achieving; and what they need to improve.

3.2 The aim of the peer challenge was to review the procedures, practices and conduct of Cambridge City's Planning Committee including comparisons to other councils and best practice. This report also touches on the operation of the JDCC that is comprised of members of both Cambridge City and South Cambridgeshire District Council. As part of the LGA's work for the Greater Cambridge Shared Planning Service the peer team also reviewed the Planning Committee at South Cambridgeshire District Council.

3.3 Our review took the form of an analysis of the Council's background and context summary statement in relation to the Shared Planning Service, review of some supporting documents and structured interviews with political leaders, planning committee members, senior managers and ward councillors. We also held a focus group with a selection of resident representatives. Due to the continuing impacts as a result of Covid 19 - interviews were conducted online.

3.4 Peers were:

- Bryony Rudkin, Labour Group peer, Deputy Leader Ipswich Borough Council;
- Adele Morris, Liberal Democrat peer, Vice Chair, Planning Sub Committee, Southwark Council;
- Nicola Sworowski, Principal Consultant, Local Government Association/Planning Advisory Service;
- Rachael Ferry-Jones, Principal Consultant, Local Government Association/Planning Advisory Service;
- Robert Hathaway - Peer Challenge Manager, LGA associate.

3.5 Where possible, PAS and the LGA support councils with the implementation of the recommendations as part of the council's improvement programme. A range of support is available from the LGA at <http://www.local.gov.uk>. It is recommended that South Cambridgeshire discuss ongoing PAS support with Rachael Ferry Jones, Principal Consultant, rachael.ferry-jones@local.gov.uk and any corporate support with Rachel Litherland, Principal Adviser, rachel.litherland@local.gov.uk

3.6 As part of the peer challenge impact assessment and evaluation, PAS and the LGA will contact the council in 6-12 months to see how the recommendations are being implemented and the beneficial impact experienced.

3.7 The team would like to thank officers and members at Cambridge City Council and everybody they met during the process for their time and contribution.

4.0 Detailed Feedback

4.1 Purpose and Structure of the Committee

4.1.1 The Council reacted positively and swiftly to the impacts of the Covid 19 pandemic in moving its Planning Committee to an on-line platform from its conventional meetings at The Guildhall in the city centre. This demanded good collaborative work particularly between Planning Committee members and planning and democratic officers. By missing only one Planning Committee session in April, the Council has ensured good continuity of planning application decision making and public engagement. Given that most councils have taken longer to get to the same position, the Council's speed of approach is to be commended.

4.1.2 The size of the Planning Committee at 8, out of 42 city councillors, appears to strike the right balance in allowing for members who can bring a range of skills and experience in a politically balanced setting, while at the same time not over burdening the process with high numbers. Training of members before they are allowed to sit on Planning Committee is obligatory but we see opportunities to strengthen this.

4.1.3 The Council performs well in terms of the overall quality of planning decision making in terms of appeals allowed by the Planning Inspectorate, as measured by the

Government's indicator. Based on the last full two years recorded figures (March 2017 – March 2019) the Council has only lost 3.5 per cent of major appeals (based on the percentage of appeals upheld against the number of major planning applications decided). Given the Government threshold is 10 per cent the Council lies well below that target figure.

4.1.4 The vast majority of members of the Planning Committee clearly understood their role on Planning Committee. For example, they were able to succinctly articulate the need for the separation of their ward level representative role from their city wide decision making role while sitting as Planning Committee members. Many did however recognise a key tension in respecting the correct balance and some appreciated that on times they strayed in the debate sessions into community interest mode and possibly an over emphasis on certain political values. We were told that this has been noticed by some developers and planning agents who participated in the Planning Committee process and we saw some elements of this in some of the Planning Committees we viewed.

4.1.5 It will be important for members of the Committee to stay alert to this risk and for the Chair and supporting officers to intervene appropriately as necessary. One way to help the Committee ensure the clear separation of responsibilities is to absolutely insist on members standing down from Committee and speak as a ward councillor if they feel their role on Committee would be compromised on a particular planning decision where they want to specifically take a local stand on behalf of residents. As Committees are now on a virtual platform, they can no longer speak from a different seating location to emphasise their distinctive role for that planning item. Training, which we discuss later, can also reinforce this distinction.

4.1.6 Planning Committee members consider that they are able to take what may be described as difficult decisions to approve development in the face of substantial local opposition or concern by a variety of external stakeholders. However, planning officers we spoke to consider that the Committee is deferring far too many applications, thereby slowing the decision-making process and leading to items being brought back for further consideration.

4.1.7 Planning Committee members told us that they only deferred applications where in their opinion there was insufficient information available to take a sound decision. One of their main concerns was over the quality of some of the planning submissions and drawings and the lack of attention to detail on matters in the case officer's report that they should know members will want to see (we discuss officer reports in more detail in the next section of our report). Better clarity between members of the Planning Committee and officers over validation requirements could help, plus planning officer's displaying good political acumen in recognising issues that really matter to members. We were told that some improvements, including the use of 'informatives' to encourage hedgehog gaps in fences and fire safety, was helping. However, members clearly are not seeing the extent of information and critical analysis in areas such as active travel through cycle and walking routes, refuse storage, sustainability and design that they would like.

4.1.8 Members considered that the Committee's 'Adjournment Decision Protocol' (ADP) provided a helpful mechanism to avoid citing non-material considerations to overturn of an office's recommendation for approval. The ADP grew out of learning from a particularly damaging appeal decision with substantial costs awarded against the Council following an unsustainable refusal at Committee, against an officer recommendation. This allows an item to be effectively "deferred" to come back to a future Committee with a risk assessment from officers on the suitability and defensibility of members' reasons for refusal. While officers consider the principle to be sound, they remain concerned that the

process can have the appearance of officer's seeking to frustrate member's desire to refuse and can look a bit cumbersome to the public and other stakeholders. This is certainly the view of residents we spoke to who want the Council to urgently review the operation of the ADP which we understand was the commitment given at the time of its implementation in 2014. Residents also considered the ADP had too much potential to be used to amend the scheme to overcome the suggested reason (s) for refusal which they argued was never the objective of introducing the ADP. We appreciate that the Council has recently taken counsel's advice on the use of the ADP which states that there is nothing in the ADP that prevents amendments being considered in specific cases. However, given the public and special interest group disquiet the ADP is not being applied in a consistent way to applications or in accordance with the provisions within it we recommend that the Council makes good its 2014 commitment to a formal review of its operation.

4.1.9 We found a good level of general trust and confidence from Planning Committee members towards planning officers although perhaps officers generally struggled to see that played out at Committee. We consider that there are many and varied reasons for this and we consider what we regard are the most important reasons in other sections of our feedback. Some relate to wider issues of the relatively recent establishment of the Shared Planning Service and a lack of capacity and stability in planning officer posts that has made building relationships between members and planning officers more difficult.

4.1.10 Members of the Planning Committee recognised that perhaps for the past 18 months or so they had adopted a more challenging and robust style of questioning of officers, and a more rigorous and detailed debate among the Committee. They recognised that they were now far more disposed to forensically dissect reports and challenge officers on the detail of their report in a style that possibly could be conceived as a lack of trust in officers' professional ability or judgement. We wonder if the response of planning officers to this change of style has been quick enough, and in some cases, robust enough. For example, we see opportunities for planning officers to more clearly 'match' and 'mirror' the attitude of members and where necessary to vigorously defend their professional judgement. Alongside this we also see the need for more proactive intervention from planning managers and legal officers.

4.1.11 We recognise that this can be more difficult while the Planning Committee meets on a virtual platform, as officers can be more reluctant to intervene if it appears to cut across another speaker. Plus, the fact that it is more difficult to 'catch the eye' so to speak of the Chair in an online setting. But nevertheless, in the cut and thrust of what we were told was 'the Cambridge way' of challenge and debate it is important that officers are not inhibited, or don't feel that they have permission to evidence and justify their recommendations.

4.1.12 We found common ground among all members on the need to improve the learning and development opportunities for members of the Planning Committee. Members valued the obligatory annual training and other incremental training opportunities offered. We were encouraged to hear about the new Member Development Programme being introduced this autumn which aims to provide a stronger and more varied offer to members. The Council should also explore opportunities for joint office/member updates or training to create that "non-decision-making space" that we referred to earlier. In particular, some members would welcome a clearer understanding of what might constitute pre determination when engaging in pre committee discussions.

4.1.13 The low numbers of members on Committee (eight) provides good opportunities for focused training to increase knowledge and perhaps to consider the practices and procedures of Planning Committees who face similar challenges but who get through the

meetings more efficiently and have less deferrals. We would certainly recommend that the Chair, Vice Chair and members of Committee take time to view and learn from the way other Planning Committees operate and we provide some examples of good practice at the end of this report. Residents we spoke to certainly considered that members of the Planning Committee do not receive sufficient training to support their role as decision makers, with significant inconsistency in levels of expertise.

4.1.14 One of the challenges we found was that in many areas, members' political aspiration and values are running ahead of a development plan system that is slow to catch up. We found generally strong agreement among the political groups as to some of the main land use planning issues in the city such as affordable housing, Houses in Multiple Occupation (HMOs), active travel, climate change and sustainability and design. It may be helpful therefore if there is better collaboration and understanding between planning officers and Planning Committee members of the use of Supplementary Planning Documents/Guidance and the existing and emerging local plan policy base to manage and clarify expectations of what is possible. If so, the Council needs to explore how to create member/officer space for this and other creative opportunities for collaborative work. Clearly with the ongoing pandemic and with the busyness of officer and member roles this will be hard to carve out. However, to improve joint working and to better understand the drivers and constraints of their different roles – this is important.

Joint Development Control Committee

4.1.15 Cambridge City Council and South Cambridgeshire District Council display good joint working in dealing with major and ancillary developments on the fringes of the city that impact on both authorities. Equal number of members from both councils (six from each) make up the Joint Development Control Committee (JDCC) that decides on often large-scale planning applications such as urban extensions. In 2020, both councils showed good commitment to maintaining this Committee when Cambridgeshire County Council dropped out from being part of it.

4.1.16 The JDCC will provide a good vehicle for facilitating the delivery of growth and infrastructure through the emerging joint Local Plan between the two councils. Members and officers advised that there was clear role clarity and good trust and confidence displayed at Committee. We were advised that some of the reasons for good collaborative working leading up to and at Committee were longer lead in times for development which were supported by more detailed pre briefings, stronger established relationships between officers and members and learning from the development of earlier large sites years before. Clearly the City Council needs to explore the principles of what appears to be stronger joint working and where possible seek to build on these in the work of its own Planning Committee.

4.1.17 The Chair of the JDCC recognises the Committee would benefit from more training particularly on:

- strategic land use policies in the wider sub region;
- outline planning permissions and how they differ to full planning permission and the relationship and detail of reserved matters;
- build out and delivery rates against five year housing land supply;
- Employment uses (as new area for JDCC); and
- respective Local Plan policies of each council as members are not up to speed on each other's and this would help with making decisions on the border.

4.2. The format and processes

4.2.1 The Chair of the Planning Committee and supporting planning, legal and democratic officers found the Chair's briefing, held two days before the Committee, to be very beneficial. Relationships appear to be productive and the briefing allows for a good exchange of information both ways.

4.2.2 While some pre briefings for major developments occur involving members of the Planning Committee, ward members, developers and officers, we see greater opportunities for pre committee presentations at earlier stages in the formulation of certain schemes. This would help members to more clearly articulate at an earlier stage, the likely key issues for local communities and stakeholders allowing more time for applicants and their professional advisers to explore ways to respond. This 'space' would also help provide the opportunities for creative discussions, especially between officers and members in a non-decision making and less public forum. We recognise the Council has its Development Control Forum where 25 petitioners can request an application comes before members and officers outside the decision-making process but this at a post application not pre application stage. The peer team's view is that the Council would benefit from a clearer and stronger emphasis on 'front loading' member engagement in appropriate schemes. Some councils such as Cornwall have successfully adopted this approach and we draw attention to some of these at the end of our report.

4.2.3 Both members and officers said that they would also value more informal contact between them in advance of the preparation of Committee reports and the period once Committee reports are made public. This has clear potential for members to ask questions of officers in advance of reports being written to enable officers to ensure that appropriate member issues are covered. It also allows members to clear up any queries they have on the proposal in advance of the Planning Committee that can improve its efficient running.

4.2.4 We were told that in the recent past that there had been a stronger culture of Planning Committee member/officer liaison either on the phone, through email or in person at The Guildhall. We are not entirely sure why this practice and custom has fallen away although members/officers considered that the turnover of officers, increased workloads and limited member access to the planning office at The Guildhall were contributory factors. Another perhaps more important factor we noticed was that members seemed unclear and concerned about initiating contact with planning officers due to a misplaced fear of bias or pre determination. We were encouraged to hear the service were organising some 'meet the Development Management teams' to improve members familiarity with case officers. The service needs to do more on this and officers and members need to look at ways to significantly encourage and enhance member/officer dialogue. This will also help to build increased confidence between members/officers in the quest to develop more collaborative forms of working.

4.2.5 The Chair of the Planning Committee is respected by fellow members and has a collegiate and engaging style in the way Committee is run. We found a generally good level of cross party support in the approach to debates at Committee with a general consensus on the key planning issues involved in development. Officer presentations were generally good, if a little long sometimes, while democratic services officers provided very helpful and clear support to the Chair.

4.2.6 However, a general concern expressed by some members and all officers was the length and inefficiency of Committee. The meetings take place in the daytime and are a minimum of 4 hours and sometimes 7 or 8 hours long, with some applications deferred

due to time constraints. For example, at the 10 September 2020 Planning Committee, out of 7 items there were 5 deferrals/ adjournments as Committee ran out of time to consider some items at the end of the agenda. As we discuss in the next section of our report it is also the case that the Committee considers a high proportion of minor applications, including householder extensions, which might be expected to be dealt with expediently. Some members told us that the length of meetings meant that decisions taken towards the end of the day could sometimes be rushed while attention spans clearly dipped as well.

4.2.7 On the other hand, we found that the Chair and other members of the Committee saw no issue with the length of meetings considering that long questioning and debate was a key part of ensuring accountability and guaranteeing what they regarded as transparent and effective democratic accountability in a public forum. We were told that this reflected a key cross party commitment to the form of planning decision making which flowed from previous Area Committees, which operated in a similar style.

4.2.8 We recognise that seemingly all Planning Committees up and down the country are taking longer on an on line platform. But we still see clear opportunities to support the Chair and Committee in holding to its values while at the same improving the efficiency of decision making. From watching a number of Planning Committees in September and October 2020 and listening to the views of members and officers on earlier Committees, it is clear that even minor house holder applications can be debated for hours. At least some of the debate appears repetitive and circular and often focuses on non-material considerations that can be given no weight in the balance of decision making. While we recognise that the Chair wants to ensure a fulsome debate allowing all members time to ask questions and debate the issues, we feel that some firmer and tighter Chairing perhaps supported by indicative timescales could improve efficiency. As we discussed in the previous section, there is also a clear role for supporting planning, legal and democratic officers to support the Chair and Vice Chair in keeping the Committee on track. One helpful suggestion from a member was that timings are set on the agenda and if the item is finished sooner, then the time can be filled with smaller items that have no public representations. In terms of the priority of Committee's time it would also be sensible to consider major applications before minor applications.

4.2.9 Officer reports to Committee could help members to focus on areas where they have the ability to weigh evidence differently to them. Some councils seek to focus their case officer's reports on areas of planning policies and material considerations where their members have the liberty to weigh evidence differently to officers in the planning balance often required. They do this through clear summaries and highlighting key areas for members' attention. This can also help the Chair in steering member's attention away from questions and long debates on non-material considerations. Some members would particularly like to see that where discussions have been held with applicants (at pre app or at Development Control Forum) any changes made to the application are clearly expressed in the report. They would also like to see that when an item has been changed between committee meetings due to an ADP, any changes agreed with the applicant are clearly highlighted in the revised report.

4.2.10 In determining weight in the planning balance, it is also important for members to be mindful of their discretion in relation to technical matters when questioning officers and when in debate mode. In planning decision making it is an established principle that while *'weight is a matter for the decision maker, but in expert areas (for example habitats, flooding, highways, heritage) there are bodies whose views should be afforded considerable weight in the absence of cogent reason to the contrary'*. (Wealden v Secretary of State for Communities and Local Government 2017 EWHC 351).

4.2.11 Officer reports are often very long. A report to the City Planning Committee on October 16 2020 was 181 pages long which, while possibly exceptional in its length, would be very difficult for members to absorb and focus on the key issues. In relation to this issue the peer team is mindful of an important court judgement that may help the Council reflect on the issue of report length, namely; *'part of the expert function in reporting to the committee must be to make an assessment of how much information needs to be included in the report in order to avoid burdening a busy committee with excessive and unnecessary detail' (R v Mendip DC) ex parte Fabre 2000'*).

4.2.12 We would recommend therefore that officers and possibly the Chair and Vice Chair look at good practice elsewhere (see support section at the end of this report) and come up with a suitable template for use. There might be opportunity for this and other Committee matters to form part of consideration by a Planning Improvement Group of officers and members to consider helpful changes – a sort of task and finish group.

4.2.13 Officer reports are also not properly quality assured by managers before the Committee reports are issued and this has led to a large number of mistakes, member frustration and in some cases deferment of the item at Committee. Managers recognise this problem which they attribute to a lack of time and prioritisation of other issues. This however is a fundamental management issue and must be urgently resolved in discussion with senior managers in the Directorate.

4.2.14 Opportunities exist for the Planning Committee to benefit from a far greater use of whole Committee site visits in order that all members can have a better understanding of the effects an application may have on an area. Due to what we were told were cost cutting measures, the Planning Committee rarely undertake joint site visits, relying rather on individual members to visit if they like in their own time. However, this limits opportunities for case officers and planning managers to engage with Planning Committee members outside of the Committee setting. This restricts occasions to help officers have a better understanding of member's key planning issues on particular sites in advance of the Committee.

4.2.15 At least some Planning Committee members shared a concern that site visits needed strong protocols to ensure they were appropriately managed to avoid concerns about the introduction of bias. Many councils have developed strict site visit procedures that provide clear guidance on issues including the strict purpose of the meeting (for members to view the site and context and ask officers appropriate questions), the management of the meeting and the fact that it is a meeting for members and officers and not an opportunity for public speaking or debate. It is the peer team's experience that if suitably managed and controlled, site visits at appropriately selected developments can assist the Committee in its decision-making role.

Joint Development Control Committee

4.2.16 The Chair of the JDCC finds that the pre application process and briefings works well and are very informative for both applicants/developers as well as members of the Committee. In terms of process, it will be important for the Chair and members of the Committee to recognise the scale of the large-scale applications they are dealing with which demand a different approach to the more minor applications that they are dealing with in the City and South Cambridgeshire District Council Planning Committees. For example, the JDCC will often be deciding on outline applications and development principles that involve parameter plans on very large schemes. This demands a different assessment approach than dealing with the detailed specifics of a minor development or

householder application that is often in front of the City and South Cambridgeshire Planning Committees.

4.3 Scheme of Delegation

4.3.1 The Council has not reviewed its Scheme of Delegation in relation to how planning decisions are taken for some time. We found that the Council operates a very low threshold in relation to applications being able to be taken to Committee for a decision rather than being delegated to officers. For example, the Scheme of Delegation allows for an application to be determined by the Planning Committee if there are third party representations on planning grounds that are contrary to the officer recommendation for approval or refusal and in some cases if any objection cannot be resolved by the imposition of conditions. In non-house holder applications this threshold is as low as one objector to or supporter of an application. In relation to ward members, they can ask that a planning application be heard at Planning Committee if they give material planning reasons for their request. Unlike South Cambridgeshire District Council, there is no Delegation Decision Making meeting (using agreed criteria) for a decision on a member call in agreed between the Delivery Manager and the Chair of the Planning Committee.

4.3.2 The City Council appears to be an outlier among most councils in relation to the relative ease with which sometimes small householder or matters of a very localised matter come before Planning Committee for a decision. In 2019, only 22 per cent of the Committee's decisions were based on 'major' applications with 78 per cent made on 'minor' or 'others'. When we put this to the Planning lead member, Chair of the Planning Committee, other members of the Committee and also ward members the overwhelming response was that this process was acceptable and that public engagement and democratic accountability was a vital component in the operation of the planning service in the City.

4.3.3 Officers see things quite differently with a concern that too many 'minor' or 'other' applications are coming in front of Committee which are sometimes small householder applications called in due to neighbour type disputes, or Committee time spent discussing generally small scale non-controversial development. The number and small scale of these applications then increases the length of Committee meetings and can also feed members over attention to detailed matters that officers are perfectly capable of tackling through a delegated decision-making process. This then leads to an increased number of case officer reports to Committee and longer Committee meetings that need to be serviced by planning, legal and democratic officers. This obviously impacts on the efficiency of the Committee.

4.3.4 Clearly service budgets are already under severe pressure which will only increase as a result of the adverse economic impacts of Covid 19. We recognise that the Scheme of Delegation is clearly a matter for local prioritisation and discretion but it does appear to the peer team that a corporate discussion, led by the Planning lead member in consultation with the Chair of Planning Committee, would be useful in reviewing 'what kind of Planning Committee' the City council want. This could re- examine the opportunities and constraints of continuing with the current Scheme of Delegation on ideally a cross party basis as part of the prioritisation of scarce financial resources.

4.3.5 We appreciate the broad political consensus that exists across the Council on the importance of the planning process in providing democratic accountability. However, there is nothing inherently 'undemocratic' about a delegated officer decision. An appropriately made delegated decision is as much a democratic decision as a Committee decision given that its authorisation is established through appropriate channels and has to be taken in

accord with the development plan and supporting guidance. In general terms it is the peer team's view that Planning Committee should be reserved for the largest and most contentious type of applications and not because local representatives feel that they cannot trust officers or they have more expert knowledge than statutory consultees.

4.3.6 While we clearly recognise the sovereignty of both the City Council and South Cambridgeshire District Council, the emergence of the joint Greater Cambridge Local Plan between the councils appears to offer opportunities for examining where current planning practices/guidance can be brought together if it meets local political expectations and can provide efficiencies. Looking across to the experience of other councils in how they achieve an appropriate balance in their Schemes of Delegation for their local circumstances would also be advisable.

4.3.7 The JDCC Scheme of Delegation has not been reviewed since 2013 but the terms of reference were amended in 2020 following the withdrawal of the County Council from the Committee. The review helpfully changed the remit of the Committee to focus on major applications only as previously even householder applications were being determined at the JDCC. This was due to even householder applications being caught by some loose wording from the 2007 terms of reference that resulted in 'ancillary' and 'associated' developments from previously approved JDCC large scale applications having to be brought to Committee. This change is helpful as it focuses Committee attention onto the appropriate scale and nature of application that the JDCC should concentrate on.

4.3.8 The JDCC Scheme of Delegation results in schemes of over 100 houses, or developments of over 1000 sq m or 1 hectare in area going in front of Committee. While the JDCC operates similar call in opportunities for parish councils as at South Cambridgeshire District Council there has not been a single call in in 12 years.

4.4 Customer Experience

4.4.1 To its credit the Council moved quickly onto a virtual platform in response to the Covid 19 pandemic and this meant that only one Planning Committee was cancelled. Information on the Planning Committee is easy to find on the website and we found comprehensive guidance for members of the public on how the Committee is run. For example, democratic services provide instructions sheets to members of the public who have requested to speak and also offer a 'test call' to try to limit difficulties on the day of Committee. Helpfully the Council provided separate wide-ranging guidance for public on accessing the virtual Planning Committee and advice on how to participate if required. Continuing the opportunities for public speaking provides helpful public engagement and not all councils have done this, with some reverting to written statements only. The Council advised that viewing figures of the Planning Committee are increasing and are higher than figures that would be seen at face to face Committees in The Guildhall.

4.4.2 Having viewed a number of the virtual Planning Committees we consider that there are clearly many positives to reflect on and some opportunities for change to improve the customer experience. Clearly as with previous comments, these are made at a time when Planning Committee is meeting online and so the experience for customers will be different to the previously normal operation of the face to face Committee.

4.4.3 Strengths include;

- comprehensive written guidance on Committee procedures with phone numbers/e mails for additional assistance;
- clear introduction from Chair on who he is and the purpose of meeting. Roll call for Committee Members and reference to officer's present at the start of the meeting;
- advice on what to do if technology failed and other general matters;
- quality of supporting plans and images in the officer presentations that we were told are much clearer online than they would be in the room where the Committee is normally held;
- continued opportunities for public speaking which some councils have stepped back from on virtual platforms allowing written statements only; and
- general ease of access allowing planning customers, objectors and third parties to access public decision making from their own home or other locations and not having the inconvenience of travelling to The Guildhall.

4.4.4 We watched web casts of the September 2 and September 10 2002 Committee meetings and watched the October 7 meeting live. Unfortunately, both September meetings were badly impacted by technical failures with the September 2 meeting having to be postponed after lunch with seven minor applications having to be adjourned to a new Committee held on September 9. But even then, there were multiple issues with the technology that caused delays such as unexplained delays, members on live feed and not realising it and frozen screens; to the obvious frustration to all concerned. The technical issues at both meetings unfortunately created the feel of a lack of professionalism around the meeting.

4.4.5 We were told that the issues at the September Planning Committee meetings were bad glitches and indeed the October meeting ran more smoothly. However, this is a matter that demands attention to avoid this happening again. We were told of the significant challenges facing democratic services officers in managing the Planning Committee process on line. The current arrangement to support Committee demands three staff members, one in the on line meeting, one on production and one on production back up. The difficulties with managing and improving the external facing presentation of the Planning Committee reflects corporate IT issue as it is run from a remote laptop in Huntingdon as part of shared ICT services between Greater Cambridge and Huntingdon. For example, the remote laptop does not have the same format of MS teams as those in the meeting and therefore the format that the public see is somewhat different and less customer friendly. While democratic services officers recognise the need to do something about this it is also a cross authority discussion. The peer team consider that given the importance rightly attached to the live and archive web casting of the Planning Committee that this requires corporate attention and input to help secure any necessary investment and improvement.

4.4.6 We were told of and saw for ourselves opportunities to improve the customer experience during virtual Committees and would suggest that the Council look at issues including:

- exploring ways of facilitating the timely engagement of applicants, agents, public speakers and interested members of the public in their relevant applications to ensure that they don't have to sit through sometimes well over five hours and sometimes eight hours of Committee debate on other items;
- reminding members and officers that they need to be mindful of the fact that although they are participating from within the comfort of their own homes, the meeting is live streamed and archived. Therefore, they need to be as aware of how

they present themselves as they would in person, if not more so, as the opportunity for public scrutiny of how they look and how they speak/what they say has increased;

- members and officers taking time to view Committee webcasts to get a better feel for what the members of the public sees and as a result to watch, reflect and respond;
- ensuring that any relevant supporting officers are introduced at the start of each item, for example if a county highways officer or a specialist environmental health officer have now joined the meeting for that specific application;
- exploring ways to ensure that all Planning Committee members and the speaker are viewable on the screen. Currently there is a limited number of windows to see members of the Committee and the number of windows is constantly changing;
- having the councillors listed as such along with their surname to enable the public to better understand who is speaking;
- members and officers supporting the Chair to move the meeting along at an appropriate pace;
- ensuring that the Chair, Vice and supporting officers constantly keep in mind that for some participants in the process the experience is new and confusing and to take the public along with appropriate summing up and explanation of the process; and
- examining ways to utilise the on-line platform to showcase some of the successes of the Planning Committee in enabling development and safeguarding the natural and built environment.

4.4.7 While we applaud the desire to make the Planning Committee accessible to public speakers, we would ask the Council to ensure that only those people who have made comments on the application are enabled to enjoy the rights of public speaking as objectors. We found some confusion on this issue with some people we spoke to believing that any member of the public could speak at Committee as long as they give 2 working days' notice. The service recognises the need to clear up any confusion on this by updating its guidance on the website.

4.4.8 We also recognise that some of these issues are relevant only to the holding of online Committees although some of the principles will have applicability when eventually face to face Planning Committees can safely return.

4.4.9 We spoke to members of some of the city's residents 'groups with the majority expressing significant concern with planning decision making in Cambridge City. Exploring this further it was clear that many of the criticisms were equally applicable nationally and many related to issues outside of the scope of the peer team's review. However, areas of concern that could be related to Planning Committee decision making included:

- general feeling that voices are not heard and that residents have little influence over decisions;
- resident groups have been unable to agree with the Council how to be notified of applications in particular areas; and
- finding the online system very difficult to navigate – would like to see improvements made to make access easier.

4.4.10 The peer team is unsure as the consistency of engagement between the planning service and resident's groups or whether that is conducted through ward member engagement. We would encourage as open and transparent dialogue as possible to seek to explore whether improvements can be made including managing expectations on the

degree of specific involvement resident's groups can have in the decision-making processes other than through their ward members.

Joint Development Control Committee

4.4.9 While we did not have time to explore the customer experience of the JDDC to the same extent as at the City Council we were told that virtual meetings on the JDCC had been well received by planning customers and third parties who wanted to participate. The JDCC was temporarily suspended following the withdrawal of the County Council and held its first meeting in its new form in August 2020. Officer presentation was clear if very long. The meeting was well chaired with the Chair helpfully grouping the issues into themes which might be a learning point for the Chairs of the City and South Cambridgeshire Planning Committees. One thing the peer team question is if public speakers are allowed only three minutes is there any reason why ward members are not limited to this timescale as well? This happens in many other Planning Committees although clearly this is a matter for local determination.

4.4.10 The meeting and did not suffer from any technical issues apart from a short period of poor connectivity of a member during which time the meeting was stopped and then restarted after reconnection. However, we are aware that at least some of the technical issues experienced at previous meetings are similar to those at the City council. For example, we were told that the impact of public speakers is considered to be lost by them coming through on audio only at times.

5.0 Further Support

5.1 A range of support from the LGA and PAS is available at <http://www.local.gov.uk> and via the PAS website <https://www.local.gov.uk/pas>. Costs may vary.

5.2 Planning Advisory Service (PAS) & LGA Support Offers:

PAS Planning Committee Training & Materials

PAS will work with the authority to deliver to deliver specific training requirements for the Planning Committee.

Short case assessments on areas that support delivering a good development management service can be found at the following website:

<https://local.gov.uk/pas/development-mgmt/planning-applications-support/good-development-management>

PAS has general materials available on available from the PAS website:

- Development Management - Decision making, committees and probity
- Making Defensible Planning Decisions
- Developer Payments - Community Infrastructure Levy, s106 agreements and Viability
- Getting engaged in pre-application discussions

- Design training for councillors

<https://www.local.gov.uk/pas/pas-support/pas-subscribers/councillor-briefings/councillor-briefing-planning-committees>

PAS worked with Association of Democratic Services Officers (ADSO) to produce some materials for committee clerks. This covers an introduction to planning, decision making, motions and amendments, dealing with the public, interests and probity matters.

<https://www.local.gov.uk/pas/pas-topics/planning-committee/materials-committee-clerks>

Other Local Authority Planning Committee Information

Plymouth planning committee webcasts

<https://plymouth.public-i.tv/core/portal/webcasts>

<https://plymouth.public-i.tv/core/portal/webcasts/enctag/Planning>

Plymouth planning committee public information

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/whathappensafteryoumakeplanningapplication>

<https://www.plymouth.gov.uk/planningcommittee>

Ward Councillor engagement in Pre-Briefings

<https://www.plymouth.gov.uk/sites/default/files/ProbityInPlanningPlanningCommitteeCodeOfPractice.pdf>

Delegated decision making panels (Wychavon)

<http://mgov.wychavon.gov.uk/modern.gov/documents/g4009/Public%20reports%20pack%20Tuesday%2015-Apr-2014%2018.20%20Council.pdf?T=10>

The following three councils are considered to have run good virtual committees:

Brent, Liverpool and West Suffolk

Havant developer consultation forums. Havant has a developer forum that developers present their proposal pre application submission to the council, the public can attend. This may be a charged service.

<http://www.havant.gov.uk/development-consultation-forums>

Cornwall pre-application community engagement (PACE) forum

<https://www.cornwall.gov.uk/paceforum>

5.3 For more information about planning advice and support, please contact rachael.ferry-jones@local.gov.uk

LGA Support

5.4 The LGA has a range of practical support available. The range of tools and support available have been shaped by what councils have told LGA that they need and would be most helpful to them. This includes support of a corporate nature such as political leadership programmes, peer challenge, LG Inform (our benchmarking service) and more tailored bespoke programmes.

5.5 Rachel Litherland, Principal Adviser is the LGA's focal point for discussion about your improvement needs and ongoing support and can be contacted at Rachel.Litherland@local.gov.uk

5.6 PAS and the LGA will follow up about the support that they can provide to the council to help address the recommendations highlighted in this report. A further 'light touch' visit will be made in 6-12 months to see how the recommendations are being implemented and the beneficial impact experienced.



Local Government Association 18 Smith Square, London SW1P 3HZ

Telephone 0207 664 3000 Fax 0207 664 3030

Email info@local.gov.uk

www.local.gov.uk

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