



## Cambridge City Council Planning

**Date:** Wednesday, 11 January 2023

**Time:** 10.00 am

**Venue:** Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ

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

### Agenda

**Timings are included for guidance only and cannot be guaranteed**

1 Order of Agenda

The Planning Committee operates as a single committee meeting but is organised with a two part agenda and will be considered in the following order:

- **Part One**  
Major Planning Applications
- **Part Two**  
Minor/Other Planning Applications

There will be a thirty minute lunch break some time between 12noon and 2pm. With possible short breaks between agenda items subject to the Chair's discretion.

If the meeting should last to 6.00pm, the Committee will vote as to whether or not the meeting will be adjourned.

2 Apologies

3 Declarations of Interest

**Part 1: Major Planning Applications**

4 22-02066-FUL Owlstone Croft - 10am

(Pages 7 - 114)

## **Part 2: Minor/Other Planning Applications**

5	20-04261-FUL Synagogue, Thompsons Lane - Noon	(Pages 115 - 170)
6	22-03076-FUL Edeva Court - 2pm	(Pages 171 - 202)
7	22-02936-FUL 208-208a Cherry Hinton Rd - 3pm	(Pages 203 - 222)
8	22-01971-FUL 346 Milton Road - 3:45pm	(Pages 223 - 240)

**Planning Members:** Smart (Chair), D. Baigent (Vice-Chair), Bennett, Collis, Dryden, Gawthrop Wood, Page-Croft, Porrer and Thornburrow

**Alternates:** Divkovic, Howard, Levien, Nethsingha and Todd-Jones

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- Website: <http://democracy.cambridge.gov.uk>
- Email: [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk)
- Phone: 01223 457000

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# Appendix 1 – Planning Policies and Guidance

(Updated September 2020)

## 1.0 Central Government Advice

1.1 National Planning Policy Framework (NPPF) February 2019 – sets out the Government’s economic, environmental and social planning policies for England. These policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

1.2 Planning Practice Guidance (NPPG)

The guidance complements the National Planning Policy Framework and provides advice on how to deliver its policies.

1.3 Circular 11/95 – The Use of Conditions in Planning Permissions (Appendix A only): Model conditions.

### *Planning Obligations*

1.4 Community Infrastructure Levy (CIL) Regulations 2010 (as amended)

Paragraph 122 Places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

- (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.

The 2019 amendments to the regulations removed the previous restriction on pooling more than 5 planning obligations towards a single piece of infrastructure.

## 2.0 Development Plans

2.1 The Cambridgeshire and Peterborough Minerals and Waste Plan 2011

2.2 Cambridge Local Plan 2018

### 3.0 Supplementary Planning Documents

3.1 Sustainable Design and Construction 2020

3.2 Cambridge Flood and Water 2018

3.3 Affordable Housing 2008

3.4 Planning Obligations Strategy 2004

#### *Development Frameworks and Briefs*

3.5 The New Museums Site Development Framework (March 2016)

3.6 Ridgeons site Planning and Development Brief (July 2016)

3.7 Mitcham's Corner Development Framework (January 2017)

3.8 Mill Road Depot Planning and Development Brief (March 2017)

3.9 Land North of Cherry Hinton (February 2018)

3.10 Grafton Area of Major Change - Masterplan and Guidance (February 2018)

### 4.0 Use Classes

Use	Previous Use Class	New Use Class (Sept 2020)
Shops	A1	E
Financial and Professional Services	A2	E
Café and Restaurant	A3	E
Pub/drinking establishment	A4	Sui Generis
Take-away	A5	Sui Generis
Offices, Research, Light industry	B1	E
General Industry	B2	B2
Storage and Distribution	B8	B8
Hotels, Guest Houses	C1	C1
Residential Institutions	C2	C2
Gymnasiums	D2	E

Clinics, health centres	D1	E
Cinemas, concert halls, dance halls, bingo	D2	Sui Generis



<b>Planning Committee Date</b>	11th January 2023 Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/02066/FUL
<b>Site</b>	Owlstone Croft, Owlstone Road
<b>Ward / Parish</b>	Newnham
<b>Proposal</b>	Demolition of nursery building, part of outbuildings; partial demolition, refurbishment and extension of other existing college buildings and the erection of four accommodation blocks containing 60 rooms for postgraduate students; associated landscaping, car and cycle parking, refuse and other storage and new electricity substation within outbuildings.
<b>Applicant</b>	Queens' College
<b>Presenting Officer</b>	Tom Gray
<b>Reason Reported to Committee</b>	Called-in by Cllr Holloway Third party representations contrary to Officer recommendation
<b>Member Site Visit Date</b>	Formal visit date 14 <sup>th</sup> December 2022
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Biodiversity impacts</li><li>2. Impact on the Conservation Area</li><li>3. Scale, massing, layout and design</li><li>4. Highway safety impacts</li></ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions / S106

## 1.0 Executive Summary

- 1.1 The application seeks the demolition of the nursery building, part of some outbuildings; partial demolition, refurbishment and extension of other existing college buildings and the erection of four accommodation blocks containing 60 rooms for postgraduate students; associated landscaping, car and cycle parking, refuse and other storage and new electricity substation within outbuildings.
- 1.2 The existing site largely comprises previously developed land and a mowed lawn area, a Building of Local Interest and several buildings which are considered to detract from the Conservation Area. A children's nursery is currently located along the boundary's southern edge.
- 1.3 In principle, the proposed development of additional college accommodation is acceptable, appropriately located within an established site used for student accommodation and would provide enhanced welfare and study spaces for existing and future postgraduate students.
- 1.4 The proposed development would provide high quality, landscape-led development that would be sensitive to the character and appearance of the Conservation Area and the adjacent Local Nature Reserve (LNR) and protected open space. The form, scale and massing of the new accommodation blocks would sit comfortably in the landscape and would enhance the otherwise bland lawn area with the creation of a wetland habitat, allowing filtered views towards Owlstone House and extensive tree and hedge planting that would blur the boundaries with the LNR.
- 1.5 The new buildings would achieve passivhaus standard, whilst existing buildings would be significantly upgraded in terms of their environmental performance.
- 1.6 The proposed development would achieve a biodiversity net gain within the site whilst the lighting design would be sensitive to protected species including bats to mitigate any harm. Any impacts upon protected habitats and species during the construction phase would be minimised.
- 1.7 The siting and design of the proposed accommodation blocks have considered the modelled flood data and Flood Zones 2 and 3, and the submitted flood risk assessment and proposed drainage strategy are considered to be acceptable.
- 1.8 The existing children's nursery building would be relocated off-site, and a condition will be attached to ensure that this nursery use is replaced appropriately.
- 1.9 The proposal would result in an appropriate level of cycle and car parking provision, whilst the indicative construction route is considered achievable subject to further details to ensure that the potential conflict with other road users is avoided. The resulting traffic movements during operation would be minimal.



- 1.10 The proposed development would result in acceptable amenity impacts for neighbouring dwellings and future occupiers. The proposed development would meet the requirements for all users including those with impaired mobility.
- 1.11 Other potential impacts including noise and odour can be controlled via condition and other matters have been considered as part of this planning assessment.
- 1.12 Officers recommend that the Planning Committee approve the application subject to conditions and delegated powers to complete a Section 106 agreement.

**1.13 Site Description and Context**

Controlled Parking Zone	X	Adjacent to Tree Preservation Orders	X
Conservation Area	X	City/County Wildlife Site and Local Nature Reserve	X
Adjacent to Protected Open Space	X	Flood Zone 1, 2 and 3	X
Building of Local Interest	X	Adjacent to Green Belt	X

- 1.14 Owlstone Croft is owned by Queens' College and the application site is situated within the Newnham Croft Conservation Area. The Porter's Lodge is identified as a Building of Local Interest (BLI) and Block A (Owlstone House) is listed as a positive building within the Newnham Croft Conservation Area Appraisal. Block A is the original Owlstone House which has seen a series of extensions built during the 20<sup>th</sup> Century. This building currently consists of 29 student rooms, a dining room, kitchen, common room, computer room, archive room and store.
- 1.15 The existing site comprises several other buildings. Block B (former nurses accommodation) is a four storey building and houses 68 student rooms and WCs; Block D (nursery building) was originally built in the 1930s and was significantly altered in 2013 when it was converted to a nursery with 5 student rooms above; outbuildings behind the Lodge connect to Block D and are used as garaging and for storage; finally, cycle sheds and a refuse storage area are located on part of the site of former Block C (built in 1963 and demolished above slab level in 2001). Consent was granted in 2021 for two storage containers used as a temporary gym within this area. The remainder of the site comprises hardstanding, parking areas and a large lawned area.
- 1.16 The site is located immediately north and west of the Paradise Nature Reserve (a semi-wetland habitat), which is a Local Nature Reserve (LNR), Protected Open Space and County/City Wildlife Site. This area borders

the river Cam on its eastern side. The application site is also adjacent to existing Green Belt land to the east.

- 1.17 The site is located to the east of residential properties' gardens along Owlstone Road and the south of playing fields of Newnham Croft Primary School.
- 1.18 The vast majority of the application site is within Flood Zone 1 with areas near and on the eastern boundary of the site within Flood Zone 2 and 3. Several trees are situated along the eastern and northern boundaries of the site. Vehicular access is via residential streets, leading from Barton Road. The nearest residential streets of Owlstone Road and Grantchester Meadows are controlled parking zones.

## **2.0 The Proposal**

- 2.1 The proposed development would comprise four 2.5 storey accommodation blocks to the east of Block A/Block B to accommodate 60 postgraduate students. Blocks 1 and 2 would be located along the northern boundary, each containing two 5-bedroom and one 4-bedroom house. In the middle of the site is a further block (Block 3) with two 5-bedroom and two 4-bedroom houses and to the south a further block (Block 4) with two 5-bedroom and one 4-bedroom house. To facilitate the construction of Block 4, the existing nursery building would be demolished along with the eastern end of the outbuilding range.
- 2.2 Later additions to the original house (Block A) would be removed and new single storey extensions added to provide a new study centre, seminar room, gym and cycle parking and a new entrance to Block A. Upgraded insulation and windows are also proposed.
- 2.3 Block B would be reclad with external wall insulation, rendered and new windows provided. The parapet wall would be raised by 1.1 metres to conceal the roof top plant. A new single storey building would be added to the southern end of the building to be used as a café. Further cycle parking would replace the existing car park.
- 2.4 The retained parts of the outbuilding would house the new electricity substation and bin storage area. The site would be extensively re-landscaped and incorporate SuDS, amenity areas and biodiversity enhancements. Some car parking would be retained.
- 2.5 The application has been amended to address representations and further consultations have been carried out as appropriate.

## **3.0 Relevant Site History**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
21/02883/FUL	Installation of two containers to provide a temporary gymnasium for a five-year period	Permitted
14/1148/FUL	Provision of an internal road and disabled parking space to serve accessible student room in Block A as approved under application 13/0385/FUL	Permitted
14/0421/NMA	Non-material amendment on application 13/0385/FUL for minor alterations to the windows and associated surrounds and the provision of an internal road and disabled parking space to serve accessible student room in Block A	Part Approved/Part Refused
13/0384/FUL	Conversion of former training centre building to day care Nursery (D1), with 5 student rooms at first floor level (Block D), and minor external works.	Permitted
13/0385/FUL	Conversion of existing building (Block A) to create 6 student rooms and an archive store, and minor external works	Permitted
08/1587/FUL	Refurbishment of existing residential building; demolition of two small extensions to the building; construction of one extension to accommodate a new kitchen and dining room. Demolition of part of an adjacent building and creation of a back garden to the house	Permitted
C/00/0958	Demolition of existing retail building	Permitted
C/02/1180	Installation of new air handling unit to be located on flat roof	Permitted
C/87/1234	Change of use from nurses' hostel and training school to student hall of residence (blocks A and B) and examination, seminar, and general teaching purposes plus ancillary	Withdrawn

C/97/0646	Application under part 24 of GPDO for prior approval to the installation of a 5m stub mast with equipment housing to the roof of Owlstone Croft	Permitted
C/88/0923	Use of premises as student hostel	Permitted
C/87/1233	Outline application for the erection of a three-storey hall of residence for 92 C.C.A.T students.	Permitted
C/86/0809	Continuation of use as social services training centre. (Amended by letter dated 18/9/86). Block D, Owlstone Croft	Withdrawn
C/63/0150	New Nurses' Home	Permitted

- 3.1 Owlstone House (Block A) was built in the 1880s along with a pair of cottages (now the Porter's Lodge). The site was accessed from its own private lane by what is now Short Lane running east to the site. Several changes to Owlstone House were made in the early to mid-1900s.
- 3.2 Addenbrookes acquired the site in the late 1940s and added a number of buildings to the site including an L-shaped building (former Block C) on the lawn and Block B. The outbuildings on the site were modified to create a training school.
- 3.3 Queens' College purchased the site in 1988 and refurbished Block A and B for postgraduate housing. The L-shaped building on the lawn was demolished in 2001. Further renovation was undertaken in 2014 which also included the nursery building with 5 student rooms above.

#### **4.0 Policy**

##### **4.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

## **4.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 4: The Cambridge Green Belt

Policy 5: Sustainable transport and infrastructure

Policy 7: The River Cam

Policy 8: Setting of the city

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 46: Development of student housing

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 63: Works to a heritage asset to address climate change

Policy 67: Protection of open space

Policy 68: Open space and recreation provision through new development

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

Policy 85: Infrastructure delivery, planning obligations and the Community

### **4.3 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022  
Sustainable Design and Construction SPD – Adopted January 2020  
Cambridgeshire Flood and Water SPD – Adopted November 2016  
Health Impact Assessment SPD – Adopted March 2011  
Landscape in New Developments SPD – Adopted March 2010  
Open Space SPD – Adopted January 2009  
Public Art SPD – Adopted January 2009  
Trees and Development Sites SPD – Adopted January 2009

### **4.4 Other Guidance**

Newnham Croft Conservation Area Appraisal 2013

### **5.0 Consultations**

#### **5.1 County Highways Development Management – No objection**

5.2 Consultation with Transport Assessment Team required.

5.3 Outline Traffic Management Plan covers most of the main areas that need to be addressed, however there is too much reliance on the yet to be appointed principal contractor. Therefore, a condition requiring a traffic management plan is requested.

5.4 Condition requiring any construction vehicle over 3.5 tonnes to be restricted. Recommend informative regarding parking permits.

#### **5.5 County Transport Team – No objection**

5.6 Given the quantum of units proposed, the Transport Assessment Team would not usually comment on an application of this scale. However, I have reviewed the Transport Statement and would conclude that there would be no objections from a Transport point of view given the minimal traffic generation from the additional units.

#### **5.7 Lead Local Flood Authority – No objection**

5.8 3<sup>rd</sup> comment – No objection. Response to third party consultant.

5.9 2<sup>nd</sup> comment – No objection. Documents demonstrate that surface water can be managed through the use of green roofs, raingardens, permeable paving, and swales. These methods also provide water quality treatment which is particularly important when discharging into a watercourse.

5.10 Site is predominantly located within Flood Zone 1 but borders an area of Flood Zone 2 and 3. Buildings are located outside the 1% AEP flood event

plus climate change allowance. Finished floor level set to the predicted 0.1% AEP flood event water level including climate change. Water quality adequately addressed.

- 5.11 Recommend details of surface water drainage scheme and measures for controlling surface water run-off during construction via condition in addition to informatives.
- 5.12 1<sup>st</sup> comment – Object on basis that drainage system needs to be amended to ensure that there is no surcharging of the drainage system during the 100% AEP event.

**5.13 Environment Agency – No objection**

- 5.14 2<sup>nd</sup> comment – Consider that the approach taken by the FRA consultant regarding the assessment of the impact of climate change on flood risk is very precautionary. The ‘basic’ approach referred to in the FRA is in accordance with the guidance set out in our East Anglia climate change allowances guidance document dated Oct 2016. In summary, we consider that a precautionary approach has been taken to the assessment of the impacts of climate change on flood risk and proposed mitigation measures.
- 5.15 1<sup>st</sup> comment – LPA should determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. We assume that the LPA has applied this and deemed the site to have passed this test.
- 5.16 Some parts of the proposed new buildings are located within Flood Zone 2. Ground levels would be set 600mm above the 1 in 1000 year flood level which is considered to be appropriate mitigation against the risk of fluvial flooding.
- 5.17 Confirmation required from Anglian Water regarding permit limit capacity or that any necessary infrastructure updates are made ahead of occupation of the development.

**5.18 Anglian Water – No objection**

- 5.19 Wastewater Treatment and Used Water Network: Cambridge Water Recycling Centre currently does not have capacity to treat flows. Anglian Water are obligated to accept foul flows from the development with the benefit of planning consent. Sewerage system at present has available capacity for these flows. Recommends informatives.
- 5.20 Surface Water Disposal: No comments.

**5.21 Urban Design Officer – No objection**

- 5.22 Form and layout of blocks 1-4 will allow for the framing of key views and spaces between the proposed development and the Paradise Local Nature Reserve, resulting in a more broken and articulated massing along the eastern edge of the site.
- 5.23 Block 4 by virtue of its scale, pitch and articulated roof form is viewed as subservient to the Porters Lodge as you approach from Owlstone Road. Upon entering the LNR, this creates a well-considered and articulated built form along this edge. The stepped appearance allows the building to appear more recessive in views helping to reduce the overall scale and massing. The gable ends of the accommodation blocks orientated towards the eastern boundary allow for a more broken and articulated massing. Pre-app and gable studies have helped to create a less assertive and more domestic scale.
- 5.24 Viewpoint 4 will have the largest change and from this point a more continual built form will be seen in comparison to the relatively open view at present. However, it is considered that the proposed masterplan and landscape strategy work together to create an acceptable relationship with the LNR. Views along the boardwalk will be dynamic with the experience of new buildings changing along this. Distances will range between 16 metres to 29 metres to ground floor elements. Landscape design will work to enhance the setting of the buildings, its edge and interrelationship between the site and the LNR.
- 5.25 Cycle storage is supported whilst car parking bays softened. Proposed extension to Block B would create a sense of cohesion. Mono-pitch roof that slants away from Owlstone House would remain subservient whilst the study centre design would relate well to the accommodation blocks. Façade works to Block B is supported. Colour and texture of render is important. Pallete of materials in the Design and Access Statement are appropriate and should be approved.
- 5.26 Recommend materials and sample panel conditions.
- 5.27 Access Officer – No objection**
- 5.28 Development tries to be fully inclusive. Design improvements could be made such as the accessible bedroom, adjustable height desks/kitchen, electrically opened doors, hearing loops.
- 5.29 Conservation Officer – No objection**
- 5.30 Change to the character of the Newnham Croft Conservation Area but would be an acceptable change which would not negatively impact the area. BLI remains the focus rather than the new terrace behind it on approach. The other terraces make use of the contours and provide interest and good landscape linkages back to Paradise NR. Design and materials add interest to site within the Conservation Area.



- 5.31 Proposals will not affect the BLI. Outbuilding would be largely retained and along with Terrace 4 and the café on Block B would form an appropriate courtyard setting to the rear of this BLI. Alterations to section of outbuilding are supported. Loss of nursery building supported in conservation terms.
- 5.32 Proposals to Block A will enable the main façade to be more easily read and for the former main entrance to become more prominent. The materials and design of this sit well against the traditional building.
- 5.33 Recommend that sample panels, brick details, window splays and hard surfacing be conditioned.
- 5.34 Historic England – No comments**
- 5.35 No advice offered in this case. Seek the views of your specialist conservation and archaeological advisers.
- 5.36 County Archaeology – No objection**
- 5.37 Proposed development lies in an area of archaeological potential. Programme of archaeological investigation secured via condition required.
- 5.38 Senior Sustainability Officer – No objection**
- 5.39 Overall approach to sustainable design and construction is supported. Includes delivery of high performing new build elements and retrofit of existing buildings. Whole Life Carbon assessment for nursery block has been submitted which demonstrates that the new build option will over time outperform the retrofit option.
- 5.40 New terraces will be fossil fuel free and deliver significant improvements in energy performance and associated carbon emissions, built to Passivhaus standard. Main structure of these will comprise cross laminated timber which has low embodied carbon. This analysis has also informed choice of other materials.
- 5.41 Thermal upgrades in Blocks A and B, ASHPs to replace gas boilers and solar arrays are supported. Extensions to these existing blocks designed on Passivhaus principles. All new flat roofs will be green roofs. Recommend condition regarding water efficiency. Overheating strategy is supported.
- 5.42 Landscape Officer – No objection**
- 5.43 2<sup>nd</sup> comment – Existing facilities and meet the requirements of Local Plan Policy 68. Informal open space will be provided on site at Owlstone Croft through the informal and formal garden areas and meets the requirements of Local Plan Policy 68.

- 5.44 1<sup>st</sup> comment - The development will result in the loss of open, green space next to an important local nature reserve and next to existing, protected open spaces. However, the site layout and landscape design have been designed sympathetically to the site context, retaining most of the existing trees and locating the new buildings away from the edges of the site. Existing ancillary buildings and extensions will be removed releasing space to create a site layout where the architecture and landscape are well integrated.
- 5.45 Biodiversity will be improved on site whilst the proposal will result in a better layout and quality of external areas around the existing, retained buildings making the external spaces more useable and better integrated with the surrounding, existing landscape.
- 5.46 Proposed blocks work well with existing topography of the site and constraint of the flood zone. Will create pleasant outdoor areas and simple circulation routes for pedestrians and vehicles.
- 5.47 Recommend conditions relating to hard landscaping, impact upon trees, advanced planting strategy details, landscape and ecological management plan and green roofs.
- 5.48 Nature Conservation Officer – No objection**
- 5.49 2<sup>nd</sup> comment – Acceptable. Development will inevitably increase risk of disturbance to offsite habitats and species particularly during the construction phase, however conditions will limit and mitigate during construction and operational phases on the proposed development. Establishment of the landscape buffer, appropriate long-term management of new on-site habitats and reduction of existing light levels on the LNR boundary have the potential to benefit the LNR and associated species in the long term.
- 5.50 LNR composes primarily unmanaged wet woodland within the river Cam Corridor and links adjacent LNRs (Sheep’s Green and Coe Fen), County Wildlife Sites (River Cam, Skater’s Meadow) and the wider countryside forming part of the Cambridge Nature Network (CNN). The CNN is recognised with the City Council’s Biodiversity Strategy (2022) and by Natural Cambridgeshire (Local Nature Partnership) as a priority Landscape Area for habitat protection and enhancement.
- 5.51 Existing site is a large area of primarily unlit amenity grassland along with the similar neighbouring Newnham primary school playing fields, which currently provide a significant undeveloped buffer to the LNR and CNN that will be significantly reduced with the proposal. LNR supports several species of bat, including more light sensitive species such as Brown Long Eared Bat and rare Barbastelle. Any application is therefore required to demonstrate that it will not negatively impact and ideally enhance the current conditions for these species.

- 5.52 The impact of artificial lighting was raised during pre-application discussions and in addition to bat roost surveys, a further understanding of how bat species currently use the site and the LNR boundary for commuting, and foraging was also requested. Early designs sought to provide a buffer to the LNR from the new built form that would allow the creation of new wetlands. The loss of mature Poplars to enable ground works for the SuDS was discussed and was agreed with officers that one healthy specimen should be retained whilst the others were in poor condition and their removal would facilitate the establishment of the proposed new boundary planting.
- 5.53 The LNR is considered to have high suitability for foraging and commuting bats. Additional survey information to satisfy the Bat Conservation Trust (BCT) Bat Survey Guidelines for sites with 'high' suitability for bats were therefore requested to identify how local bat populations are using the site throughout the most active period (April-October). Identification of the rare barbastelle species using the site by third party (Bioscan) further supported the need for a season of data collection to establish if the proposed light lux levels and associated mitigation are sufficient to limit adverse impacts from the development.
- 5.54 Automated detectors have been deployed between July and October 2022 along with walked transects by MKA ecology. The data demonstrates significant bat activity along the boundary between the site and the LNR, including light sensitive Brown Long Eared Bat and the rare Barbastelle Bat (highly sensitive to lighting impacts). It is noted that the automated and transect spring surveys have not been undertaken, however, I am minded to agree with the MKA ecology report that bat activity has varied very little over the data collection period and is unlikely to alter significantly to require further delay to determination of the application. Since light sensitive species are not roosting on or adjacent to the site the required mitigation and low lux levels would not alter if bat activity were to increase during the spring period.
- 5.55 From the number and timing of the passes within the data provided, it is considered that the barbastelle activity is likely to represent a single or very low number of barbastelle bat commuting past the site, whilst using the river Cam corridor. The MKA report details barbastelle activity when the existing nursery lights were on, suggesting that the individual/s are tolerating existing lighting within the site and wider urban habitats.
- 5.56 Following discussion with officers, the applicant has demonstrated that the development can limit artificial light to levels near to complete darkness along the boundary of the LNR and demonstrates a betterment for bat species with the reduction of existing external lighting from the current nursery building. A condition has been suggested that includes detailed specification of both internal and external lighting and window design to secure this.

- 5.57 It is noted that existing and proposed new vegetation buffer is not included within the light modelling, this is supported as account for winter leaf fall and mitigates any future loss of individual tree specimen through tree maintenance practices on the boundary of the LNR. As managers of the LNR, the City Council also plan to plant additional native trees along the boundary to replace the losses predicted from Ash dieback. These will help to retain and enhance the commuting corridor for bat species, however, the current application does not rely on this to make it acceptable in planning terms.
- 5.58 All UK species of bat are insectivorous, different species specialising in a wide range of invertebrate prey. Third parties have raised concerns about the impact of the proposed artificial lighting attracting flying insect away from the LNR, potentially negatively impacting their populations, as well as their bird and bat predators. Studies are increasingly showing that reproductive success of invertebrates can be impacted by artificial light. The attraction potential of light sources to invertebrates over a given distance and subsequent mitigation guidelines are not known to be covered by any specific planning guidance. However, the application seeks to limit lux levels on the LNR boundary to near darkness and the proposed Ecologically Sensitive Lighting Scheme condition seeks to limit exposed light units that might attract insects, as well as reducing the existing lighting on the LNR boundary. In addition, the proposed boundary tree and hedge planting will help screen the LNR from existing and new light sources, albeit this will take several years to establish post development.
- 5.59 There is an existing bat attic in building 4a that is to be retained and would request a condition for a method statement to be provided for any nearby works, including temporary lighting, which could be incorporated into a construction ecological management plan or as a standalone condition.
- 5.60 There is a single pipistrelle bat roosting in the nursery building proposed for demolition. This will require closure under the auspices of a CL low impact mitigation licence. Request that the proposed method statement and mitigation for this is included within the Construction Ecological Management Plan (CEcMP).
- 5.61 Integrated bat box provision is supported. Exact number, specification and location should be informed by the Biodiversity SPD and Natural England licence for the single bat roost closure. This should be secured via condition or incorporated into a wider Ecological Design Strategy condition.
- 5.62 Lighting during the construction phase will also require conditioning within a wider CEcMP condition, informed by the bat surveys to ensure that construction lighting is located away from sensitive areas and abides by appropriate seasonal curfews.

- 5.63 Content with survey effort and note no potential breeding ponds within the application site. Applicant has signed a Great Crested Newt District Licence with regard mitigating potential development impacts for this species through an approved offsite scheme. This is acceptable.
- 5.64 Proposals cite a potential on-site BNG of more than 50% through a combination of biodiverse green roofs, SuDS, tree planting and semi-natural landscaping. Built form also would include integrated bird and bat box features, to provide additional roosting and nesting site for protected species in line with the adopted Biodiversity SPD. Noise disturbance and pollution risk to the LNR during construction and operational phases need to be considered separately along with potential adverse impacts on species which would need to be avoided and mitigated through separate conditions if approved.
- 5.65 Content with the survey effort and condition assessment made in setting the habitat baseline for onsite BNG. Suggest that given the proximity of the site to the informally recognised CNN, that within the strategic significance column, 'location ecologically desirable but not in local strategy' is selected, however, this has very little overall influence on the final BNG percentage scores and I am content with the assumptions made in the proposed 50%+ BNG. Wildlife Trust has challenged this figure however, the habitat do have the potential to reach the specified condition given that the applicant will have overall responsibility for management and can control recreational access to these spaces. Even if lower conditions are apportioned to the proposed habitats as a precautionary principle, a BNG in excess of 10% is still achievable and therefore would satisfy the NPPF policy requirement.
- 5.66 If approved, request a LEMP condition to detail management and monitoring required to establish and maintain the proposed BNG (for a minimum of 30 years).
- 5.67 Defer to drainage colleagues with regard the detailed design strategy, but note that significant green roofs and open swale attenuation are proposed prior to water entering the existing ditch and flowing through the LNR and ultimately into the river Cam. Third parties have raised concerns about potential impacts on otter and water voles, known to use the LNR and river Cam. Given other existing inputs to the reserve from residential and road surface water runoff from adjacent urban environments, I do not believe there to be an increased risk of pollution, other than during the construction phase of the proposed development, which will require covering under an Ecological Construction Ecological Management Plan (CEcMP) condition. The majority of the LNR lies within the floodplain and therefore is susceptible to seasonable flooding which is unlikely to increase significantly due to the proposed development. The green roofs and SuDS provided a significant part of the proposed BNG for the site and their establishment and ongoing maintenance will need to be captured in the proposed LEMP condition.

- 5.68 If approved, request that the proposed interim and permanent drainage solutions are incorporated into the CEcMP condition.
- 5.69 Green roofs specification should be conditioned. One integrated nest box per residential units should be provided and would suggest that this should concentrate on providing opportunities for swifts. Secured via standalone condition within the proposed Ecological Design Strategy (EDS).
- 5.70 Request EDS, Lighting, Bird/bat boxes, CEcMP and LEMP conditions.
- 5.71 1<sup>st</sup> comment – Boundary of the site should be considered of high suitability for foraging and commuting bats. Additional survey information that satisfies the BCT Bat Survey Guidelines for sites should be submitted.
- 5.72 Applicant has attempted to limit light to 0.5 lux along boundary, but uncertainties remain around potential light spill from open windows and doors on the gable ends of the new blocks and the proposed outdoor seating area on the LNR boundary. Development has the potential to impact on this rare and more sensitive light sensitive Barbastelle species without modification of the proposed building layout, design, and layout proposals. Application should not be determined until use of the site by these bats are better understood, and potential impacts avoided or appropriately mitigated.
- 5.73 Lighting model has set interior light levels for certain rooms at levels below recommended for certain typologies. Lighting strategy will need conditioning to include assurances that modifications will not occur post occupation.
- 5.74 Noted that existing and proposed vegetation is not included within the modelling. Request condition for a method statement to be included concerning nearby works/lighting impacts upon the existing bat attic. Bat box provision to be secured via condition. Lighting during construction phase to be conditioned.
- 5.75 Acceptable impacts upon Great Crested Newts. Bird nest box provision should focus upon swifts and to be conditioned. Biodiversity Net Gain within the site is supported. Request Landscape and Ecology Management Plan condition to detail management and monitoring to establish and maintain this and protect adjacent LNR.
- 5.76 Green roofs (to be conditioned) and SUDs are supported. Additional water may benefit reserve pond and ditch habitats. No additional risk of pollution other than during the construction period. Recommend Ecological Design Strategy and Construction Ecological Management Plan conditions.
- 5.77 Tree Officer – No objection**

- 5.78 Provided suitable tree protection and construction methods are adopted, retained trees can be accommodated without material impact on their health and amenity contribution.
- 5.79 Changes to views from LNR will result but sensitive landscaping scheme will complement the LNR and mitigate the potential change in character. Recommend tree conditions.
- 5.80 Primary Care Team (Cambridge and Peterborough Commissioning Group) – No objection subject to S106 contribution**
- 5.81 Amended comments: Requests sum of £11,500 via S106 contribution
- 5.82 Previous comments: Current GP Practices within the vicinity do not have capacity for additional growth. 60 residents could result in increased demand upon existing services. Impact upon healthcare provision in the area would be unsustainable if unmitigated.
- 5.83 Could give rise to improvements to capacity of, reconfiguration of or redevelopment of nearby GP Practices or providing additional resource.
- 5.84 Requests sum of £15,000 via S106 contribution prior to commencement of development.
- 5.85 Wildlife Trust – Objection**
- 5.86 Doubt regarding the nature, magnitude, and significance of the potential ecological impacts, particularly on bat species, invertebrates, and on drainage impacts on the adjacent LNR
- 5.87 BNG calculations are overstated as the final development will be a residential location with a very low prospect of delivering the better-quality grassland habitats predicted. Taking a more precautionary approach, the predicted BNG would be nearer to 10% than 50% plus claimed.
- 5.88 Residual risk of adverse impacts upon the LNR and BNG does not override these potential impacts.
- 5.89 Ambulance Service – No objection. Seeks developer contribution**
- 5.90 Requests that the developer support the vision zero/safe system approach to design out road accidents. Seeks sum of £6075 to absorb patient growth and demand generated. Capital will provide additional ambulances/medical equipment etc.
- 5.91 Environmental Health – No objections**
- 5.92 Amended comments: Plant noise and updated lighting condition. Impact assessments and adequate assessment of sensitivity of surrounding receptors should be addressed prior to commencement of the works and

this will include the school. Impact assessments will be required to ensure adequate mitigation/monitoring is implemented to protect local amenity and quality of life. Temporary impact on the locality.

- 5.93 Required limits of artificial light on site due to the impact on wildlife may be lower than from an Environmental Health Officer perspective.
- 5.94 Noise impacts are acceptable. Rooflights not required for ventilation/overheating and can be locked which is acceptable. ASHP location proposed maximum separation between source and receiver and includes shielding which is acceptable subject to acoustic assessment condition. The PA system for the gym and café can be controlled via condition.
- 5.95 Odour impacts: No details proposed concerning type/frequency of cooking within the proposed café or whether discharge at height is proposed. Recommend odour condition.
- 5.96 Lighting impacts: Lighting levels around the boundary will achieve a maximum level of 0.5 lux. Recommend details of full lighting scheme assessment to achieve the stated limits via condition.
- 5.97 Contaminated land impacts: Gardens are communal and characterised by gravel/ornamental planting. Suitable end-use is public open space (residential) and therefore unexpected contamination condition recommended in addition to the material management plan condition.
- 5.98 Air quality impacts are acceptable. Outside but on the boundary of the AQMA. No combustion emissions to the air. Reduction in car parking and increase in cycle parking capacity EV charging points secured via condition.
- 5.99 Construction/demolition hours, collection/deliveries, noise/vibration and piling and dust can be controlled via condition to control potential amenity impacts.
- 5.100 Shared Waste Team Officer – No objection**
- 5.101 Collection as existing. Requests bin store to be covered.
- 5.102 Police Architectural Liaison Officer – No objection**
- 5.103 Area is considered to be low vulnerability to the risk of crime at present. Proposed layout is acceptable.
- 5.104 More details regarding security for cycle store are required. Minimum requirements of Sheffield stands; provision of CCTV; refuse store doors; access control for flats; lift and stair core clarification.



5.105 Boundary treatments: Balancing safety with landscaping – hedging and planting should be kept down to 1m-1.2m and tree crowns raised to 2m to ensure clear views and surveillance across the site.

**5.106 Fire Authority – No objection**

5.107 Requests provision of fire hydrants within S106 agreement or planning condition. Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

**5.108 S106 Monitoring Officer – Development contributions potentially required**

5.109 Regardless of where the immediate occupiers move from, the development will see a net increase in 45 rooms, and appropriate s106 contributions will therefore potentially be required to mitigate this additional accommodation and the additional pressures on the local services.

5.110 Any proposed Health contribution must naturally take into account the requirements of Regulation 122 of the CIL Regulations (2010).

5.111 Where the accommodation is only for University of Cambridge College students, Cambridge City Council would not request any sports or open space contributions.

5.112 The s106 administration fee (as approved by the Executive Councillor for Planning Policy and Infrastructure) is to be applied to the s106. A fee of £2,200 towards the administration of the section 106. A further fee of £500 for each obligation where the Council is required to confirm compliance of an obligation.

**5.113 Cadent Gas – No objection**

5.114 No objection. Recommend informative.

**6.0 Third Party Representations**

6.1 Representations from 155 addresses have been received (147 in objection, 8 in support)

6.2 Those in objection have raised the following issues:

6.3 Principle of development

- Alternative brownfield sites and viable options.
- Potential future use as permanent residential housing
- No clear need for student accommodation at Owlstone Croft
- Could make site less bland and more biodiverse without building on it

- More appropriate sites such as Eddington which has good infrastructure and services
- Contrary to site selection process in terms of choosing one that has low existing ecological value, buffering or connectivity
- Does not need to expand its student intake
- Breaks existing green corridor
- Newly acquired Mill Lane site would be more desirable/convenient to students

#### 6.4 Character, appearance, density, and heritage impacts

- Green space allows light, space and quiet on the edge of reserve and suitable transition
- Application site's green space is appreciated by walkers using LNR
- Overall loss of green space and reduction in amenity value of the LNR and setting of Conservation Area. Contrary to policy 61
- At odds with spacious and tranquil character of the setting and tranquillity experienced within LNR
- Pay little attention to the site's context
- Peacefulness of reserve is narrow. Proposal contrary to Policy 61 and CA appraisal concerning peaceful location
- Noise generated from human activity such as gym and BBQ areas would adversely affect tranquillity and aims of NPPF
- Residents will be deprived of beautiful haven
- Garden is part of the buffer zone to this green corridor
- Scale, location, and density are inappropriate. Overdevelopment
- Block 4 clearly visible and would be too close, too high with multiple windows and high-level dormers overlooking the LNR
- Massing of buildings would be overly dominant, overbearing and very close
- Area will become urban in character
- Visually dominate surroundings especially for people with disabilities and young children in buggies using the boardwalk
- Nursery building replaced with much larger building
- Ineffective screening of horse chestnut and ash which both suffer
- Benefits such as the design of scheme itself does not outweigh the harm. No wider public benefits.
- Building would fail to blend in with the reserve and diminish quality of the area as a place to enjoy unspoiled nature
- Bland architecture and artificial surfaces. A lot of hard surfacing
- Site is separate from character of Newnham and therefore out of character with its context
- Mass of buildings would harm the unique historic and environmental character of this reserve and the loss of the sense of peace, tranquillity, and beauty
- Intrusive development particularly when reserve is flooded, and boardwalk has to be used
- 20 or more years for planted trees to provide sufficient screening
- Destroy enjoyment of reserve for people
- Three storey blocks will detract from distinctiveness of the local nature reserve

- Detrimental impact upon character of protected open space (policy 67)
- Actively erode unique physical and naturally distinctive landscapes
- Not in keeping with general layout of houses lining this part of the Cam where houses are largely detached with large gardens
- Conservation Area Appraisal states that pressure to develop on private garden land should be strongly resisted
- Fails to respond to the rural setting of the village and conservation area
- Scale of 11.1 metres compared to 8.5 metres of architecture of the area. Contrary to policy 55 a) and c)
- Arguments for the development benefitting the setting of the Conservation Area are weak and unconvincing
- Listed on the South Newnham Neighbourhood Forum Green Infrastructure Network map as one of three important large gardens in the area. Contrary to policy 52 including insufficient usable garden space, inappropriate form, height, and layout of buildings
- Emergency vehicular access and evacuation routes likely to be through the reserve

#### 6.5 Biodiversity Impacts

- Lawn is important flight path for bats and birds and movement of insects and small animals
- Noise, disturbance and light pollution upon birds, bats, and other species. Destruction of habitats.
- White light attracts insects away from LNR
- Remove green buffer zone which is important for wildlife. Corridor is important for the movement of animals
- Adverse impact upon water voles
- Noise impacts from proposed café/gym uses and entertainment spaces
- Size, scale, and duration of construction works will have seriously negative impacts upon birdlife
- Impact upon the silent and dark LNR
- Light from current security lights
- Possible net biodiversity loss on adjacent NR
- Over-use of NR from increase in people
- Species will not thrive in isolated pocket
- Wetland gardens establishment will disturb wildlife
- Bat roosts in buildings will be affected
- Contrary to Policy 69 and Biodiversity SPD
- Overshadowing of reserve
- Risk of flooding and site drainage resulting in pond pollution and negative impact on wet woodland
- 8 protected species of bats would be seriously impacted
- Lack of evidence on the management of the creating of habitats
- Increase in human traffic in the reserve that is already under pressure from heavy footfall
- The five trees to be felled are a vital part of bat flight corridor
- BNG is unlikely
- Impact upon water voles
- Addition of cats owned by future occupiers
- Limited survey work undertaken

- Drainage will impact a wide area of the reserve
- No attempt to assess risk to reserve and species from flood events and discharges from the proposed development
- Detailed plan to protect LNR from pollution dust and sediment impacts including vehicle wash should be provided and not left to condition

#### 6.6 Highway safety impacts and car parking

- Narrow Streets means vehicular access is not suitable for lots of construction traffic
- No space for HGVs on single file road
- Will force residents to park their cars elsewhere. Parking restricted along Grantchester St and residents park on one side
- Road safety for children, the elderly and disabled. Risk of traffic collisions e.g. junction with school
- Loss of parking spaces on site will lead to parking elsewhere within area
- Lack of bus services for students
- Resident parking scheme in place 11-2pm but very tight parking and concerns contractor parking will park outside restrictions
- Have arrangements been made for worker car parking, arrival, and sequencing of journeys etc.?
- Short Lane was subject to improvement scheme for the protection of pedestrians. There is no separation between pedestrians and vehicles along this lane. Current surface is not suitable for construction traffic and is very narrow (less than 3.5 metres width). No evidence on how construction can be safely managed
- No enforcement powers to prevent cars parking along Short Lane
- No right of way along Short Lane for Queens College
- Increase in traffic generated from 60 additional residents and need for taxis, deliveries etc.
- Children's safety especially during school holidays and pre-school which attends at different hours
- No traffic assessment has been carried out
- Construction access could be via the carpark at the Driftway which may alleviate concerns in terms of children's safety

#### 6.7 Sustainability

- Unnecessary demolition of nursery and existing extensions, contrary to section 4 of the Local Plan

#### 6.8 Flood risk

- High risk of flooding within the site itself
- Existing drainage system is inadequate and increased risk of flooding from hard surfaces
- Flood risk assessment has shortcomings including not being designed in accordance with the latest EA guidance; consideration of high water levels; potential flooding of nearby properties; no definition of climate change allowance which has been used; flood model should be re-run with latest climate change allowances and refined with local data e.g.

network ditches; does not provide sufficient depth for water to be treated to prevent contamination of groundwater body; green roofs are not considered to provide any attenuation; swales will be full of water and porous paving should not be used; insufficient capacity within the system and risk of surcharge and flood risk; should ensure that no pollution reaches the LNR. Does not comply with Para 167 of the NPPF

- Flood risk design basis as 'minor' is not correct
- Water pollution
- Flood risk upon school's forest school area
- Fails the sequential test

#### 6.9 Loss of nursery provision

- Long waiting list for nursery places in the area
- Rugby Club location for nursery provision would increase temptation to drive. Should provide an alternative in the heart of Newnham
- Concerns that the size of the new nursery would be for two colleges
- Children not guaranteed place in new facility
- Accessibility of new nursery is a concern and inadequate parking provision on the site
- Exclusion of postgraduate students who are parents
- New site is not of equivalent quality in terms of outdoor space nor protection from air pollution
- Timing of new nursery

#### 6.10 Tree/hedgerow impacts

- Deep foundations will threaten existing lime trees along boundary with school
- No assessment of hedgerows between Owlstone Croft and the school

#### 6.11 Residential and future occupiers' amenity impacts (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)

- Noise impacts from proposed café and gym uses
- Green area is an important recreational area for students
- Reduction in sunlight upon school grounds and more artificial lighting
- Each individual bedroom is projected to have a floor area of 25.7 sq metres, substantially more than Block A and B's rooms
- Overlooking impacts upon school grounds contrary to policy 58
- Overbearing nature of buildings will make them unattractive for relaxing and socialising and therefore students will use LNR and the meadows instead
- Amenity spaces could be shadowed
- Lack of outdoor amenity space for current students

#### 6.12 Construction impacts

- Noise, dust, air pollution and disturbance to local residents during construction
- Disruption to children's education and their health/wellbeing through noise and air pollution impacts. Air quality impacts have not been assessed

- Schools are high risk however applicant has stated that the risk to human health as medium sensitivity. Potentially serious issue. Level of exposure to school children would be great. Children would be put at risk
- Odour concerns
- Hinder residents accessing their homes
- Hazardous for disabled people since access besides Porters Lodge
- Insist on full enclosure of the demolition area close to the school's boundary and mitigation measures imposed during demolition

#### 6.13 Other

- Copy of Environmental Impact Assessment requested
- Capacity and financial issues for existing school through less children attending
- Infrastructure such as doctors will be stretched
- Increase pressures on parking, roads, and services
- Not all addresses along Grantchester St were consulted
- Effect of piling, duration and subsoil excavations will damage the environment of LNR
- Conflict with policy 8
- Does not seem to address potential problems of surgery staffing
- Safeguarding of children in school from overlooking
- Does not respect local community
- Community would not be integrated. Café, meeting room and gym facilities should be available to all members of the community. Contrary to Policy 56 supporting text 7.7
- Increase in vandalism due to more light available along reserve
- Discriminate against those with disabilities by decreasing views and landscape
- Litter
- Drinking water extraction may increase
- Destruction of the green belt
- Verified views may not be accurate
- Request Equality Impact Statement

#### 6.14 Those in support have raised cited the following reasons:

- Increase in high quality student accommodation with easy access to the town centre and positive addition to the area
- Current dead ground does not enhance the NR in any way. Plans seem well thought out both visually and ecologically. Likely to enhance the NR
- Good for the climate and for ensuring that potential residents are not displaced elsewhere increasing car-usage
- Increase in cycle provision
- Improvements to a rather grim appearance of the site
- Thermal performance and sustainability are welcomed
- Construction Traffic Management Plan needs to be improved to avoid a significant increase in vehicular congestion
- Ditches must be protected from pollution during construction
- Reduce pressure on housing market for renters

- Please ensure there is sufficient indoor and outdoor amenity space for existing students
- Negligible impact upon LNR
- Previously occupied by residents without threat to reserve
- Are finished floor levels sufficient
- Residential roads can take more traffic than at present
- Well screened from adjacent school
- Unfortunate loss of college nursery
- Owlstone Croft is reasonably accessible to the main college site as opposed to Eddington

## **7.0 Member Representations**

7.1 Cllr Holloway has made a representation objecting to the application on the following grounds:

- Two blocks would overlook the school and two blocks would be very close to the NR. These should be located closer to existing buildings
- Scale and massing resulting in overshadowing upon the NR
- Number of trees and hedges affected. Harm to biodiversity upon NR
- Light and noise would harm the five protected species of bat as well as owls and other birds
- Access route and concerns regarding pedestrian safety
- Likely to increase flood risk
- Call application before Planning Committee for full consideration

7.2 Cllr Copley has made a representation objecting to the application on the following grounds:

- Would detract significantly from the green, open, and 'wild' character of the area. Footpath runs close to the edge of the NR and proposal would fell trees and buildings would be close and prominent in views out of the reserve
- Dust, light and noise pollution would disturb wildlife
- Introduction of urban development would have wider impacts on the setting of the LNR and Conservation Area
- Loss of green space for current 100 students
- Embodied carbon costs of nursery demolition
- Flood risk and pressure of sewage system
- Construction traffic will generate noise, dust, and disturbance. Proposed access is unsuitable for the size and quantity of construction traffic
- Loss of nursery provision for local people
- Benefits are outweighed by harm. Other options e.g. Eddington are available
- Contrary to policies 61, 67 and 69

## **8.0 Local Groups / Petitions**

- 8.1 Cambridge Friends of the Earth has made a representation objecting to the application on the following grounds:
- Harm the biodiversity of LNR
  - Demolition of nursery contrary to environmental/sustainability aims
  - Inadequate sewage system and consequence of increase runoff due to impermeable surfaces
  - Water supply issues
- 8.2 Cambridge Green Party has made a representation objecting to the application on the following grounds:
- Three-storey buildings would detract from open and wild character of the area
  - Dust, light and noise pollution
  - Destroy green space
  - Embodied carbon costs with loss of nursery building
  - Loss of nursery provision
  - Severe impacts upon local people from construction traffic and construction work
  - Flood risk and pressure on sewage system
  - Proposed landscaping and BNG only partially mitigate for the harm.
  - Contrary to policies 61, 67 and 69
- 8.3 Cambridge Past Present and Future has made a representation objecting to the application on the following grounds:
- Height, massing, and location of four blocks would result in a detrimental impact on the setting and amenity value of the LNR and Conservation Area
  - Current green space forms part of the green corridor that runs from Grantchester Meadows into the City
  - See 4.3 and 8.2 in Conservation Area Appraisal
  - Alter the character of the area for those walking in the reserve from openness and greenness to being overlooked by buildings and human activity. Adversely affect the setting of the Conservation Area.
  - Much larger buildings would have a significant impact on the character and enjoyment of the nature reserve
  - Brings urban edge up to the nature reserve
  - Existing screening outside the site will decline
  - No wider public benefits
  - Undeveloped nature of application site forms part of River Cam corridor
  - Contrary to policies 61(b)(c) 67 and 69. Character of LNR would be harmed
  - Loss of nursery and problematic construction access
- 8.4 Living Streets Cambridge has made a representation objecting to the application on the following grounds:



- Movement of heavy vehicles in and out of Owlstone Croft poses a threat to the safety of pedestrians especially less able walkers
- Increased risk of flooding and impact upon LNR itself
- Overlooking and higher levels of light pollution will be a threat to biodiversity

8.5 Federation of Cambridge Residents Associations (FeCRA) has made a representation objecting to the application on the following grounds:

- Overbearing height, massing, and inappropriate location
- Diminish treasured public green space and its “wild state”
- Needs less footfall not more
- Current green space provides an important and very valuable buffer zone for the LNR. Same green corridor recognised to be an important wildlife corridor essential for movement of insects, birds, animals, and fish
- Noise, disturbance, and light pollution
- Light impact on bat species
- Cats and increased footfall impacts on vole population
- Loss of biodiversity in LNR
- Demolition of nursery contrary to sustainability policies
- Sewage issues
- Construction access is not supported by local residents
- Contrary to policies 61, 67 and 69

8.6 Friends of Paradise Nature Reserve (and accompanying Bioscan ecology/bat reports, flood risk report) has made a representation objecting to the application on the following grounds:

- Importance of the discovery of rare bat species barbastelle makes it more appropriate to follow Bat and Artificial Lighting guidance which is below 0.2 lux on the horizontal plan and below 0.4 lux on the vertical plane
- Floodlighting should not be taken as the baseline situation as up until recently these have not been turned on
- There is no improvement on the existing situation because these lights over the years have not been turned on
- Point 18 would exceed BCT recommended cut-off by a factor of 7.4 times. Having one point significantly too high could constitute a permanent impact on bat activity
- Lighting assessment should be repeated with floodlighting excluded from the calculations
- Floodlighting was not turned-on during times that remote bat data was collected and therefore misleading to cite barbastelle records close to floodlights
- Essential for a full suite of surveys to be carried out so any decisions can be informed by an appropriate level of information. Namely, transect/spot count/timed search surveys of two surveys per month (April to October) and automated/static bat detector surveys (April to October). Only data from May, July and August have been provided

with only August having its coverage complete. No data is provided in early spring or autumn so insufficient data to make an informed decision

- Line of lime trees along school boundary could also contain bat activity and modelled light spill along this boundary is 13.64 lux and 2.75 lux, exceeding guidance. Survey data required
- No consideration of the poplar trees in the context of providing habitat for bat activity. These trees are assessed to be ecologically continuous with the LNR in terms of usage by bats and therefore their removal will have an adverse impact upon bat activity including barbastelle
- Additional light sources could be used in seating area along southern boundary, Unlikely that any effective lighting could result in less than 0.4 lux along the LNR boundary
- Significant adverse impact upon the character and ecological, recreational and amenity value of LNR as a natural asset, and its contribution to the City of Cambridge and the wider area
- LNR qualifies as a City Wildlife Site for Greater Pond Sedge swamp
- LNR qualifies as County Wildlife Site for its 0.5 ha of Alder – Stinging Nettle woodland
- LNR within wildlife corridor in Local Plan
- LNR fulfils all criteria for environmental importance
- Contrary to NPPF paragraphs 199 and 200 due to insufficient evidence to demonstrate impact upon LNR
- Failed to provide comprehensive surveys of the historic and existing biodiversity importance of the site; no professional ecological assessment of the impact of the proposed development; details of measures to protect and enhance the habitats/species. Contrary to policy 69
- Priority species found in LNR including water vole and species of bat
- Hedge between school and application site is an ancient and species-rich
- Bioscan report states that the application site is considered to have at the very least 'moderate' suitability for bats and that following surveys are required. Contrary to policy 70
- Submitted lighting assessment states that cut off levels would be exceeded by the resultant illumination at four locations on the boundary of the LNR
- Potentially sever commuting routes along this edge of woodland
- Rare bat species identified
- Impact upon flight paths and behaviour patterns of birds and insects from extensive glazing
- Greatly increased day and night time activity
- Security lights sometimes left on at night currently
- AJS Ecology – data still does not provide a full set of information that is required to fully understand importance of the site to bats and especially rare barbastelle bat such as trees on the Paradise LNR boundary and the lime trees on the northern boundary. Only in August does the survey full comply with guidelines. Doesn't follow BCT guidelines in all respects
- Mature trees important conduit for barbastelle bats

- Full bat survey dataset has not been completed.
- Does not mean that the bats are not being impacted by light
- Increase of light levels proposed. Worsening of the current situation according to the lighting impact assessment
- No reliable data for northern boundary as to whether or not this used by barbastelle bats. Essential that bat activity along here is properly assessed with static surveys and impacts from lighting on this tree line considered in detail
- Poplar trees are assessed to be ecologically contiguous with the nature reserve in terms of usage by bats. Any replacement planting would take considerable time to establish and would not alleviate impacts on bat activity. Drainage may need to be expanded at detailed design stage and this has potential to impact T10
- Designing in lighting for seating area for block 4 will be very difficult to achieve due to proximity to the boundary. Would encourage other light sources into this area
- Not considered with any degree of confidence that light sensitive species are not roosting adjacent to the site or other rarer bat species being found
- An ecologically sensitive lighting scheme should be made prior to planning permission
- No evidence that the dramatic reduction in light levels is possible on the northern boundary
- Comprehensive surveys have not been undertaken. Assertions that barbastelle bats being locally resilient to lighting cannot be considered reliable. Conditioning light levels on LNR boundary and northern boundary has not been demonstrated as being achievable
- Tall buildings would result in ecological harm
- Inadequate assessment of the current status of the species population and consider that inadequate details of measures to fully protect the species and habitats identified have been provided
- Management of light pollution at the Owlstone Road end of the LNR has been a considerable problem and in 2019/20 with the help of the College, lighting around the gate area was reduced by shielding and change of light bulbs. The situation improved but did not solve the problem as much of the light came from the windows of the adjacent dwellings
- Contrary to policy 34 (d)
- Pile-driving and other construction activities will create noise
- Increase in resident population and development of a café and an open space will generate noise after construction
- Lighting has adverse impact on insects and moth populations
- Contrary to policy 35
- Contrary to Biodiversity SPD as developers will be expected to avoid direct and indirect impacts on irreplaceable habitats and embed measures to achieve this within the design of any development proposal
- Loss of trees for bat foraging, contrary to Policy 71
- Overbearing height, form and layout is inappropriate to open landscape setting as part of the green corridor, contrary to Policy 52

- Not connected to Newnham streetscape but is in the centre of protected green space. Site context is framed by distinctive and high-quality green river corridor. Negative response to LNR, resulting in an incongruous urban wedge. Contrary to Policy 55
- Fails test of new buildings to make a positive impact on its setting in terms of location on the site, height, scale, and form, contrary to policy 57
- Proposed layout, siting, massing, and height fail to positively contribute to existing features, contrary to Policy 57
- Fails to recognize the setting of site including views into, within and out of the conservation area. Result in loss of open space, inappropriate scale, form, height, massing, and alignment. Fails to demonstrate an understanding of significance of conservation area and heritage assets of green river corridor
- Sub-division of plots or the addition of over-large extensions must be strongly resisted (Conservation Area Appraisal). Contrary to policy 61
- Application site fulfils environmental criteria to warrant protection under policy 67. Request LPA commission an assessment against this criteria
- Available sites in West Cambridge and Eddington. Absence of sequential test and evidence-based justifications as to why site should take precedence over allocated and available alternative sites at lower flood risk. Contrary to policy 32
- Pollution during construction to water draining into LNR. Unknown impacts upon ecology of LNR. Uncalculated risk of dust, cement, and chemicals. Increase surface water volumes and proposed ditches could be predicted to further exacerbate flooding of the LNR. Houses in Grantchester Meadows have been informed that they are now in a flood risk area for the first time
- Cambridge Water Recycling Centre does not have capacity to treat flows from development site. Several severe defects to existing drains. Surcharging. No drawing showing manhole locations
- 'Basic' approach to assessment of climate change impacts is inappropriate. Not been confirmed within the assessment whether the flood modelling has incorporated uplifts in peak fluvial flow in line with current guidance. Therefore, applicant has failed to adequately assess fluvial flood risk in terms of flood risk through the projected lifetime of the proposed development nor off-site impacts with changes in available flood storage to adjacent/downstream properties
- Does not undertaken an assessment of climate change impacts on fluvial flooding robustly
- Not possible for the applicant to confirm that the stormwater outfall for the site will not be drowned out during the design fluvial flood event
- Failed to follow current climate change allowance guidance. Both school playing field and school building could be subject to increased flood risk
- Lack of inclusion of climate change peak flow uplifts in the defining of the storm event flood levels and extents
- No consideration as to how the foundations of the scheme might impact existing groundwater flows and whether this has the potential to exacerbate groundwater flood risk for properties adjacent/upgradient of

the site. Likely that foundations will intercept, truncate, and cut off or deflect groundwater flow route. Flood risk to basements of neighbouring properties/low areas

- No mention of where the discharge of Block A's storm water runoff would discharge and whether the new development blocks will conflict with the existing soakaways and effectiveness of proposed drainage scheme
- Insufficient information has been provided with regards areas of impermeable and permeable surfaces. Appropriate runoff allowance required to ensure that proposed swales and permeable paving have sufficient storage capacity to accommodate extreme storms
- Permeable paving would be partially flooded by groundwater prior to any storm event and would compromise the performance and effectiveness of the drainage system
- Unlined nature of the swales will be vulnerable to groundwater ingress and result in the loss of required necessary storage volume available prior to storm events
- No winter groundwater monitoring has been provided. Highly likely that current design will not function as designed during periods when groundwater levels are high in winter months and on-site storm water runoff scheme is considered to be ineffective. No indicative foundation designs nor winter groundwater monitoring has been undertaken
- Issues relating to groundwater are likely to result in changes to the scheme design in the post-planning stage. Permeable paving changes would likely have implications in terms of spatial requirements for storm drainage attenuation and also the volume of storm flow draining to the wider SuDS network and from there into the LNR
- Infiltration testing has not been fully completed and applicant has not proved that the scheme is viable in its current form. Could result in adverse impacts in terms of changes to water levels in this ecologically sensitive area or require expansion of drainage features which could result in further impacts on trees
- System blockage risk due to proposed flow restrictions that would result in surcharge and surface water flooding within and beyond the site
- Not been proved that the proposed swales are located in an area which will not be impacted by flooding. Not been proved that the outlets to the swales are raised above the maximum expected downstream flood level and operation of the proposed site storm drainage system may be impaired
- Scour and erosion prevention works required outside the application site and not within the control of the applicant
- FRA does not adequately confirm onward route of flow from the ditch on the eastern site boundary towards the river Cam and does not determine whether there is currently a positive surface connection for that channel towards the river
- Insufficient evidence provided to confirm that there will not be changes in normal runoff characteristics and volumes and low-level pollution when compared to existing greenfield nature of the site. Could adversely impact or alter the habitat provided

- Unclear how the wetland habitat would function
  - No details provided on surface water management during construction phase
  - No details are provided on surface water management during the construction phase. Feasibility of turbid water storage, treatment and disposal has not been assessed
  - Questions the impact of polluted surface and ground water, what measures would be put in place to monitor and manage this, will ditches be robust enough to channel water at peak times and would the council allow ditches to be built across LNR?
  - Overshadowing of adjacent hedge. Pockets of wildflower planting are unlikely to flourish due to shading
  - Wildlife and sense of wilderness/peace of LNR is enhanced by the buffer zone. Overbearing scale and massing would replace the sense of solitude gained from wandering in the wild woodland. LNR has educational value
  - Threaten LNR's beauty and tranquillity
- 8.7 Friends of the Cam has made a representation objecting to the application on the following grounds:
- Fragmentation of the green corridor
  - Hasten decline of important species such as water voles and bats
  - Proximity of buildings will spoil the experience of this special place for many people
  - Idea that will help the transition into an urban environment makes no sense
  - Embodied carbon
  - Fails to preserve environment
- 8.8 Newnham Croft Conservation Group has made a representation objecting to the application on the following grounds:
- Major overdevelopment of the site and proximity to boardwalk and its size and massing would restrict views of people
  - Light pollution
  - Increased traffic generation
  - Overlooking rear gardens of Owlstone Road especially through new section on north
  - Loss of green space
  - Flood risk
  - Loss of nursery provision for 25 children
- 8.9 Newnham Croft Residents Association has made a representation objecting to the application on the following grounds:
- Overdevelopment. Size and scale are too large
  - Biodiversity net gain of 57% is unlikely due to cutting down of trees etc.
  - Adverse effect on wildlife and amenity of LNR. 20 years for planting to provide sufficient screening

- Noise during construction and from gym and BBQ areas
- Overbearing presence
- Drainage and sewage concerns
- No transport assessment provided. Concerns about inadequate access
- Noise and pollution to children at adjacent school
- Overlooking and overshadowing of adjacent school
- Serious shortage of nursery places unless replaced nearby
- Contrary to policies 52, 56, 57, 59, 61, 67, 69, 70 and 71

8.10 Newnham Neighbourhood Forum has made a representation objecting to the application on the following grounds:

- The proposed development would have a significant adverse impact upon the character of the Newnham Croft Conservation Area and upon the special character, and recreational and amenity value of the Paradise Nature Reserve
- LNR meets the criteria for environmental and recreational importance
- Loss of biodiversity through garden grabbing
- Encroaching upon border of Paradise Nature Reserve. Garden forms a protective green buffer at the narrowest most fragile section of the Reserve
- The garden and LNR itself both form part of the green river corridor. The development does not respond positively in the context of the LNR, and intrusive buildings would have a negative impact on the landscape and biodiversity of the Reserve
- Overbearing scale, massing, height, and siting/layout would harm habitat and ecology of LNR. Policy 52
- Trees will be lost. Identified trees are not within the development site. This would threaten the balance of the natural environment and bat population
- Heights of buildings over 12m when considering topography and would be overbearing and overshadowing upon adjacent boardwalk
- Site makes a major contribution to the setting, character and environmental quality of the Newnham Croft Conservation Area and major contribution to the green river corridor of open space and wildlife value/biodiversity of the city
- Vital tests to demonstrate that the proposal would not have an adverse effect on biodiversity have not been undertaken
- Will not fulfil housing need due to most postgraduate students coming from abroad
- Noise and light pollution affecting wildlife. Likely to harm populations and will disturb priority habitat. Fail to minimize the ecological harm and would affect protected species such as bats, water voles and otters. Amount of light falling on the reserve would increase
- Planting mitigation proposed would not adequately protect bats from harm
- Construction work will last at least 2 years which would significantly diminish the amenity of hundreds of people visiting the reserve daily. Wildlife would flee and not return.

- Noise will increase from sixty people using the accommodation and café will generate more noise. Question how music and ventilation systems can be enforced with regards the gym use.
- Increased flood risk into Paradise LNR, Newnham Croft School grounds and nearby houses of Grantchester Meadows and Owlstone Road. Application would increase the run-off of water from hard surfaces and this excess water would be channelled to the river. Will the ditches be robust enough to channel the water at peak times? Will the Council give permission for ditches to be built across the reserve? What is the impact of discharges during construction?
- Loss of community facilities. Nursery not a negative building. Only operates during the day so limited light spill/noise. Concern if work were allowed to commence on other parts of the site before the relocation of the nursery was complete. Policy 73
- Lack of justification for nursery's demolition
- Café will just be used by residents within this gated community
- Pedestrian and cyclist safety risk. Increase in traffic in narrow lane (forming the route from LNR to Grantchester Meadows) used by many walkers.
- Garden is of local heritage importance. Loss of open unrestricted views from both the site and the LNR
- Impact of overlooking upon the school grounds
- Ancient hedge with lime trees between the school and development which could be damaged
- Noise and air pollution impacts upon school children. Harmful affect upon their learning and future development
- Development would not be open to the local neighbourhood community which is against Policy 56
- Dangerous junctions. Number of construction vehicles needed to supply large development site would endanger pedestrians and cyclists. Overload Grantchester Street with traffic. Applicant should be required to carry out longitudinal multi modal traffic surveys and impacts assessments. Construction traffic management plan should demonstrate practical deliverability and measures to ensure safety and mitigate the survey findings. Impact assessment should include size of vehicles, operating hours, and prevention of off-site parking. Short Lane is jointly owned by the City Council and the adjoining residential properties who have not been consulted about these plans. Queen's College access rights end at junction with Owlstone Road. Essential that this is not left to condition
- Not sustainable development. Large buildings, negative impact on habitats and species etc.
- Impacts of noise, vibration, and dust on adjoining properties
- Management of surface water discharge during construction will need consideration
- Applicant has not considered parked cars in the access road. Parked cars in Short Lane would interfere with turning movements into/from Owlstone Croft. Short Lane only 2.75m width to parked cars and is primarily a pedestrian route and used by cycles. There is no space for two vehicles to pass in Grantchester Street.



- Misrepresentation in applicant's report – the site does not directly connect onto a public highway
- No traffic surveys have been undertaken
- Construction Traffic Management Plan should be agreed prior to granting consent
- Construction vehicles (small mobile crane, low loader, or cement mixer) cannot enter or exit the site safely, either they would mount the kerb or hit parked vehicles
- Short Lane is not considered suitable for construction traffic. A condition survey should be undertaken
- Trip generation does not consider delivery vehicles/taxis. Nursery trip rates based on 2013 planning application and no surveys undertaken more recently
- Fire engines cannot safely enter/exit the application site due to presence of parked cars. DB32 fire truck would clip bollard. No evacuation point indicated. Residents vacating the site would use the same narrow route as emergency vehicles

8.11 Richard Buxton Solicitors on behalf of the Chairman of the Friends of Paradise Nature Reserve has made a representation objecting to the application on the following grounds:

- Factual and policy similarities with Adams Road application
- Application should be subject to full review by the Design Review Panel
- Clarification should be sought from applicant regarding postgraduate students
- Guided site visit should be undertaken by all members of Planning Committee with Council's planning officer, ecology officer and environmental health officer present
- Applicant fails to consider Policy 7
- Paucity of ecology information
- Independent ecologist undertook survey work (Bioscan) and found severe concerns on evidence provided particularly on impacts upon bats. Specifically, no bat surveys were carried out on the adjacent LNR, insufficient standard, rare barbastelle bat recorded, poplar trees within the site have much higher value for bat commuting and should be assessed.
- No supporting justification for 0.5 lux levels. Maximum of 0.2 lux on horizontal plane and 0.4 lux on vertical plane as required by Biodiversity SPD
- Despite this, 0.5 lux levels would be exceeded in several areas
- Light spill would be greater when windows/doors are opened and greater than that modelled
- Regular lighting and noise from outdoor amenity area adjacent to block 4
- Applicant will not be able to balance Crime and Prevention Officer's request for hedging and planting kept down and tree crowns raised with mitigation
- Insufficient information to determine application against policies 69 and 70

- Green space warrants protection under policy 67 under the environmental criteria within appendix I of this policy
- Open space is specifically referred to in the Conservation Area Appraisal
- Impact upon water quality into Paradise and River Cam. Absence of this information. This was raised in LLFA's response
- Drainage calculations discrepancy
- Scale, design, and form of development in addition to water quality is in conflict with Policy 7
- No justification for loss of poplar trees of clear ecological and amenity value, contrary to Policy 71
- Overlooking, noise and disturbance to both school children and site's future residents. Conflict with Policy 35. Absence of noise impact assessment
- Both children's education facilities will be directly impacted by construction noise from this proposal. No identification of possible mitigation to minimise impact on pre-school and primary school children. Inadequate information against policy 35
- Noisy activities including a gym and no consideration of adjacent school children
- Use of external areas will be a source of noise and nocturnal noise
- Only mitigation proposed for noise of children playing is to close windows
- No visual barrier between school and terraced blocks results in overlooking. Daylight and sunlight report fails to assess impact upon school field. Contrary to Policy 58
- No firm commitment to replacement of nursery
- No sequential test carried out
- Contrary to Conservation Area Appraisal
- Failure to consider the implications of construction traffic on private road, one shared by recreational walkers. Contrary to policy 81
- Disproportionate impact upon those with impaired mobility using the boardwalk

8.12 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

## **9.0 Assessment**

### **9.1 Principle of Development – Student Need**

9.2 The existing site is owned by Queens' College where 102 students currently live and study. The proposed four accommodation blocks would be for the College's post-graduate students attending courses of more than one year. No family accommodation is proposed on the site. The existing buildings (Blocks A and B) will continue to be occupied by a mix of postgraduate and a few undergraduate students.

- 9.3 Policy 46 of the Local Plan 2018 states that proposals for new student accommodation will be permitted if they meet identified needs of an existing educational institution within the city of Cambridge in providing housing for students attending full-time courses of one academic year or more. Applications will be permitted subject to:
- a. there being a proven need for student accommodation to serve the institution;
  - b. the development not resulting in the loss of existing market housing and affordable housing;
  - c. it being in an appropriate location for the institution served;
  - d. the location being well served by sustainable transport modes;
  - e. having appropriate management arrangements in place to discourage students from keeping cars in Cambridge;
  - f. rooms and facilities being of an appropriate size for living and studying;
  - g. minimising any potential for antisocial behaviour and, if appropriate, being warden-controlled.
- 9.4 The supporting planning statement states that there are currently 327 postgraduate students who require accommodation at the College. Currently only 53% of postgraduates are housed in college accommodation. The remaining students live elsewhere, within private and college-owned individual houses within the city including the Newnham area. Moreover, as identified in the 'Assessment of Student Housing Demand and Supply' (2017), the University of Cambridge is seeking to grow its postgraduate numbers by 1% per annum. Taking all this into account and whilst third party comments questioning the need are acknowledged, it is considered that there is proven need for student accommodation to serve Queens College in accordance with criterion (a) of this policy.
- 9.5 The provision of additional postgraduate housing within an established College-owned site would ensure no loss of existing market/affordable housing in accordance with criterion (b) of this policy. No family accommodation is proposed on the site. The existing buildings will continue to be occupied by a mix of postgraduate and a few undergraduate students.
- 9.6 Owlstone Croft comprises a community of 102 mostly postgraduate students. The provision of additional student accommodation within this established College site along with additional facilities such as a café, gym and study centre would be sited in an appropriate location for the institution it serves. Additionally, the site is located approximately 1-1.5km from the other Queens' College sites within the city centre. Whilst third party comments regarding other available sites for student accommodation such as Eddington and brownfield sites are acknowledged, there is no requirement within Policy 46 for alternative sites to be considered providing the site chosen is in an appropriate location for the institution served. The proposed site would bring more of the postgraduate community together along with enhancements to the

- study and welfare provision for existing students on the site. Given that this is the case, the proposal is in accordance with criterion (c) of this policy.
- 9.7 The site is located within a highly sustainable location, within cycling and walking distance to the city centre and access to bus services along Barton Road. Therefore, the proposal is in accordance with criterion (d) of this policy.
- 9.8 Students living on site would be subject to proctorial control and would not be permitted to bring cars into Cambridge unless required due to accessibility reasons such as impaired mobility. Car parking spaces within the application site itself would be very limited whilst surrounding streets are subject to residential permit holder restrictions. Students within Owlstone Croft would not be eligible for these parking permits. Therefore, the proposal is in accordance with criterion (e) of this policy which seeks to discourage students from keeping cars in Cambridge. The proposed S106 Agreement would ensure that mechanisms (to meet the aspirations of para 6.13 of the policy) are put in place with the leasing arrangements to ensure that the keeping of cars in Cambridge is discouraged and that there are consequences to leasing arrangements if students fail to abide by the terms.
- 9.9 Each of the proposed accommodation blocks would be arranged in terraces and comprise individual houses of 4-5 bedrooms with generously sized sleep and study areas. Communal areas would be large enough for small study groups whilst providing sufficient lounge and kitchen spaces. Fully accessible ground floor study bedrooms in the 5-bedroom units would be provided for users with impaired mobility. Taking this into account, the proposal is in accordance with criterion (f) of this policy.
- 9.10 The site has a gated entrance with boundary treatments bordering it. The Porters accommodated within the Lodge would remain and there is no prospect that this will be removed in the future. Therefore, the proposal would be warden-controlled in accordance with criterion (g) of this policy.
- 9.11 Officers therefore consider that subject to a s106 Agreement to link the proposed 60 units to Queens' College or an affiliate institution for the undertaking academic studies, teaching and/or to carry out research, the principle of development is acceptable and will be controlled by the s106 Agreement. A planning obligation would preclude the use of the accommodation for families as the general layout of the site and its functional aspects would not be suited to such use, for example there is no play space on site.
- 9.12 The site is not used, nor would it be used to house conference delegates. The postgraduate students would be accommodated on site on a year-round basis. To ensure that only Queens' College students occupy the new units and there are no other uses outside of term-time occur, a restriction will contained within the Section 106.

9.13 Taking all this into account, subject to the s106 Agreement, the proposed development is considered acceptable in terms of Policy 46 of the Local Plan 2018.

#### **9.14 Principle of Development – Flood Risk**

9.15 The majority of the application site is located within Flood Zone 1 (low flood risk), with the eastern part located within Flood Zone 2 (medium flood risk) and Flood Zone 3 (high flood risk) is located on the edge of the site. The student accommodation is categorised as a ‘more vulnerable’ major development and therefore a sequential test should be applied.

9.16 Formal comments from the Environment Agency (EA) concerning the sequential test are acknowledged. Whilst not objecting to the proposals, EA states that it is for the local planning authority to determine if this test has to be applied and whether or not there are other sites available at lower flood risk.

9.17 Paragraph 162 of the National Planning Policy Framework (2021) states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

9.18 Paragraph 027 of the PPG states that for individual planning applications subject to the sequential test, the area to apply the test will be defined by local circumstances relating to the catchment area for the type of development proposed.

9.19 The application site comprises well established student accommodation within three blocks (Block A, B and D). Whilst the proposed accommodation blocks would be located partially within Flood Zone 2, the College use of the site would remain as existing, with the proposed accommodation comprising an extension to this existing student community.

9.20 One of the distinctive characteristics of Cambridge University is its collegiate nature which ensures that students and academics benefit from belonging to a small, interdisciplinary academic community within a large institution. Queens’ College comprises three accommodation sites located within the City Centre and Newnham. The College’s ambition is to increase student numbers living on these sites where there is access to a full range of services and facilities.

9.21 Third party comments consider that alternative sites at lower flood risk such as Eddington are ‘reasonably available’. Although this is acknowledged, Eddington is located approximately 4.3 km walking distance from Owlstone Croft and would not offer the co-locational benefits

of the proposed site and its proximity to other City Centre sites within the Queens' College ownership.

- 9.22 Alternative site opportunities have been pursued by the College such as the collaborative opportunity at Mill Lane with the University, Pembroke and Darwin Colleges to improve their existing accommodation at Silver Street, however, in 2019, the applicant advises that the University unilaterally decided to cease all work on the northern side of Mill Lane in which Queens' College was interested in with no prospect of returning to the north side of Mill Lane within the next ten years.
- 9.23 The surrounding area around Owlstone Croft within the Newnham area has a strong postgraduate student community with students and academics currently living outside Owlstone Croft within Newnham.
- 9.24 The proposed nature of development is for student housing which is naturally oriented around the institution it serves. A reduced geographical search area is justified on the basis that the proposed development would involve the reconfiguration of the existing site to sustain and enhance the facilities for both the existing and future student community.
- 9.25 National PPG states that in some cases developments may involve an extension to an existing use. The Owlstone Croft site is an established student community and the proposed development neither is stand-alone nor involves a cleared site. The proposed development would involve the redevelopment of this existing student residential use and the College's business by enhancing the welfare and study provision for students. The addition of the new blocks would provide students who would otherwise be living outside of the Owlstone Croft site to be better integrated into the student community. The operation of the existing Owlstone Croft site relies on providing student study and welfare facilities close to those living within and in close vicinity to the site. The site is also close enough to the main Silver Street campus to ensure that students benefit from the full College experience.
- 9.26 Comparator sites within the College's ownership have been considered by the applicant including the Historic Campus, Cripps Court, and the Sports Ground, however these have been discounted in favour of the application site due to their site constraints. In reviewing these alternative sites, it is considered that the Historic Campus is constrained by heritage assets including a Historic Park and Garden designation, moreover, it would not be feasible to build anything more than a few student rooms. The Cripps Court is limited by either being in either medium risk or high-risk flood zones and would be incapable of supporting any new residential development. Finally, the joint Queens' and Robinson College sports ground is located within the Cambridge Green Belt and as such is an inappropriate distance for social and welfare facilities of the main College campus and therefore is not considered appropriate nor readily available.

- 9.27 Taking all this into account, the Owlstone Croft site is considered be an appropriate site for student housing development.
- 9.28 Within the application site itself, the proposed buildings have been located outside the 1 in 100-year flood event delineated area including climate change, demonstrating a sequential approach within the site itself. Therefore, it is considered that the application complies with the sequential test as required by paragraph 162 of the NPPF 2021 and PPG national guidance.
- 9.29 According to Annex 3 of the NPPF 2021, student halls of residence are categorised as a 'more vulnerable' use within Flood Zone 2. Whilst the application site as a whole is partially located within Flood Zone 3 (approximately 10% of the site), given that the student accommodation blocks would be located outside of Flood Zone 3 and the modelled 1 in 100-year flood event with only landscaping proposed within the modelled Flood Zone 3 itself, it is considered that the application of the exception test is not required to be undertaken in this instance.
- 9.30 Officers therefore consider that the principle of development is acceptable in accordance with Policy 32 of the Local Plan 2018 and paragraphs 159-163 of the NPPF 2021.

### **9.31 Principle of Development – Protected Open Space**

- 9.32 Policy 67 of the Local Plan 2018 states that development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless:
- a. the open space can be satisfactorily replaced in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost; and
  - b. the re-provision is located within a short walk (400m) of the original site.

In the case of school, college and university grounds, development may be permitted where it meets a demonstrable educational need and does not adversely affect playing fields or other formal sports provision on the site. Where replacement open space is to be provided in an alternative location, the replacement site/facility must be fully available for use before the area of open space to be lost can be redeveloped.

- 9.33 The application site is located adjacent to the designated protected open spaces of Paradise Nature Reserve, which is also a Local Nature Reserve (LNR) to the east and south, and Newnham Croft Primary School grounds to the north. Whilst the proposed development would not result in any loss of land within these designated protected open spaces, the impact upon the character of these spaces will be discussed in a later section of this report.

- 9.34 The application site itself has been in use as a 'hostel' since just after the end of the Second World War and parts of the site are 'previously developed land' including Block C, a three-storey building housing 92 students (C/87/1233) which was demolished in 2001. The foundation slab of this previous building remains within the site, providing a base for existing cycle and refuse storage.
- 9.35 Supporting text paragraph 7.44 to policy 67 of the Local Plan 2018 states that open spaces protected under it are both designated protected open spaces as identified on the policies map and undesignated areas that fulfil at least one of the criteria to assess open space included in the plan. This has separate criteria for assessing both environmental and recreational importance.
- 9.36 Supporting text goes on at paragraph 7.46 to state that previously unidentified sites/facilities qualify as protected open space if they meet one or more of the criteria. If an application is received which affects a site that may be worthy of protection, an assessment will be made of the site against the assessment criteria listed in Appendix I. Paragraph 7.47 states that there is a clear presumption against the loss of open space of environmental or recreational importance.
- 9.37 Third party comments concerning the environmental qualities of the application site to warrant protection under Policy 67 are acknowledged. In accordance with the supporting text of paragraph 7.46, an assessment has been made of the site against the criteria listed in Appendix I of the Local Plan 2018.
- 9.38 Appendix I states that to be considered worthy of protection sites need to fulfil at least one of the criteria. Questions within this Appendix help inform as to whether the land warrants protection under either of these criteria.
- 9.39 In addition to the previously developed land, the application site comprises amenity lawn and hardstanding. Some shrubs and trees are located on the boundaries, whilst part of the lawn close to the LNR boundary has been allowed to grow to form a wildflower area. A palisade fence runs adjacent to a ditch running alongside the LNR with a wire mesh fence running along the boundary.
- 9.40 The undeveloped area of the application site has no known significant historical, cultural, or archaeological interest or local interest nor does it make a major contribution to the setting of the city in terms of its landscape features. Whilst it does possess some positive features such as a stream, trees and hedges and is a relatively open space, it does not form an important green break in the urban framework due to its location on the edge of Newnham and lack of built development to the north, south and east. Neither is it considered to form a visually identifiable network of open spaces within the local area due to the lack of public access and distinctly different landscape character and features from the characteristics of the adjacent LNR.



- 9.41 Whilst third parties have commented that the green open space is enjoyed from the LNR boardwalk, it is considered that it is the backdrop of buildings within the site rather than the visual quality of the lawn, hardstanding, bin store and picnic tables occupied by students in the summer months that is enjoyed. The Newnham Croft Conservation Area Appraisal (2013) states that one of the key positive features of Paradise Nature Reserve (LNR) is the attractive views across the river and into the woodland. Given that the application site neither currently provides these views when walking along the boardwalk nor does it add to the unkempt state which is very attractive to walkers and anglers, the loss of some 'open' and 'green' parts of the application site cannot be considered to be detrimental to the identified and recognised views as set out in the CA appraisal.
- 9.42 Finally, on the basis of the site's attributes above, it is considered to have a low biodiversity value which is supported by the submitted biodiversity baseline assessment. Whilst it is adjacent to a Paradise Nature Reserve (a City/County Wildlife Site and Local Nature Reserve) and it is noted that bats use trees along the eastern boundary of the application site, no maternity bat roosts within these trees have been recorded nor are there other species identified within the application site itself to make it worthy of any nature conservation designation. Given that to the east of the application site is Paradise Nature Reserve, the application site is not considered an oasis in an area with limited wildlife value.
- 9.43 Taking the above into account, it is not considered that the application site is worthy of protection for environmental reasons with reference to Appendix I of the Local Plan.
- 9.44 In terms of the site's recreational value, it lacks sufficient quality and public access, does not form part of the College's sport provision, nor does it form an important part of the network of recreational facilities or a significant linkage between recreational areas. Therefore, on this basis, it is not considered that the application site is worthy of protection for recreational reasons.
- 9.45 Several objectors have stated that the site's green space contributes to the network of spaces within the area and the green corridor. As considered above, there is not considered to be any basis for the preservation of this existing space. By virtue of the amenity lawned area, the site has relatively low biodiversity value and whilst the proposed development would be in an area of 'open space', as demonstrated above, the preservation of the existing site as 'protected open space' is not considered to be warranted.
- 9.46 Other objectors argue that the current green corridor includes this land, however, the nursery building, and external areas of hardstanding break this relationship. The proposal would retain the existing protected green

corridor to the east and south as cited with policies 8 and 67 of the Local Plan 2018.

- 9.47 Notwithstanding the above assessment, supporting text paragraph 7.47 (to Policy 67) states that there may be circumstances where development proposals can enhance the character, use and visual amenity of open space, and provide ancillary recreational facilities, such as changing facilities, or materially improve the recreational or biodiversity value of the site. In the case of school, college and university grounds, there might be a legitimate educational need that allows the potential for new educational buildings on parts of the site that are not in playing field or other formal sports use and could not readily be used as such (e.g. small areas of amenity grassland separated from the main playing field). Such proposals will be determined on a case-by-case basis on their merits and how they conform to sustainable development. Only proposals that respect the character of these areas and improve amenity, enhance biodiversity, improve sports facilities or increase public access will be supported. Any proposal involving the loss of open space must include an assessment (using the criteria listed in Appendix I) to determine the important aspects of the site that should be retained within the new development, in agreement with the Council. As part of any planning application, applicants will need to clearly demonstrate how the proposal will minimise its impact on the site's intrinsic qualities and where possible enhance the remaining part of the site.
- 9.48 In this instance, the proposal does not adversely affect playing fields nor other formal sports provision on the site. In addition, as described in a previous section, the new accommodation blocks would comprise generous study spaces and help to address the shortfall in purposely designed postgraduate accommodation for the College and therefore would enhance the overall educational and social experience for postgraduate students. Extensions to the existing blocks would also provide enhanced study and welfare spaces for the student community. Importantly, the proposed scheme is considered to improve the visual amenity of the open space by providing a hierarchy of high-quality external amenity spaces and materially improve the biodiversity value of the site.
- 9.49 Taking all this into account, Officers do not consider that the application site has sufficient merit in terms of its environmental or recreational aspects to warrant protection under Policy 67. The proposed scheme would fulfil a housing and welfare need (compliant within the parameters of Policy 46 of the Local Plan 2018) for postgraduate students and would result in an enhanced biodiversity quality of external spaces. Therefore, the principle of development in accordance with Policy 67 of the Local Plan 2018.
- 9.50 Principle of Development – Loss of the Nursery**
- 9.51 The existing children's nursery (Block D) has been provided on the site since 2013 (13/0384/FUL). It has a maximum capacity of 25 children.

- 9.52 Policy 73 of the Local Plan 2018 states that the loss of a facility or site that was last in use as a community, sports or leisure facility will only be permitted if it is demonstrated that:
- i. the facility/site can be replaced within the new development or relocated to at least its existing scale, range, quality and accessibility for its users; or
  - j. the facility/site is no longer needed.
- 9.53 Supporting text at paragraph 8.10 states that this policy is applicable to existing facilities and sites last used for community, sports or leisure purposes, in order to avoid situations where these facilities are lost through demolition without any planned replacement facility.
- 9.54 The application supporting information states that the re-provision of the nursery within the existing site has been considered, however, the relocation elsewhere has been chosen to reduce vehicular dangers and make more efficient use of the existing site. Whilst third party comments concerning the long waiting list for nursery places is acknowledged, there would be no loss of the existing nursery facility until a suitable replacement is found which would be controlled by condition being attached on any planning consent granted.
- 9.55 Discussions with the current provider of the nursery are ongoing and options are being pursued. A potential relocation of the nursery could be to Cambridge RUFC, with extant planning consent granted under 21/02356/FUL. This site is approximately 1.5 km from the existing Owlstone Croft, located within the Newnham area and has capacity for up to 32 children and therefore would be similar in scale, range, quality and accessibility to its users. Whilst third party comments concerning this option are acknowledged, other potential locations are also being considered. Details and location of the replacement facility would need to meet the requirements of Policy 73 in terms of quality, accessibility, range, and scale. The current on-site facilities would not be lost until a suitable off-site replacement facility is found and is operational which will be secured by condition.
- 9.56 Therefore, to ensure that the existing nursery use doesn't continue to operate whilst extensive building works in close proximity to the nursery are carried out, subject to a condition restricting certain demolition and construction works until details of alternative arrangements for the nursery's relocation are provided, Officers consider that the principle of the demolition of the nursery is acceptable in accordance with Policy 73 of the Local Plan 2018.
- 9.57 Principle of Development – Development on the urban edge of Cambridge and within the setting of the River Cam Corridor**
- 9.58 The proposed development would be located adjacent to Paradise Nature Reserve, which is a Protected Open Space and a Local Nature Reserve

(LNR), and forms part of the Cambridge Green Belt. It appears that according to the Cambridge Landscape Character Assessment 2003, the River Cam Corridor includes the area of the LNR, categorized as 'Commons' within this assessment. Its defining character features being views, green corridor, and environmental features. Further to the south but not adjacent to the application site, Grantchester Meadows is regarded as 'open rural'.

9.59 Policy 8 of the Local Plan 2018 states that development on the urban edge, including sites within and abutting green infrastructure corridors and the Cambridge Green Belt, open spaces, and the River Cam Corridor, will only be supported where it (amongst other considerations):

- a. responds to, conserves and enhances the setting, and special character of the city, in accordance with the Cambridge Landscape Character Assessment 2003, Green Belt assessments, Cambridgeshire Green Infrastructure Strategy and their successor documents;
- d. includes landscape improvement proposals that strengthen or re-create the well-defined and vegetated urban edge, improve visual amenity and enhance biodiversity.

9.60 Supporting text to Policy 8 at paragraph 2.77 states that development on the urban edge of the city, adjacent to the Green Belt, has the potential to have a negative effect on the setting of the city. As such, any development on the edge of the city must conserve and enhance the city's setting.

9.61 The proposed development has been designed to provide a transition between the suburban form of development found within Newnham and the rural characteristics of spaces to the east and south. In addition, the proposals would enhance the habitat linkages, strengthen the vegetation along the site's boundaries and improve the visual amenity of the existing site. Therefore, subject to design, scale and layout, the proposal is considered to respond to, conserve and enhance the setting and special character of the city and include landscape improvements.

9.62 Therefore, subject to design considerations, the principle of development on the edge of the City and adjacent to protected open space and green belt is acceptable in accordance with Policy 8 of the Local Plan 2018.

9.63 Whilst the proposed development would be located outside of the River Cam Corridor, the application site is located approximately 50 metres from the river Cam at its closest point and therefore it is within the setting of this important landscape. Whilst third parties claim that the undeveloped nature of the application site forms part of the River Cam Corridor, considering the Landscape Character Assessment 2003, it is not considered that the application site is included within the 'commons' as shown on the map.

9.64 Third party comments mention the failure to consider Policy 7 of the Local Plan 2018. Although the application site is outside of this corridor, given

that it is located along the corridor, it is considered that this policy does apply.

- 9.65 Policy 7 of the Local Plan 2018 states that development proposals along the river Cam corridor should:
- a. include an assessment of views of the river and a demonstration that the proposed design of the development has taken account of the assessment in enhancing views to and from the river;
  - b. preserve and enhance the unique physical, natural, historically and culturally distinctive landscape of the River Cam;
  - c. raise, where possible, the quality of the river, adjacent open spaces and the integrity of the built environment in terms of its impact, location, scale, design and form;
  - d. propose, where possible and appropriate to context, enhancement of the natural resources of the River Cam and offer opportunities for re-naturalisation of the river;
  - e. enable, where possible, opportunities for greater public access to the River Cam; and
  - f. take account of and support, as appropriate, the tourism and recreational facilities associated with the river.
- 9.66 The design approach of the proposed development has carefully considered the visual impacts upon the adjacent LNR and therefore the adjacent River Cam Corridor (criterion a).
- 9.67 Given the considerable distance to the river Cam itself, criterion d is not relevant in this instance. Taking into account the nature of the proposal adjacent to a City/County Wildlife Site, creating greater opportunities for public access from the application site would not be appropriate nor would supporting the tourism and recreational facilities associated with the river with reference to criterion e and f.
- 9.68 The way the green spaces that form the banks of the river penetrate the urban fabric of Newnham has informed the proposed landscape-led design which has resulted in the proposed scheme enhancing the application site and blurring the boundaries of the rural landscape beyond, culminating in a high-quality proposed built environment that preserves and enhances its setting including the unique natural and physical landscape of this River Cam section with reference to criterion a and b.
- 9.69 Subject to the proposed layout, scale, design and form and its visual impact (criterion c) being acceptable, Officers consider that the proposed development does not conflict with Policy 7 of the Local Plan 2018.
- 9.70 Although third party comments concerning the quality of the river and adjacent open space are acknowledged, it is not considered possible that the quality of these spaces could be raised with reference to criterion c of this policy. Whilst in terms of the interface with the LNR, the proposed development would reduce the openness, the substance and nature of

biodiversity and natural landscaped features would be improved. Notwithstanding this, the water quality of the river and pollution are important considerations that will be discussed in a later section of this report.

**9.71 Design, Layout, Scale and Landscaping and impact upon the character and appearance of the Newnham Conservation Area and setting of the Building of Local Interest**

9.72 The site is located within the Newnham Croft Conservation Area which is described within the Conservation Area Appraisal as functioning as a suburb of Cambridge but retaining the character of a separate village, with its own shops, church, school, inns, and a strong sense of community.

9.73 The application site comprises a Porters' Lodge at the entrance to the site which is a Building of Local Interest (BLI). The original house on the site, Owlstone Croft House (Block A) remains but has been heavily altered and extended over the years. There is a four-storey flat roofed block on the site which served as accommodation for nurses when the site was owned by Addenbrookes. Within the landscape can be seen the concrete foundations for an L-shaped block. The Porters' Lodge was refurbished and repaired in 2016 and the nursery building built in the 1930s was refurbished in 2014. At that time the entrance gates were added for additional security on the site.

9.74 In addition, the site is adjacent to the Protected Open Spaces of the Paradise Nature Reserve to the east/south and Newnham Croft Primary School to the north.

9.75 Local Plan Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

9.76 Policy 55 states that development will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive and high quality places.

9.77 Policy 57 states that high quality new buildings will be supported where it can be demonstrated that they (amongst other considerations):

- a. have a positive impact on their setting in terms of location on the site, height, scale and form, materials and detailing, ground floor activity, wider townscape and landscape impacts and available views;
- b. are convenient, safe and accessible for all users;
- c. are constructed in a sustainable manner and are easily adaptable;
- d. successfully integrate functional needs such as refuse and recycling, bicycles and car parking;

- 9.78 Supporting text paragraph 7.10 of Policy 57 states that high quality building design is linked to context, in terms of appropriateness, and to place making in terms of how the proposed development will be sited. Without imposing architectural tastes or styles, it is important that a proposed development is considered in terms of site location, height, scale, form, and proportions, along with materials and detailing.
- 9.79 Policy 58 states that alterations and extensions to existing buildings will be permitted (amongst other considerations) where they:
- a. do not adversely impact on the setting, character or appearance of listed buildings or the appearance of conservation areas, local heritage assets, open spaces, trees or important wildlife features;
  - b. reflect, or successfully contrast with, the existing building form, use of materials and architectural detailing while ensuring that proposals are sympathetic to the existing building and surrounding area.
- 9.80 Policy 61 states that to ensure the conservation and enhancement of Cambridge's historic environment, proposals should:
- a. preserve or enhance the significance of the heritage assets of the city, their setting and the wider townscape, including views into, within and out of conservation areas;
  - b. retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area;
  - c. be of an appropriate scale, form, height, massing, alignment and detailed design which will contribute to local distinctiveness, complement the built form and scale of heritage assets and respect the character, appearance and setting of the locality;
  - d. demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage asset and its context; and
  - e. provide clear justification for any works that would lead to harm or substantial harm to a heritage asset yet be of substantial public benefit, through detailed analysis of the asset and the proposal.
- 9.81 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest and in particular, listed buildings. Section 72 (of that Act) provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area..
- 9.82 Paragraph 199 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Paragraph 200 (NPPF) goes on to state that any harm to, or loss of, the significance

of a designated heritage asset [.....] “should require clear and convincing justification”.

Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 9.83 Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.
- 9.84 The proposed location of the accommodation blocks would be immediately to the east of the existing Block B, one of several buildings on the site of various forms and scale. The site comprises a partially developed area of land which includes hardstanding, covered cycle parking, servicing area, car parking and amenity lawn. The Conservation Area Appraisal highlights one of the key negative features of the Conservation Area as being ‘the poor condition and general appearance of the Owlstone Croft site and buildings’. Given the uninspired and bland nature of the site, it is considered that the principle of developing the site in line with the application would take the site out of the reach of the Conservation Area Appraisal’ descriptive thus improving the site’s attractiveness, cohesiveness of the existing buildings and quality of amenity space and can be supported in conservation terms.
- 9.85 Although objectors’ comments concerning the loss of green space being a fundamental part of character of the Conservation Area are acknowledged, the Newnham Croft Conservation Area Appraisal does not recognise the Owlstone Croft site as a valued part of the Conservation Area. The landscape setting mentioned within the Appraisal with open spaces references ‘the wild, purposely-untamed woodland and marshland of Paradise Nature Reserve’ and ‘enclosed by, notable open green spaces, river frontages and woodland’ would be preserved with a transition into the rural landscapes surrounding the site proposed.
- 9.86 Although comments claiming that the Owlstone Croft site falls within the criteria noted within the Conservation Area Appraisal of ‘some land, including private gardens, is not under public control and there will inevitably be pressure for new development including the sub-division of plots or the addition of over-large extensions. These must be strongly resisted...’, it is considered that the wording of the Appraisal primarily relates to private residential houses where given the general terraced layout of properties within the Newnham Croft Conservation Area, scope for the sub-division of plots and over-large extensions which would eat into otherwise modest gardens would be potentially harmful and therefore should be resisted. Moreover, the context of the Appraisal’s refers to the protection of the rural ambiance in which protected open spaces that



border Newnham provides in the form an attractive rural setting. Given that the proposal is located within the Conservation Area itself (and not within its setting), and the rural characteristics of the application site's boundaries would be retained, along with an enhancement of soft landscaping within the application site it is not considered that the proposed development would be in conflict with the Conservation Area Appraisal.

- 9.87 Due to the extensive application site area, it is not considered that it possesses the size constraints that private residential properties in the area may have. Given the wording contained within section 8.2 of the Conservation Area Appraisal including 'sub-division' and 'over-large extensions' it is not considered that this wording would readily fit with the proposed development nor the nature of the existing site. Notwithstanding this, the proposed development would retain its rural setting on three sides whilst the soft landscaping character would permeate through the application site, thus preserving the rural characteristics of the Conservation Area. Although historically the grassed lawn area was previously associated with Owlstone Croft House, there is no mention in the Conservation Appraisal that the preservation of 'garden' space is of sufficient value to the extent that it should be preserved in conservation terms for its historical importance.
- 9.88 Additional third-party comments have claimed that the application site is separate from the character of Newnham itself. The Conservation Area Appraisal includes the Owlstone Croft site as part of 'the principal residential streets-Owlstone Road' section and therefore there is no basis for stating that the design of the scheme should not take inspiration from surrounding streets.
- 9.89 Further third-party comments state that the proposed development would erode the existing buffer zone. There is no policy basis for the retention of open space contained within the application site subject to an assessment of the layout and design of the scheme.
- 9.90 Therefore, it is not considered that there is any basis for not redeveloping the application site in conservation terms, subject to accordance with Policy 61 and the Newnham Croft Conservation Area Appraisal (2013); the wider Local Plan 2018; the NPPF and the statutory requirements detailed in this section of this report.
- 9.91 Demolition of the nursery building and part of the outbuilding range
- 9.92 The Newnham Conservation Area Appraisal shows the buildings to the rear of the Porters' Lodge as buildings which detract. Whilst this was the case in 2013, this was prior to the redevelopment of the nursery building to improve its external appearance. The Porters' Lodge itself is designated as a BLI.

- 9.93 The nursery building itself was built in the 1930s and was subject to external rendering in 2014. Following a formal consultation with the Council's Conservation Officer, given that these buildings have been subject to many alterations resulting in the loss of its original form, the Conservation Officer supports the demolition of the nursery building and partial demolition of the outbuilding range.
- 9.94 Since its refurbishment, the existing nursery building is considered to have a neutral impact upon the Conservation Area and setting of the BLI. In this instance, the applicant has undertaken a Whole Life Carbon Study to support the application. This demonstrates that it would be more sustainable to demolish and build rather than extend and refurbish the existing building. Therefore, following a formal consultation with the Conservation Officer, it is considered that the demolition of the nursery building, and partial demolition of the outbuilding range is supported in accordance with policies 8, 55, 56, 58 and 61 of the Local Plan 2018, the NPPF 2021 and Sections 66 and 72 of the Planning (LBCA) Act 1990. The loss of the nursery building in sustainability terms will be discussed in a later section.
- 9.95 Layout of the four student accommodation blocks and site's landscaping
- 9.96 The general pattern of Newnham in which the application site is located, is primarily residential housing and the proposed design takes inspiration from these terraced properties whilst ensuring that the rural characteristics of the area are retained, and rural surroundings respected. The proposed small group of houses would be orientated east-west which would take advantage of the solar gain and would frame key views of Owlstone House when viewed from the adjacent LNR. In so doing, it is considered that the accommodation blocks take cues from the suburban form of the Newnham streets whilst at the same time allowing space between the blocks to aid the transition from the adjacent open green spaces to the east and south to the more urban form of Block A/B and the suburban streets of Owlstone Road and beyond. This would result in Newnham retaining the village-edge character adjacent with the LNR.
- 9.97 Whilst it is acknowledged that the proposal would result in a loss of green open space and third-party comments concerning the form, siting and density of the buildings are acknowledged, following a formal consultation with the Council's Landscape Officer, it is considered that the proposed site layout and landscape design are designed sympathetically to the site context, retaining most of the existing trees and locating new buildings away from the edges of the site.
- 9.98 Following a formal consultation with the Council's Conservation, Landscape and Urban Design Officers, it is considered that the layout of terrace Blocks 1-3 would provide visual interest to the Conservation Area. The scheme has been landscape-design led with soft landscaping and SuDS permeating through the application site alongside the built-form. Terrace Blocks 2 and 3 would be situated approximately 20 and 21 metres

respectively from the LNR boundary, allowing substantial space for the creation of a wetland habitat, additional tree and hedge planting which would enable the current 'hard' boundary of the site to be blurred allowing more of the natural character from the LNR to infiltrate the application site. The Landscape Officer's comments concerning the durability of the 'grass terracing' on the eastern ends of the new building are noted and due to its vulnerability to erosion and collapse, alternative terracing materials could be considered with full details of soft and hard landscaping details to be required by condition on any planning consent granted.

- 9.99 Along the east-west of the site, swales would allow the successful integration of SuDS into the landscape design whilst allowing key views of Owlstone House to be retained and a series of connected communal spaces for existing and prospective occupiers. This results in a scheme which is convenient and logical for its users, integrating buildings, spaces, topography, and landscape whilst limiting hardstanding and removal of almost all vehicular traffic using the application site. The overall impact is considered to enhance the setting of the buildings, the edge of the application site and the interrelationship between the site and the adjacent LNR.
- 9.100 Terrace Block 4 would be located in a similar position to the nursery (Block D) and whilst it would extend into otherwise 'open space', given the distances of approximately 16 metres from the boardwalk within the LNR, and taking into account both the existing built form, existing vegetation within the LNR and proposed landscaping, it is considered that this proposed accommodation block would respect the distance to this adjacent boundary.
- 9.101 On the northern boundary, the proposed accommodation blocks would be at its closest point approximately 12 metres from the boundary with the school grounds. This boundary is heavily tree lined which would limit the visibility of the accommodation blocks for some of year. Whilst the presence of these buildings would change views experienced from the school grounds, due to the respective distances, it is not considered that the proposal would harm the character and appearance of the local area.
- 9.102 Taking all of the above into account, it is considered that the proposed layout and landscaping are acceptable in accordance with policies 8, 55, 56, 58 and 61 of the Local Plan 2018, the NPPF 2021 and Sections 66 and 72 of the Planning (LBCA) Act 1990.
- 9.103 It is not considered that any harm to the character and appearance of the Conservation Area nor the setting of the Building of Local Interest would result from the proposed development and therefore the public benefit test within paragraph 201 and 202 of the NPPF 2021 is not engaged.
- 9.104 Design, scale, form, and massing of the four student accommodation blocks

- 9.105 In terms of scale and height, whilst third parties and Councillor comments concerning this are acknowledged, it is noted that the proposed height of the accommodation blocks would be lower than the four-storey building of Block B. These terraces would be 2.5 storeys and measure approximately 10.5 metres high.
- 9.106 Whilst it is noted that when considering the sloping land levels towards the east, the proposed development would measure approximately 12 metres high from the boardwalk, the overall scale of the development is considered acceptable in relation to both the existing site and in the context of protected open spaces to the north, east and south.
- 9.107 With respect to the existing townscape of Newnham, although generally higher than the 2 storey terraced properties to the west of the application site, the scale, massing, and form are considered to be acceptable and would take inspiration from the terraced properties within the Newnham streets, albeit would not mimic these long terraces. Whilst third party comments referring to detached properties along the river Cam are acknowledged, the proposed development is considered to read as blocks of small terraces within the enhanced landscaping space, aiding in the transition from the natural/rural to the suburban character of Newnham.
- 9.108 The proposed accommodation blocks' roof forms have been refined to result in an acceptable massing when viewed from within the LNR. The gable ends facing the eastern boundary and kinked layout would allow for a broken and articulated massing when viewed from these positions. Terrace Block 4 although close to the boundary and larger than the previous nursery building, would consist of a stepped appearance which would not be dominant particularly compared to the flat roofed, white rendered nursery block (Block D). The proposed design and recessive tones along with enhanced landscaping would allow this Block to sit comfortably into its surroundings. Contrary to third party views it is considered to blend into its landscape.
- 9.109 Third party comments concerning the failure of the proposal to consider views are noted, however, Verified Views have been provided to support the application which accurately demonstrate the visibility of the proposed Blocks in winter at years one and five. They show that although the building would be visible from the boardwalk, the scale of development is not considered by Officers to be detrimental to the character of the LNR. As discussed in the previous section, the proposed accommodation Blocks allow for a suitable transition from Newnham into the 'wild' character of the LNR.
- 9.110 The boardwalk experience adjacent to the application site offers limited views at present of a transient nature. The Newnham Croft Conservation Area Appraisal highlights the alternative footpath on the east side of the LNR as providing 'extensive views across the Cam to the water meadows and woodland on the opposite bank.' The key positive features of the LNR include: a good example of a semi-marshland habitat; a popular local

facility; a peaceful location next to the river Cam; attractive views across the river and into the woodland, being well managed and providing educational opportunities.

- 9.111 When approaching from the Lammas Land car park to the north, woodland is visible to the left (east) and right-hand (west) sides of the footpath, including that of Newnham Primary School. Upon entering the boardwalk section to the immediate east of the application site, the relatively dense woodland to the west ceases, whilst the woodland is maintained within the LNR to the east. The western views are replaced with a high wire mesh fence, wooden palisade fence, mowed lawn, hardstanding, ancillary buildings, and some trees. The Conservation Area Appraisal only identifies positive views from the LNR as being along the eastern and southern boundaries across the river Cam.
- 9.112 Taking all this into account, whilst the loss of some trees along the eastern boundary of the application site would result, replacements are proposed and therefore it is considered that the change to the existing views experienced by those using the boardwalk would neither conflict with the qualities of the LNR expressed within the Conservation Area Appraisal nor would it be detrimental to users' 'experience' along this route.
- 9.113 Following a formal consultation with the Council's Urban Design, Landscape and Conservation Officers, it is considered that the proposed built form and landscape design allows for an enhancement to the application site itself and although it would change people's 'experiences' of the western side of the LNR, it would not be detrimental to the important characteristics of the LNR, harm people's experience when walking along the boardwalk nor detract from the 'wild' character of the LNR.
- 9.114 Whilst it is acknowledged that the character of this part of the Conservation Area would change as a result of the proposed development, the scheme has been subject to pre-application discussions and design workshops resulting in a less assertive form of development, with a more domestic scale which is reflected in the submitted Verified Views. Over time, the proposed landscaping scheme would allow for filtered views along the swales towards the buildings within the site. Third party comments concerning the design quality and hard surfacing are acknowledged nevertheless careful consideration has been made to design a scheme that would complement the application site and its surroundings with limited hard surfacing and the soft landscaping characteristics of the scheme as promoted.
- 9.115 The largest degree of change would be concerning Terrace Block 4. Third party comments concerning the scale of the block are acknowledged. When approaching the LNR from the west (near the entrance to the application site), the siting and scale of the proposed accommodation Block would result in a loss of the open views experienced by users. Whilst this is the case, following a formal consultation with the Council's Urban Design Officer and as discussed above, the change in views from

the LNR towards the application site would not be detrimental to users' experience. The views from the boardwalk are dynamic and transient, with some views being of nearby built forms whilst other views would be of long avenues towards Owlstone House. The proposed soft landscaping would help soften buildings' impact when viewed from within the LNR and together with the high-quality design would result in interesting views of the application site with Block 4 gently defining the edge of the southern boundary.

- 9.116 With regards this Block's impact upon the BLI, the different roof form compared to the other Blocks demonstrated in the Verified Views would result in limited impacts upon the setting of the BLI. By virtue of its scale, pitch and articulated roof form, Block 4 would therefore result in a sympathetic and subservient addition to the setting of this (BLI) heritage asset.
- 9.117 The proposed accommodation Blocks would be approximately 13-25 metres from the boundary with the school grounds to the north. Given the intervening mature vegetation and the appropriate scale, design, and massing of the proposed accommodation Blocks, it is not considered that any impacts upon the character and appearance of the Conservation Area would be detrimental, nor would the proposed development be overbearing on the LNR in this instance.
- 9.118 Overall, subject to sample panel materials, it is considered that the positive elements of the Newnham Conservation Area would be retained. Although the character of the application site in relation to the LNR would change, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is therefore compliant with policies 55, 56, 57, 59 and 61 of the Local Plan (2018) and the NPPF 2021.
- 9.119 It is considered that the proposal, by virtue of its acceptable scale, massing, and design, it would not harm the character and appearance of the Conservation Area nor the setting of the BLI. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of Sections 66 and 72 of the Planning (LBCA) Act 1990, the NPPF policies 61 and 62 of the Local Plan 2018.
- 9.120 It is not considered that any harm to the character and appearance of the Conservation Area nor the setting of the Building of Local Interest would result from the proposed development and therefore the public benefit test within paragraph 201 and 202 of the NPPF 2021 is not engaged.
- 9.121 Alteration and extension of existing college buildings, car, and cycle parking, refuse and other storage and new electricity substation within outbuildings
- 9.122 The later additions to Owlstone House (Block A) are proposed to be removed, including at first floor level. The proposed replacement with

more considered single storey extensions will enable the main façade to be more easily read and the former main entrance to become more prominent in views. The proposed study centre's mono-pitch design that would slant away from the entrance to Owlstone House, would help to articulate the proposed study centre whilst remaining subservient to the original façade.

- 9.123 The splayed brick columns and lintel detail that are proposed to the façade of the ground floor extensions, and the study centre, would relate well to the proposed window details on the proposed post-graduate accommodation and would in turn help to create a sense of cohesion between the family of buildings. Subject to an appropriate choice of brick, that sits comfortably within the existing brickwork and proposed palette of materials, the proposed development is acceptable, would be compatible with the existing buildings within the application site and would neither harm the character and appearance of the Conservation Area nor the setting of the BLI. The proposed removal of the existing later additions and their replacement with more appropriately designed structures that would better reveal the principal façade of Owlstone House is considered to be an enhancement to the character and appearance of the Conservation Area.
- 9.124 The proposed alterations including new windows to Block B would improve the building's environmental and thermal performance. This includes replacement triple glazed windows, work to the window surrounds, external insulation to the façade with a render finish and the introduction of a parapet to conceal a man safe system and existing plant. Subject to details of the render colour and texture so that the proposed façade would sit comfortably adjacent to Owlstone House's brickwork, it is considered that the proposal is acceptable.
- 9.125 The proposed single storey extensions with a series of openings, glazing and hit and miss brickwork, that wrap around Block B and Owlstone House (Block A) are considered to create a sense of cohesion between the different phases of building. This allows for a series of active and convivial spaces at ground floor, whilst helping to resolve functional elements such as cycle storage. The proposed café extension would provide a better sense of arrival to the site and would alongside the cycle store facility result in a lightweight addition which would not detract from the character and appearance of the Conservation Area. The café, outbuildings and Terrace 4 would form a courtyard to the rear of the BLI which would give it an appropriate setting and therefore not harm the character and significance of this BLI.
- 9.126 The existing outbuildings on the site would largely be retained and used as a substation and waste storage area. The proposed car parking and other hardstanding would be limited as the site would be predominantly car-free, with visitor spaces located close to the entrance, and disabled parking bays located to serve each of the proposed accommodation buildings. These parking bays would be carefully located so they are not visible from

key views and the use of a reinforced grass system will help to soften the appearance of these parking spaces, rendering them less noticeable when not in use.

- 9.127 Overall, subject to conditioning details of external materials and sample panel, it is therefore considered that the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped which would preserve the character and appearance of the Conservation Area and character and significance of the BLI. The proposal is therefore compliant with policies 55, 56, 58, 59, 61 and 63 of the Local Plan (2018) and the NPPF 2021 and Sections 66 and 72 of the Planning (LBCA) Act 1990.
- 9.128 Third party comments are noted. Officers consider that no harm to either the conservation area or to heritage assets have been identified which would warrant balancing the wider public benefits of the scheme. The NPPF public benefit test (NPPF para 201 and 202) is not, therefore, in this case engaged
- 9.129 Conclusion
- 9.130 Overall, taking all this into account, the proposal will result in an enhancement of the existing buildings (Block A and Block B) on the application site which currently detract from the character and appearance of the Conservation Area. In addition, the proposed new accommodation Blocks would sit comfortably within the application site and would be enhance its landscaping quality in accordance with policies 55, 56, 58, 59 and 61 of the Local Plan (2018); the NPPF 2021; and Sections 66 and 72 of the Planning (LBCA) Act 1990. As stated in the previous paragraph of this report, Officers consider the scheme results in no harm to either the conservation area or to heritage assets which would warrant balancing the wider public benefits of the scheme. The NPPF public benefit test (NPPF para 201) is not, therefore, in this case engaged. The Council's Conservation, Landscape and Urban Design Officers support the scheme.
- 9.131 Impact upon the character of the adjacent Protected Open Space**
- 9.132 The application site is located adjacent to the Paradise Nature Reserve and the Newnham Croft Primary School, both of which are designated Protected Open Spaces under Policy 67 of the Local Plan 2018 for their respective environmental and recreational importance.
- 9.133 Policy 67 states that development proposals will not be permitted which would harm the character of, or lead to the loss of open space of environmental and/or recreational importance.
- 9.134 Paradise Nature Reserve
- 9.135 The Paradise Nature Reserve (LNR) is a publicly accessible protected open space. The Paradise Nature Reserve is described within the



Newnham Conservation Area Appraisal as an 'informal, unkempt state' that 'is very attractive to walkers and anglers'. Although narrow in places, the adjacent LNR is heavily used by dog walkers and joggers. The Appraisal continues, 'views from this side of the river, over the water course to the water meadows and willow trees beyond (within the Southacre Conservation Area) are of special note. It is a quiet, tranquil area enlivened by the distant sounds of children playing in the neighbouring Newnham Croft School. A public car park at the end of The Driftway is used by the many visitors, often accompanied by children and dogs, although the opening hours are controlled to prevent the spaces being used by commuters.'

- 9.136 Third party including Councillor comments concerning the impact upon the character of this protected open space are noted. As discussed in the previous section, the proposed development is considered to provide visual interest to the character of the local area including when viewed from the boardwalk running adjacent to the application site. Several objectors have commented on the application regarding the loss of the 'wild' and 'tranquil' character of the LNR. The proposal would result in a suitable transition that would respect the edges of this boundary and enhance its habitat through the creation of a wetland habitat. The proposed blurring of the boundary would help soften the current hard edge with the LNR with enhanced landscape and allow some of these more valued characteristics to enter into the application site itself. The proposal would respect the positive characteristics of the LNR and given its location on the western side of the LNR would not adversely affect the 'peaceful location next to the river Cam'.
- 9.137 It is important to note that the existing site comprises student accommodation and associated lawn space which students can use all year round. Student rooms are also located in the upper rooms of the nursery building, adjacent to southern edge with the LNR. A children's nursery with associated external space also runs along the southern boundary adjacent to the LNR. Lastly, as credited within the Conservation Area Appraisal, the primary school grounds bordering the LNR is situated nearby. Taking all this into account, it is considered that there is already some noise emanating from the existing and adjoining uses of the application site.
- 9.138 Notwithstanding this, the nature of the proposed development would continue to be student housing and although designated external areas would be located adjacent to the boundary of the LNR to the south, the proposed use is not considered to be a noise generating use in planning terms. Moreover, the LNR is publicly accessible and owned by the City Council and as such apart from the controlled opening hours of the car park, the LNR is open at all hours of the day for use by pedestrians and cyclists where noise levels are unrestricted.
- 9.139 Third party comments concerning the noise impacts from the proposed café and gym uses are acknowledged. These uses would be located close

to existing buildings and set a reasonable distance from the LNR and therefore it is not considered that these proposed uses would harm the character or enjoyment of this protected open space.

9.140 Third party comments concerning light pollution impacts upon the amenity value of this protected open space are acknowledged, however, as described in the biodiversity section of this report, light levels along the boundary would generally be low. Given that the boardwalk and other paths within the LNR would be set off this boundary further, it is not considered that the lighting impacts would detrimentally impact the amenity value of this protected open space.

9.141 Third party comments concerning the impact upon the character of the protected open space are acknowledged. Taking into account the existing situation, the proposed low light levels, the proposed use and the lack of conflict with the characteristics within the Conservation Area Appraisal it is not considered that the proposed development would adversely affect its environmental or recreational importance, its amenity value nor the character of the Paradise Nature Reserve and as such is in accordance with policies 61 and 67 of the Local Plan 2018.

9.142 Newnham Croft Primary School

9.143 The school is located within designated protected open space for both its environmental and recreational importance. Whilst there is no description of the school site within the Conservation Area Appraisal, it is noted that it consists of a large area of green space with several functional spaces including a grassed sports pitch, an artificial pitch and forest school area.

9.144 Whilst third party and Councillor comments concerning the proximity of the proposed Blocks to the school grounds are acknowledged, given the reasonable distance, high quality built form and intervening vegetation, it is considered that the proposed development would respect the character of this protected open space in accordance with Policy 67 of the Local Plan 2018.

**9.145 Tree impacts**

9.146 Policies 59 and 71 of the Local Plan 2018 seek to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Paragraph 131 of the NPPF advocates that existing trees are retained wherever possible.

9.147 The application is accompanied by an Arboricultural Impact Assessment. Whilst third-party comments concerning the loss of trees and hedges are acknowledged, five category C (poorer quality) trees are proposed to be removed which include three poplars and two ash, all within the application site. These losses would be replaced elsewhere within the application site. As the Council's Landscape Officer notes, some of the

proposed vehicular paving will be located within the existing tree root protection areas (RPAs). Third party comments concerning foundations close to existing lime trees along the school boundary are noted. Following a formal consultation with the Council's Tree Officer, it is considered that subject to a phased tree protection methodology, site meeting and protection to be retained on site, there is no objection to the loss of these poorer quality trees whilst the principle of 'no-dig' zones close within the RPAs is acceptable.

- 9.148 Contrary to third party comments, no trees would be lost outside of the application site nor any protected by a tree preservation order standing within the school grounds. The trees within the application site requiring removal would be due to the proposed SuDS and creation of the wetland habitat. The overall masterplan including enhanced boundary planting would ensure that the scheme supports a wide variety of species and would ensure that views of the application site from the LNR would be filtered. Additional tree planting is proposed along this edge which will mature over time further enhancing this edge.
- 9.149 In terms of the tree planting strategy, following a formal consultation with the Council's Landscape Officer, it is advised that advanced planting along the eastern site boundary will be completed before development commences above ground building construction works in order to establish vegetative screening of the development from the LNR. Full details of a planting specification will be conditioned on any planning consent granted including full details of all tree pits.
- 9.150 The applicant proposes replacing these trees with fifty-five new trees which would more than mitigate for those lost through the proposed development.
- 9.151 The proposed landscaping scheme includes additional tree planting along the edge of the application site which will mature over time and enhance the amenity and biodiversity value of the existing boundary with the LNR and will help mitigate the potential change in character of the application site. Whilst it will take several years to provide effective screening, subject to conditioning advanced planting ahead of construction of the proposed accommodation Blocks, this approach is considered acceptable and would provide filtered views of the application site over time, as has been demonstrated in the submitted verified views.
- 9.152 The third party comments concerning the loss of an ancient hedgerow bordering the application site to the adjacent school field is noted but following discussion with the Council's Trees Officer, it is understood that there are no hedgerows of value beneath the trees on this northern boundary. Rather, there consists additions of shrubby privet and laurel. Notwithstanding this, any hedgerows of value directly in between the trees would be a reasonable distance from construction activity and therefore would be afforded the same protection as the trees on this boundary.

9.153 Subject to conditions, the proposal is in accordance with Policies 59 and 71 of the Local Plan 2018.

#### **9.154 Carbon Reduction and Sustainable Design**

9.155 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy, and water consumption and to ensure they are capable of responding to climate change.

9.156 Policy 28 of the Local Plan 2018 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres per person per day and a 44% on site reduction of regulated carbon emissions and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.

9.157 Policy 29 of the Local Plan 2018 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.

9.158 The application is supported by a Design and Access Statement, along with a Sustainability Statement and Matrix.

9.159 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal. It is considered that the holistic approach to sustainability including the delivery of high performing new build elements and the retrofit of existing buildings to enhance their energy and carbon performance is acceptable.

9.160 The proposed student accommodation Blocks would be built to Passivhaus standards. This approach prioritises passive design measures before utilising technologies such as mechanical ventilation with heat recovery, waste water heat recovery, air source heat pumps (ASHPs), solar photovoltaic (pv) panels, and therefore removing the need for fossil fuel energy.

9.161 In terms of the embodied carbon approach, the analysis has informed the choice of materials across the terraced Blocks with the main structure of the new terraces built from cross laminated timber.

9.162 With regards the existing buildings, Blocks A and B would benefit from a range of thermal upgrades including new triple and double-glazed windows, internal insulation, roof insulation to Block A and external wall insulation to Block B. The existing gas boilers would be replaced by

ASHPs located on the roof of Block B. Calculations indicate that carbon reduction of approximately 60% by taking this approach.

- 9.163 The proposed extensions to Blocks A and B would also be built using Passivhaus principles whilst all new flat roofs would be green roofs including those on the cycle stores.
- 9.164 Water efficiency of no more than 110 litres per person per day would be achieved and the overheating strategy for the terraced Blocks has been carefully considered with the use of pergolas to south facing kitchen areas, deep set windows to provide shading and dual aspect student rooms to allow for cross ventilation.
- 9.165 The embodied carbon implications for the demolition of Block D (nursery) have been considered. As such a Whole Life Carbon assessment for this Block has been undertaken which has considered the carbon implications of retrofitting the Block verses demolition and new build. This assessment shows that while initially carbon is high for the new build option, due to the high-performance specification of the new build, which is achieving the Passivhaus standard, the new build option will over time outperform the retrofit option. In addition to this, are a series of design considerations including the location of the flood zones on site, which would have limited the potential to extend the existing nursery building to accommodate the uses required by the College.
- 9.166 Taking all this into account including the proposals to reuse materials arising from demolition of Block D onsite following a pre-demolition audit, subject to conditions relating to carbon reduction technologies and water efficiency, the proposed development is supported in sustainability terms. It is considered that the applicants have suitably addressed the issue of sustainability and renewable energy such that the proposal is compliant with Local Plan 2018 Policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

### **9.167 Biodiversity impacts**

- 9.168 The application site borders Paradise Nature Reserve to the south and east, which is identified as a Local Nature Reserve (LNR), City/County Wildlife Site (CiWS/CWS). The LNR links key adjacent LNRs, wildlife sites and the wider countryside forming part of the informal Cambridge Nature Network (CNN). Any proposed development should consider the impacts on habitats and species within the LNR, and wider network, in accordance with Local Plan 2018 Policy 70. The application has been subject to a formal consultation with the Council's Nature Conservation Officer.
- 9.169 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity which follows a mitigation hierarchy focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is

embedded within the strategic objectives of the Local Plan and Policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

- 9.170 Policy 69 of the Local Plan 2018 states that in determining any planning application affecting a site of biodiversity or geodiversity importance, development will be permitted if it will not have an adverse impact on, or lead to the loss of, part or all of a site identified on the Policies Map. Regard must be had to the international, national or local status and designation of the site and the nature and quality of the site's intrinsic features, including its rarity.
- 9.171 Where development is permitted, proposals must include measures:
- a. to minimise harm;
  - b. to secure achievable mitigation and/or compensatory measures; and
  - c. where possible enhance the nature conservation value of the site affected through habitat creation, linkage and management.
- 9.172 Supporting text paragraphs 7.65 and 7.66 (to Policy 69) state that development would only be supported where it can be adequately demonstrated that proposals will not have an adverse effect on biodiversity; and that, where required, suitable mitigation measures are acceptable and deliverable. In addition, the potential for the enhancement of the site and adjacent habitats should also be explored. Proposals on or adjacent to a site of local conservation importance should not be granted without proper consideration of the potential to enhance the designated site's biodiversity through enhanced management, habitat creation or the formation of new linkages with adjacent habitat areas. Where development is proposed within, adjoining or which will otherwise affect a locally-designated nature conservation site, comprehensive surveys of the historic and existing biodiversity importance, a professional ecological assessment of the impact of the proposed development and details of measures to protect and enhance the habitat or species identified will be required.
- 9.173 Policy 70 of the Local Plan 2018 states that development will be permitted which:
- a. protects priority species and habitats; and
  - b. enhances habitats and populations of priority species.
- Proposals that harm or disturb populations and habitats should:
- c. minimise any ecological harm; and
  - d. secure achievable mitigation and/or compensatory measures, resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 9.174 Where development is proposed within or adjoining a site hosting priority species and habitats, or which will otherwise affect a national priority species or a species listed in the national and Cambridgeshire-specific

biodiversity action plans (BAPs), an assessment of the following will be required:

- e. current status of the species population;
  - f. the species' use of the site and other adjacent habitats;
  - g. the impact of the proposed development on legally protected species, national and Cambridgeshire-specific BAP species and their habitats; and
  - h. details of measures to fully protect the species and habitats identified.
- If significant harm to the population or conservation status of a protected species, priority species or priority habitat resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission will be refused.

- 9.175 Paragraph 180 (a) of the NPPF 2021 states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 9.176 Notwithstanding local and national policies, the Council's Biodiversity SPD states that the easiest way to avoid a negative impact on species and habitats, and to maximise the gain for biodiversity that can be achieved from a development is to select a site that has low existing ecological value and low strategic potential for habitat creation, buffering or connectivity. This could include sites that have been intensively managed or where land use has resulted in degraded habitats. In addition, brownfield sites can also contribute to wider strategic potential for habitat creation by providing links between green corridors or linking up wildlife corridors.
- 9.177 The existing site is largely highly maintained amenity grassland used by Queens' College students, hardstanding and shrubs with lime trees bordering the adjacent school grounds to the north and a few trees close to the adjacent boundary to the east. A nursery building and its associated external hardstanding occupies a substantial portion along the southern boundary. The applicant has undertaken a survey of the current site's condition which forms the baseline for onsite biodiversity net gain (BNG) calculations. Whilst the Wildlife Trust's comments doubting the predicted BNG net gain figure of 50% plus is acknowledged, it is considered that even if the proposed grassland was downgraded, a BNG of over 10% is still likely to be achieved within the application site itself in accordance with the NPPF 2021. This is particularly the case given that the applicant will have overall responsibility for management and can control recreational access to these spaces. To ensure that the management of such habitat creation is successful and maintained for a minimum of 30 years, a condition requiring a Landscape and Ecology Management Plan (LEMP) to be included on any planning consent granted.
- 9.178 The application site borders the LNR to the south and east. The site has been subject to pre-application discussions and the landscape-led design incorporates several ecological features which expand the existing LNR's

wetland habitat and enhance the River Cam Corridor, such as the creation of damp grassland, meadow grassland and vegetated drainage features. Therefore, in terms of the site selection process, the application demonstrates that given the existing landscape features of the site, a site of low ecological value has been chosen. The built form of the proposed development would allow for a perceptible buffer to the LNR to be retained whilst habitat creation and links would be provided to enhance the adjacent wetland habitat. Therefore, whilst third party comments objecting to the redevelopment of the site in this location are acknowledged, it is considered that the proposed development would preserve and enhance ecological interests.

- 9.179 Third parties object to the removal of the green buffer zone, however, the two-storey nursery building occupies the southern portion of the application site and the scheme's design would ensure that habitat is created to ensure that a buffer to the east is both retained and enhanced in terms of quality and following a formal consultation with the Council's Nature Conservation Officer is considered to benefit the LNR and associated species in the long term through careful management.
- 9.180 In terms of the proposed development's potential impacts upon protected species, the applicant has submitted a preliminary ecological appraisal that identifies sensitive species using the site and the adjacent LNR and undertaken several static bat surveys during the year to record bat activity. The survey work undertaken is considered acceptable by the Council's Nature Conservation Officer and Officers conclude that there is sufficient information to determine the application against Policies 69 and 70 of the Local Plan 2018.

#### *Bat surveys and lighting impacts*

- 9.181 The applicant has carried out a bat roost assessment. One pipistrelle bat roost has been recorded in the nursery building to be demolished which will be managed through the Natural England licensing process. In addition, there is an existing bat attic in building 4a (outbuilding) that is to be retained. The proposed method statement and mitigation for works including nearby works associated with these bat roosts would be included within the CEcMP (Construction Ecological Management Plan) condition to ensure these are carefully managed.
- 9.182 Third party comments concerning impacts upon eight protected species of bat are acknowledged. The existing site is a large area of primarily unlit amenity grassland along with the similar neighbouring Newnham Primary School playing fields, which currently provide a significant undeveloped buffer to the LNR and CNN that will be significantly reduced with the proposal. The LNR supports several species of bat, including more light sensitive species such as Brown Long Eared Bat and rare Barbastelle. Any application is therefore required to demonstrate that it will not negatively impact and ideally enhance the current conditions for these species.



- 9.183 The impact of artificial lighting was raised during pre-application discussions and in addition to bat roost surveys, a further understanding of how bat species currently use the site and the LNR boundary for commuting, and foraging was also requested.
- 9.184 The adjacent LNR is considered to have high suitability for foraging and commuting bats. Additional survey information to satisfy the Bat Conservation Trust (BCT) Bat Survey Guidelines for sites with 'high' suitability for bats were therefore requested to identify how local bat populations are using the site throughout the most active period (April-October). Identification of the rare barbastelle species using the site by a third party (Bioscan) further supported the need for a season of data collection to establish if the proposed light lux levels and associated mitigation are sufficient to limit adverse impacts from the development.
- 9.185 The applicant's ecology consultant carried out data collection between July and October 2022. The data demonstrates significant bat activity along the boundary between the site and the LNR, including light sensitive species. Whilst it is noted that spring surveys have not been undertaken and third-party comments are acknowledged, following a formal consultation with the Council's Nature Conservation Officer, it is considered that bat activity has varied very little over the data collection period and is unlikely to alter significantly to require further delay to determination of the application. Since light sensitive species are not roosting on or adjacent to the site the required mitigation and low lux levels would not alter if bat activity were to increase during the spring period.
- 9.186 From the number and timing of the passes within the data provided, it is considered that the barbastelle activity is likely to represent a single or very low number of barbastelle bats commuting past the site, whilst using the river Cam corridor. The applicant's bat survey report details barbastelle activity when the existing nursery lights were on, suggesting that the individual/s are tolerating existing lighting within the site and wider urban habitats.
- 9.187 Third party comments stating that the operational nursery lights which form the basis of the baseline figure are only used a few evenings in winter are noted. Notwithstanding this, following discussion with Officers and clarification regarding the proposed resultant illumination figures within the submitted lighting impact assessment, it is considered that a maximum of 0.4 vertical lux can be achieved on the boundaries of the LNR as a result of the proposed development. The applicant's lighting engineer has agreed that this can be achieved as demonstrated in the post-mitigation lighting design parameter plan and modelling figures for the southern boundary. It is important to note that proposed vegetation within the application site will further reduce the resulting lux level in addition to ensuring that the window design for the upper storey windows be top-

guided to ensure that in situations where windows are open that light spill is minimised.

- 9.188 It has therefore been demonstrated that the development can limit artificial light to levels near to or complete darkness along the boundary of the LNR which is acceptable to light-sensitive bat species including barbastelle. Third party concerns regarding the seating area lighting for Block 4 are noted, however this has been considered and subject to low level lighting and details of the boundary treatment, the proposed lighting levels are considered achievable subject to planning condition.
- 9.189 Third party comments concerning the potential bat corridor along the northern edge of the site with the school field is acknowledged. Whilst less ecologically sensitive given that the tree line corridor abuts the Newnham housing to the west, a bat transect route was walked and higher pipistrelle activity recorded in comparison to other species including more light-sensitive species.
- 9.190 In this location along the northern boundary of the application site, the applicant has suggested that the resultant illuminance levels would not exceed pre and post curfew E1 zone levels and detailed how this would be achieved. It is therefore reasonable and necessary that the resulting illuminance levels along this northern boundary be controlled by condition to ensure that lighting levels are acceptable along this boundary.
- 9.191 It is noted that the existing and proposed new vegetation buffer is not included within the light modelling, this is supported as it accounts for winter leaf fall and mitigates any future loss of individual tree specimen through tree maintenance practices on the boundary of the LNR. As managers of the LNR, the City Council also plan to plant additional native trees along the boundary to replace the losses predicted from Ash dieback. These will help to retain and enhance the commuting corridor for bat species, however, the current application does not rely on this proposed off-site planting to be undertaken to make the application acceptable in planning terms.
- 9.192 All UK species of bat are insectivorous, different species specialising in a wide range of invertebrate prey. Third party comments concerning the impact of the proposed artificial lighting attracting flying insects away from the LNR, potentially negatively impacting their populations, as well as their bird and bat predators are acknowledged. Following a formal consultation with the Council's Nature Conservation Officer, it is noted that studies are increasingly showing that the reproductive success of invertebrates can be impacted by artificial light. The attraction potential of light sources to invertebrates over a given distance and subsequent mitigation guidelines are not known to be covered by any specific planning guidance. However, in this instance, the application seeks to limit lux levels on the LNR boundary to near darkness and the proposed ecologically sensitive lighting scheme condition seeks to limit exposed light units that might attract insects, as well as reducing the existing lighting on the LNR boundary. In

addition, the proposed on-site boundary tree and hedge planting will help screen the LNR from existing and new light sources, albeit this will take several years to establish post development.

- 9.193 Taking this into account, the proposed lighting impacts are acceptable, and an ecologically sensitive lighting scheme will be conditioned on any planning consent granted to ensure that the changes to the lighting levels on the boundaries of the application site in terms of both the impacts upon biodiversity and humans can be minimised. Subject to conditions, the proposal is in accordance with Policies 34, 69 and 70 of the Local Plan 2018 and the NPPF 2021.

*Other biodiversity impacts*

- 9.194 In terms of the potential impacts upon bird movements, the proposed development has been sensitively designed with the built forms set away from the boundaries of the LNR and glazing minimized as much as possible whilst balancing the needs of future occupiers. This ensures that harm on account of potential bird strike is minimised.
- 9.195 Whilst third party comments concerning noise impacts during operation are acknowledged, given the residential use of the site, any noise and disturbance upon wildlife is not considered to be harmful. The café and gym elements would be sited a considerable distance from the LNR, and mechanical noise impacts would be controlled in any case. On this basis, the likely noise impacts from the proposed development in terms of impacts upon wildlife are not considered to be significantly different to the existing situation and any likely sources of noise would be controlled by condition to minimise and mitigate noise impacts.
- 9.196 Whilst third party comments concerning overshadowing of the LNR are acknowledged, the proposed building block 4 would be located a reasonable distance and oriented north from this LNR boundary. Therefore, any overshadowing impacts would be minimal.
- 9.197 Whilst third party comments concerning the loss of three poplar trees are acknowledged, their loss in ecological terms would be outweighed by the advanced planting of hedgerows and trees species elsewhere along this boundary which in the long term would provide an ecological enhancement. There is no evidence to suggest that SuDS would need to be substantially altered to require removal of other existing trees.
- 9.198 Whilst third party comments regarding the increase in footfall is acknowledged, there is no evidence to suggest that the net gain in forty-five students would materially impact the LNR. The LNR is publicly open and unrestricted in terms of footfall and both light and noise pollution and whilst third party concerns about the potential for additional light sources being used by students along the boundary within the outdoor amenity space of Block 4 are acknowledged, given that the LNR is unrestricted in

terms of lighting and the likelihood that any light sources would be used only temporarily, it is not considered that this is materially harmful.

- 9.199 In terms of impacts upon Great Crested Newts, the applicant has signed a Great Crested Newt District Licence with regard to mitigating development impacts for this species which following a formal consultation with the Council's Nature Conservation Officer is considered to be an appropriate approach.
- 9.200 Third parties cite adverse impact on water voles and otters as a concern which are known to use the LNR and the river Cam. Given other existing inputs to the LNR from residential and road surface water runoff from adjacent urban environments, there is not considered to be an increased risk of water pollution upon these protected species subject to a condition minimising water pollution during construction.
- 9.201 The potential impacts of the proposed development's drainage strategy on flood risk to surrounding areas including the LNR will be discussed within the subsequent section of this report which considers that the proposed development would not increase flood risk elsewhere including the adjacent LNR. Notwithstanding this, whilst third party comments regarding construction-related water pollution are acknowledged, given other existing inputs to the adjacent LNR from residential and road surface water runoff from adjacent urban environments, it is not considered that there would be an increased risk of pollution, other than during the construction phase of the proposed development which can be minimised via conditioning a construction ecological management plan. During operation, the green roofs and swales would help minimise water pollution prior to water entering the existing ditch and flowing through the LNR.
- 9.202 Whilst third party comments concerning noise and light pollution upon protected species during the construction phase are acknowledged, given the short-term nature of these impacts, subject to a construction management plan condition to minimise impacts, any impacts can be controlled.
- 9.203 Third party comments concerning the owning of cats by students are acknowledged. The Council has no policy which specifically seeks to control or limit the keeping of domestic cats in relation to the protection of LNRs.
- 9.204 In terms of enhancements, the proposed green roofs will require regular maintenance particularly during the establishment period. Details of access arrangements will be conditioned to ensure that green roofs are successfully managed and maintained.
- 9.205 In terms of other ecological enhancements, as recommended by the Council's Nature Conservation Officer and in accordance with the Council's Biodiversity SPD 2022, one integrated nest box per residential

unit would be required with provision and details conditioned on any planning consent granted.

- 9.206 The potential impacts on protected species and habitats have been assessed and can be adequately mitigated. An assessment in terms of harm to biodiversity within the LNR has been undertaken and (a) measures to minimise harm, (b) secure achievable mitigation and/or compensatory measures and (c) enhance the nature conservation value of the site through habitat creation, linkage and management have been demonstrated.

### *Conclusion*

- 9.207 In conclusion, it is considered that any potential harm to bats will be minimised and mitigated through the control of light lux levels. In addition, temporary noise and disturbance harm during the construction phase will be minimised and mitigated. Appropriate conditions serving these matters will be attached on any planning consent granted.
- 9.208 In terms of enhancement, the proposal would result in a wetland habitat creation and linkage to the LNR in addition to a considerable number of additional trees being planted on the application site. The proposal demonstrates a BNG on the application site along with nest box provision.
- 9.209 Taking all this into account, it is considered that the proposed development minimises and mitigates any potential harm to protected species and habitats whilst enhancing the nature conservation value of the site.
- 9.210 Taking the above into account, it is considered that the vital tests to demonstrate the proposal will not have an adverse impact upon biodiversity have been carried out. The proposed development would protect priority species and habitats, enhance these habitats and populations, minimise ecological harm and secure achievable mitigation and compensatory measures in accordance with Policies 57, 69 and 70 of the Local Plan 2018 and the NPPF 2021.

### **9.211 Water Management and Flood Risk**

- 9.212 Policies 31 and 32 of the Local Plan 2018 require developments to have appropriate sustainable foul and surface water drainage systems and to minimise flood risk. Paragraphs 159 – 169 of the NPPF 2021 are relevant.
- 9.213 The majority of the application site is within Flood Zone 1 (low flood risk). The eastern extent of the site is within Flood Zone 2 (medium flood risk). Closer to the boundary with the LNR is classified as Flood Zone 3 (high flood risk). Whilst the application site is over 1ha in area, the applicant has undertaken a more detailed study and flood risk assessment (FRA) which is employed for developments over 1ha and selected product 4 from the

Environment Agency (EA) which includes modelled flood level data provided by the EA which is an acceptable approach. The FRA has used the central allowance that is appropriate for 'more vulnerable' development (student halls of residence) within Flood Zones 2 and 3a.

- 9.214 Following additional comments from the EA, it is considered that the FRA approach to the assessment of the impact of climate change on flood risk is very precautionary and well above the 9% allowance expected in the Cam and Ely Ouse management catchment area. The 'basic' approach referred to in the FRA is in accordance with the guidance as set out in the EA's East Anglia climate change allowances guidance document. It is therefore considered that a precautionary approach to assessment of the impacts of climate change on flood risk and proposed mitigation measures have been taken and there is no objection from the EA regarding the approach to fluvial flood risk.
- 9.215 The proposed buildings would be located outside of the 1% annual exceedance probability (AEP) flood event (1 in 100-year flood event) with an allowance for climate change (20% climate allowance). The proposed finished floor levels are set to the predicted 0.1% AEP flood event water level (1 in 1000-year flood event) including climate change (precautionary 600 mm climate change allowance) at a level of 8.940m AOD. Whilst third parties have raised concerns with the FRA, the EA has also reviewed this and it is considered to be an appropriate mitigation against the risk of fluvial flooding. The footprint of the proposed Blocks would largely be outside 0.1% AEP with a relatively minor area of the accommodation Blocks (approximately 245 sq metres) being within this zone. As such, following the principles of the sequential test to the application site itself, the proposed buildings have been located within areas of lowest flood risk as much as possible and appropriate mitigation against flood risk would be provided.
- 9.216 Following a formal consultation with the Lead Local Flood Authority (LLFA), it is demonstrated that surface water from the proposed development can be managed and stored through the use of green roof, raingardens, permeable paving, and swales, restricting surface water discharge to below the greenfield run-off rate, resulting in a betterment to the existing situation. This in turn reduces the potential flood risk to the LNR. There is no evidence to suggest that the adjacent school's forest school area nor elsewhere would be adversely affected by the proposed development given that this is the case. Whilst third party comments concerning possible defects within the existing drainage pipework are acknowledged, the applicant has stated that remedial works will be undertaken. A detailed design of the sustainable drainage system will be required by condition to which there is no objection from the LLFA or EA. The drainage strategy is considered to demonstrate that a robust drainage system can be achieved within the application site along with restricting the flow rate to greenfield run-off rates (2.93 l/s) and the existing drainage for Block B decoupled from the combined sewer system and restricted to 2.2 l/s.

- 9.217 The existing soakaways are to be removed with the existing surface water rainwater pipes retained and new pipes constructed to serve the proposed extension to Block A. These connect to the wider surface water infrastructure and attenuation basin A.
- 9.218 Whilst third party comments concerning the impact of foundations upon existing groundwater flows are acknowledged, the proposed buildings would utilise a piled slab with shallow perimeter ground beams to avoid cutting-off of flow routes into the river Cam. The position of the foundations will allow for flow beneath and around the foundation structure to allow alternative flows and therefore minimise displacement of groundwater elsewhere. Therefore, on this basis, it is considered that the impact of the proposed development on groundwater is likely to be minimal and a condition will be attached on any planning consent granted to require a hydrological report.
- 9.219 The below ground surface water drainage schematic shows all roof, hardstanding and basin catchments and their associated areas which correspond the impermeable areas in the hydraulic calculations. It is not intended that any permeable areas discharge into the drainage system, however, volumetric calculations have been included to account for minor inadvertent runoff.
- 9.220 Infiltration testing is above the minimum required infiltration. Further testing will be required at detailed design stage as required by condition to ensure that the 1.2 metre clearance between groundwater level and subbase for the permeable paving. If at this stage, infiltration is not viable or 1.2 metre clearance is not made, amendments to the drainage design are considered to be feasible to manage runoff and no concerns are raised from the LLFA subject to conditions.
- 9.221 Whilst third party comments concerning potential pollution into the watercourse are acknowledged, the LLFA consider that the use of SuDS, including green roofs, permeable paving, swales, and attenuation basins would also provide appropriate water quality treatment for the land use which is of benefit to discharging into the ditch bordering the LNR. The drainage scheme has been designed in accordance with the Construction Industry Research and Information Association (CIRIA) SuDS manual C753 simple index assessment method and best practice guidance. Therefore, it is considered that the water quality has been adequately addressed.
- 9.222 Whilst third party comments concerning the surcharging of manholes are acknowledged, following further information and re-calculations, these manholes have been raised above a 100% AEP event and the LLFA considers that the surface water drainage scheme is acceptable. The maintenance and management of the orifices to ensure these are well protected from blockages will need to be considered at detailed design stage via condition. In some circumstances during a 0.1% AEP event,

surcharging could affect its hydraulic capacity and impact upon the surface water network and therefore hydraulic calculations will be submitted at detailed design stage by condition to account for this scenario.

- 9.223 Whilst third party comments concerning the potential for additional ditches, scour and erosion works to be required within the LNR itself, the FRA demonstrates that SuDS and erosion mats can be achieved within the application site itself and no further surface water infrastructure is required outside of the application site. If this were the case, third party permissions would be required for these works.
- 9.224 Whilst third party comments concerning the watercourse receiving upstream flows are acknowledged, it is not considered the surface water drainage design would be impeded by the presence even if this were the case.
- 9.225 Whilst third party comments concerning discharge of water during construction are acknowledged, following comments from the LLFA, details of the management of this during construction can be dealt with by condition.
- 9.226 Foul water would connect into the Anglian Water foul sewer located on the eastern end of Owlstone Road by gravity and although capacity is raised as a concern, following a formal consultation with Anglian Water, it is noted that they are obliged to accept additional flows into their water recycling centre. Therefore, subject to the recommended informatives, foul water drainage provision is considered acceptable.
- 9.227 Taking all this into account, it is considered that subject to conditions requiring a detailed surface water drainage scheme for the application site and measures for managing run-off during construction, the proposed development is considered to be in accordance with Policies 7, 31 and 32 of the Local Plan 2018, the Cambridgeshire Flood and Water SPD and the relevant paragraphs of the NPPF 2021. The proposed surface water strategy would provide additional benefit to the existing surface water drainage scenario due to the surface water connection being separated from the private (on-site) and public (Anglian Water's) combined sewer system.

#### **9.228 Highway Safety and Transport Impacts**

- 9.229 The application site is located within a sustainable location where there is existing good cycle and pedestrian routes to the city centre. In addition, bus services are accessible along Barton Road, a short walking distance away.
- 9.230 Policy 80 of the Local Plan 2018 supports developments where access by walking, cycling and public transport are prioritised and is accessible for



- all. Additionally, Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 9.231 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.232 The application is supported by a Transport Assessment, a Travel Plan and an Outline Construction Traffic Management Plan.
- 9.233 Access to the application site would be as existing. The supporting Travel Plan demonstrates that the proposed development would not result in additional vehicular trips when compared to the existing uses on the application site including the children's nursery.
- 9.234 Whilst third party comments have been raised with regards the number of deliveries including taxi journeys associated with the proposed use of the site the application proposes, following a formal consultation with the County Council's Transport Assessment Team, it is considered that the net gain of forty-five students within the application site would result in minimal traffic generation and no objection is raised nor mitigation required. The submitted Travel Plan recognises the management of the existing application site including the role of the Porter's Lodge and a detailed Travel Plan will be conditioned to ensure that sustainable methods of travel are encouraged. The application site servicing strategy details that incoming mail would be managed by the Porter's Lodge and the property management team would distribute mail accordingly.
- 9.235 Whilst third party comments have raised concerns with the trip rates data used, the trip rates account for all vehicular trips to the application site including servicing and delivery vehicle trip and is based on the St Regis site development (application reference 17/0970/FUL) which informed the recent planning application for College accommodation at Wilberforce Road (21/02052/FUL). As discussed, there is no objection from the County Council's Transport Assessment Team given the minimal traffic generated through the site's redevelopment.
- 9.236 Apart from disabled users and drop-off/collection times, the proposed development would be car-free. Taking this into account and given that there would be a reduction in car spaces within the application site including those used in connection with the existing nursery use, there would be a reduction in car movements, daily at peak times. Therefore, it is not considered that the proposed development would result in any adverse highway safety impacts.
- 9.237 In terms of the indicative construction traffic route, whilst third parties have requested transport assessments, surveys and other information to be provided to ensure that construction traffic arrangements can be safely managed, following a formal consultation with the County Council's

Highways Authority, there is no objection to the indicative construction route via Grantchester Street and Short Lane subject to a detailed standalone traffic management plan and restriction on times that a construction vehicle in excess of 3.5 tonne can be used being conditioned on any planning consent granted.

- 9.238 Whilst third party comments concerning road safety and junctions within Newnham are acknowledged and it is noted that the duration of such works could be up to 1.5 years, any construction traffic generation would result in relatively short-term disruption to residents and no objection has been raised in terms of highway safety impacts by the Highways Authority.
- 9.239 Third party comments are acknowledged relative to the unadopted private road known Short Lane and part of Owlstone Road (with a like status) which connects the application site to the adopted highway, Grantchester Street. Comments concerning the narrowness of Short Lane, the lack of any pavement for pedestrians to use when accessing the LNR including queries relating to access rights for the College are acknowledged. The local planning authority is advised that when works to the nursery and lodge were carried out in 2013-15 this route was used as a construction route and indeed refuse vehicles use this route on a weekly basis as do delivery vehicles on a daily basis. Planning consent was also granted under 21/02883/FUL for temporary gym containers to be transported using the same proposed route.
- 9.240 The alternative route via Owlstone Road would involve navigating two 90 degree turns with disturbance to more residences than the indicative route contained within the Outline Construction Traffic Management Plan which is suggested.
- 9.241 It is understood that Short Lane was the original lane built to access Owlstone Croft with the right of access established years before other houses were built in the Newnham area. The ownership of the private roads in question are not a material consideration in the determination of this application. They are a private matter between the applicant and the owner(s) of the land comprising the private road(s) and any legal rights for its use which may or may not exist. Whilst Short Lane is narrow, it is considered that construction vehicles could realistically access the application site subject to further requirements to be agreed and implemented which will mitigate any highway safety impacts once the principal contractor has been appointed. Planning conditions will be included in any planning permission to ensure these matters are, in planning terms satisfactorily mitigated.
- 9.242 In terms of the physical condition of the road it currently comprises tarmac with a bound gravel surface. The applicant has agreed that a photographic condition survey will be undertaken prior to commencement and any damage caused as a result of the build-out of the proposal will be repaired at the applicant's cost on completion of the construction phase. This is a private civil matter between the applicant and its appointed contractor and

the owners of the road and is a matter (that of damage to private property) which sits outside of the S106 and CIL requirements. The offer though is noted.

- 9.243 The health and safety for pedestrians, wheelchair users and other road users is an important consideration. The Local Highway Authority have requested a construction traffic management plan prior to commencement of the works. The draft construction management plan will be provided once the principal contractor has been appointed albeit subject to planning approval being given. The recommended traffic management condition will require a detailed tracking exercise based upon topographic surveys to demonstrate the size of vehicles that are intended to be used. Smaller vehicles could be considered for example as an alternative. Any potential conflict from pedestrians exiting the LNR with large vehicles will be managed by a banksman to ensure the safety of these other road users with details of such required via condition to ensure safety for all road users. Should the need arise for larger vehicles to access the site, short-term mitigations will be explored as appropriate.
- 9.244 Third party comments concerning the presence of parked cars on Grantchester Street and Short Lane which could interfere with construction vehicle movements and fire vehicles are noted. Following discussion with Cambridgeshire Fire and Rescue Department, the presence of parked cars on the double yellows along Owlstone Road is currently presenting difficulties for the turning of fire vehicles into the application site.
- 9.245 Other third parties have queried the powers to enforce any parking controls concerning vehicles parking along Owlstone Road adjacent to the application site. Given that this is a private (unadopted) road this is a legal matter for the owner(s) of the road as to what measures can be applied and how they might be enforced, thus, these are outside of the planning process. However, the local planning authority can seek to impose a planning obligation on any planning permission requiring the applicant to secure a Traffic Regulation Order being made which would seek to control/mitigate parking along the road subject always to any subsisting legal rights to park as may already exist by easement.
- 9.246 Taking all this into account, subject to conditions, it is considered that the proposal accords with the objectives of Policy 80 and 81 of the Local Plan 2018 and is compliant with the NPPF 2021.

## **9.247 Cycle and Car Parking Provision**

### **9.248 Cycle Parking**

- 9.249 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 requires new developments to comply with the cycle parking standards as set out within Appendix L of the Local Plan which, for student residential accommodation states that one cycle space

should be provided per three bedspaces for development outside the city centre. These spaces should be located in a purpose-built area and be at least as convenient as car parking provision.

- 9.250 Sheffield stands are the preferred option but the use of high-low and two-tier/double stacker racks will be considered on a case-by-case basis for non-residential and large student developments. A minimum of 20% of the cycle parking spaces required should be Sheffield stands for less able users and those with non-standard cycles.
- 9.251 The proposed development would consist of a total provision of two hundred cycle parking spaces of which one hundred and eight-four would be covered spaces within Block A store 1 and Block B pavilion store. This would equate to 1:1 ratio cycle provision for residents (147 spaces), 1:5 ratio for visitors (30 visitor cycle spaces) and additional 23 cycle storage spaces for staff and study centre visitors. Fifty of these covered spaces would be provided as Sheffield stands which equates to 25% of the total provision. The remainder will be provided as double stacker racks. Additional non-standard cycle spaces would also be provided which would equate to 5% of the total provision. Therefore, the proposal is compliant with Policy 82 of the Local Plan 2018.
- 9.252 Car parking
- 9.253 The application is located outside of the Controlled Parking Zone, however it is noted that Newnham residential streets surrounding the application site permit only residential permit holders between the hours of 11am and 2pm, seven days a week.
- 9.254 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, not exceed the maximum car parking standards as set out within Appendix L. Outside of the Controlled Parking Zone the number of parking spaces is on merit. Where there are rooms specifically designed for disabled people, parking for disabled people of at least one space for each room so designed should be provided.
- 9.255 The proposed development would comprise the removal of nineteen general use car parking bays, reducing provision to one standard bay and an increase from three to eight designated Blue Badge Bays. In terms of Blue Badge Bays, this would equate to one space per each accessible room within the five bed houses. With regards the other parking spaces, the proposal would provide one standard parking space and an additional servicing and delivery bay adjacent to the application site entrance. The standard bay would be managed by the Head Porter and available for members of staff or contractors visiting the site and used during student move-in and move-out periods.
- 9.256 Whilst third party comments concerning parking pressure are acknowledged, all students on the application site will be covered by the University of Cambridge's Proctorial control which prevents them from

bringing cars into the City. Students under the age of 24 must apply to the Motor Proctor office and their tutors for permission to bring a car into the city. Over that age, they need the College's permission. Neither the University generally or College specifically encourage car ownership amongst Postgraduate students and any request for car parking is subject to the discretion of the appropriate College Proctor following a student application. Queens' College would only grant a student permission if they could demonstrate an accessibility need. Taking all this into account, the proposed parking arrangements are considered acceptable and there would not be future parking pressure on surrounding residential streets in accordance with Policy 82 of the Local Plan 2018. A S106 planning obligation would secure car ownership restrictions.

- 9.257 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging. In relation to air quality, all new developments require the provision of both active (slow, rapid and fast) and passive electric vehicle (EV) charge points provision where car parking is to be provided. The proposed scheme would provide five spaces with 7kW charging points with infrastructure set up to implement charging for the remaining spaces in the future. This provision will be secured by condition as recommended by the Environmental Health Officer in accordance with Policy 36 of the Local Plan 2018.
- 9.258 Therefore, subject to conditions, the proposal is considered to accord with Policies 36 and 82 of the Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.
- 9.259 Amenity**
- 9.260 Policies 35 and 58 of the Local Plan 2018 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking, or overbearing and through providing high quality internal and external spaces.
- 9.261 Neighbouring Properties
- 9.262 The proposed development would comprise alterations to the existing buildings in addition to the erection of new student accommodation Blocks.
- 9.263 The application is supported by a daylight/sunlight assessment which demonstrates that the proposed parapet wall surrounding Block B along with the proposed single storey cycle storage area along with other extensions to the existing buildings would not have any adverse impacts in terms of loss of daylight/sunlight upon amenities of neighbouring dwellings. All habitable windows to the rear of houses along Owlstone Road would meet the BRE guidance in terms of sunlight and daylight.
- 9.264 The proposed development would be located a considerable distance from adjacent neighbouring dwellings along Owlstone Road. Given the modest

changes to Block B it is not considered that the proposed alterations would result in significant overbearing impacts upon amenities of these neighbouring dwellings.

- 9.265 Whilst third party comments are noted, existing windows in Block A would be replaced like for like and therefore no additional overlooking impacts would result upon adjacent neighbouring amenities.
- 9.266 Third party comments concerning mutual overlooking between the Queens' College students and children at the Primary School are acknowledged. The proposed northern blocks would at their closest point be approximately 12 metres from the boundary with the school. Whilst this is the case, the current use of the application site would not change and given the current presence of a wire mesh fence boundary between the two land holdings, at present, the school grounds have a degree of overlooking which would not be considerably altered with the proposed development. The existing trees would help to mitigate any overlooking impacts upon the school grounds from first and second floor levels particularly in the summer months and whilst there would be potentially more overlooking at other times of the year, on balance, the degree of overlooking is considered to be acceptable.
- 9.267 Third party comments concerning the potential overbearing and overshadowing impacts of the proposed northern accommodation Blocks on the school grounds are acknowledged. The proposed Blocks would be smaller in height than the existing line of trees. These existing trees by virtue of their height and proximity to the school grounds already overshadow some of the school playing fields. Whilst the proposed blocks could overshadow the school grounds particularly in the winter months, considering the large area of the school playing fields including the artificial pitch to the north, it is not considered that any overshadowing impacts would be detrimental to the school. The impact upon the school's finances from the presence of the proposed accommodation Blocks is not considered a material planning issue in this case.
- 9.268 Future Occupants
- 9.269 The proposed development would comprise purpose-built student accommodation (C2 use) and therefore Policy 50 of the Cambridge Local Plan (2018) is not relevant as this relates to C3 residential units.
- 9.270 Notwithstanding the above, the proposed student Blocks would provide generous internal private and communal facilities for the sixty students. Whilst third parties have commented these would be overly generous in size compared to existing Block A and B rooms there is no policy requirement that all student rooms should be provided with similar floor areas.
- 9.271 Third party comments concerning the lack of communal facilities for existing students within Blocks A and B are noted, however, the proposed

extensions and alterations to the existing Blocks would comprise a designated study space and seminar room to provide enhanced education facilities for existing and proposed students, whilst café and gym uses would provide better communal facilities than exist at present. The upper floors of these Blocks would largely retain bedroom spaces and kitchen/dining rooms as is the existing arrangement.

- 9.272 In terms of the outdoor amenity provision, following a formal consultation with the Council's Landscape Officer, it is considered that the proposed development would provide sufficient external informal open space provision for a total of one hundred and forty-seven students within the application site resulting from a net gain of forty-five students, in accordance with Policy 68 of the Local Plan 2018. Whilst the proposal would reduce the amount of space for informal play, it is noted that Lammas Land is located within a very short walking distance from the application site which provides generous space and opportunity for recreation.
- 9.273 These informal amenity spaces would benefit the College community as a whole and would form an attractive landscape. The proposal improves the layout and quality of external areas around the existing Blocks and retained buildings making the external spaces more useable and better integrated with the surroundings and existing landscape.
- 9.274 Amenity spaces and gardens would be located in the south facing areas between the terraces and vehicle access will be to the north of each terrace taking account of the micro-climate and orientation of the application site to create pleasant outdoor areas for residents. Whilst concerns have been raised from third parties concerning the overshadowing impacts from the proposed Blocks upon these garden spaces are noted, it is considered that there is sufficient sunlight for these spaces given their southern orientation and reasonable distances between Blocks and between the southern Block and the LNR.
- 9.275 Concerns have been raised from third parties relating to more footfall generated within the LNR. This adjacent site is heavily shaded and it is not considered that the addition of forty-five students on the application site with an enhanced landscaping scheme would result in an overspill into the LNR itself. Notwithstanding this, it could be argued that the intention of the LNR is to provide open space for all including students and as discussed previously, the proposed development would not detrimentally impact the provision or quality of this space.
- 9.276 Taking all this into account, it is considered that the proposed development would provide a high-quality living environment and an appropriate standard of amenity for future student occupiers in accordance with Policies 46 and 68 of the Local Plan 2018.
- 9.277 Accessibility

- 9.278 The application site allows for step free access to it. Level access is proposed at the entrances to the accommodation Blocks' cores with communal spaces located on the ground floors in accordance with Part M4(2) Building Regulation standards. Each proposes a platform lift whilst the ground floor bedrooms would provide additional space to meet Part M4(3) Building Regulation standards. Following a formal consultation with the Council's Access Officer there are no objections to the scheme subject to internal design alterations which could be adjusted at detailed build stage to further meet the needs of all users. Therefore, the proposal is considered to be in accordance with Policies 56 and 57 of the Local Plan 2018.
- 9.279 Third party comments have been received stating that due to the visibility of the built form with associated noise and light pollution, the proposal would have the greatest impact at the boundary with the LNR where the boardwalk which allows for accessibility for those with impaired mobility is located. The third party considers that the impact of the scheme would impact those with impaired mobility more than other sectors of the population.
- 9.280 Whilst these comments are acknowledged and case law has been referenced, the proposed built form would not impede nor change access arrangements for users with impaired mobility and therefore the case law cited is not considered relevant to this application. The proposed development would neither be inconvenient nor prevent access for wheelchair users and therefore the proposal would not be detrimental to the existing needs of those with impaired mobility and is acceptable with reference to the Equality Act 2010, specifically Section 149 of the Act and the Public Sector Equality Duty. The visual impact of the scheme has been discussed in this report and is considered to be acceptable.
- 9.281 Construction and Environmental Impacts
- 9.282 Policy 35 of the local Plan 2018 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of existing occupiers. These conditions are considered reasonable and necessary to impose in this case on any planning consent granted.
- 9.283 *Demolition and construction impacts*
- 9.284 Objections regarding the amenity impacts during the construction phase have been raised in addition to impacts upon children's development and learning in the adjacent school. These relate to noise, air pollution, dust and disturbance to local residents and school children. The Council's Environmental Health team have assessed the application and recommended the standard conditions to minimise any construction



impacts during the construction phase including any adverse impacts upon users of the adjacent school.

9.285 Third party comments are noted. In terms of dust impacts upon residential amenities, the construction dust risk assessment (contained within the Air Quality Statement) concludes that the overall risk of impacts without mitigation for dust soiling is 'medium' for demolition, earthworks, and construction, whilst the overall impacts without mitigation on human health are 'low' during demolition, and 'medium' during earthworks and construction. Given that the residual effect is 'not significant' with mitigation and taking into account the suggested construction hours, subject to a demolition and construction management plan by condition which will also include adequate mitigation to the adjacent school and given the temporary impact upon the locality, the proposed development is in accordance with Policies 35 and 36 of the Local Plan 2018.

9.286 *Noise impacts*

9.287 Several representations have been received objecting to the proposed development on the basis of noise impacts during operation from the proposed café and gym uses, plant and proposed outdoor amenity spaces and questioning how music from the café and gym use and ventilation within the new accommodation Blocks can be controlled. Whilst these comments are acknowledged the proposed gym use would be located adjacent to the school boundary following submission of a Noise Impact Assessment (NIA), further information, and advice from the Council's Environmental Health Officer, it is considered that any noise impacts upon existing and future occupiers' amenities can be minimised and is deemed to be acceptable.

9.288 The NIA highlights that the application site falls in the negligible and low risk category of the Professional Practice Guidance (ProPG) Initial Noise Risk Assessment during daytime and night-time. The proposed internal noise levels will be met by glazing with a modest acoustic rating and thermal performance to achieve the Passivhaus standards. Whilst third parties have requested that windows are not opened, this would not be reasonable and not required in this instance to make the proposed development acceptable in planning terms. Therefore, a condition will be included on any planning permission granted to require details of noise control and mitigation of the PA system serving the Café and Gym of the development to prevent harm to the local amenity of the area. The standard plant noise insulation/mitigation condition to require details of operational plant, machinery or equipment will also be required to protect future occupiers and existing amenities in accordance with Policy 35 of the Local Plan 2018.

9.289 Whilst third party comments concerning openable windows facing the school boundary and the potential for noise impacts upon children within the school grounds and conversely noise impacts from children using the school grounds upon students using study bedrooms are acknowledged,

the existing operational use of the application site would not change. It is unlikely that the proposed northern accommodation Blocks would result or suffer from adverse noise impacts. Notwithstanding this, the existing student accommodation and adjacent school have been used simultaneously for a considerable number of years and therefore the proposed development is not considered to disturb the school, nor would the school activity disturb students.

9.290 *Odour impacts*

9.291 The proposed development includes a café use. Although at this stage, the type of cooking and frequency of such is unknown, details of the kitchen discharge can be controlled by condition as advised by the Council's Environmental Health Officer.

9.292 *Artificial lighting impacts*

9.293 In terms of impacts upon the local amenity and quality of life, the proposed development would achieve acceptable impacts on the western boundary of the application site bordering residential properties.

9.294 Whilst the proposed northern Blocks would face towards the adjacent school grounds and there would be internal lighting that could potentially spill onto the school grounds, given that this adjacent site is a non-residential use and lighting would predominately be at its highest outside of school hours, it is not considered that the lighting proposals would adversely impact the amenities of children within this adjacent primary school.

9.295 Given that the required limits of artificial light on site due to the impact upon bats are lower than that required from an environmental health perspective, subject to a condition requiring a detailed scheme of artificial lighting, it is considered that the proposed development is in accordance with Policy 34 of the Local Plan 2018.

9.296 *Air quality impacts*

9.297 The application site is located adjacent to an Air Quality Management Area (AQMA). The proposed development would comprise the provision of ASHPs to provide heating and hot water. There would also be a reduction of on-site car parking and increase in cycle parking. Five active electric vehicle charging points (EVCPs) would be installed with passive provision in the remaining spaces. Taking all this into account, subject to active and passive EVCPs being provided by condition, the proposed development would have an acceptable impact upon air quality in accordance with Policy 36 of the Local Plan 2018 and the NPPF 2021.

9.298 *Potential contamination*

- 9.299 The application is accompanied by a contamination risk assessment. Following a formal consultation with the Council’s Environmental Health Officer, given that the proposed end-use would be for short-term studies and that the gardens would be communal open spaces without home grown produce, a condition in the event that unexpected contamination is discovered will be attached to any planning consent granted in accordance with Policy 33 of the Local Plan 2018.
- 9.300 To ensure that any need to import ground-based materials to the application site is chemically suitable for use, a condition will be included to any planning permission requiring a material management plan in accordance with Policy 33 of the Local Plan 2018.
- 9.301 Summary
- 9.302 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered compliant with Cambridge Local Plan (2018) Policies 33, 34, 35, 36, 46, 57 and 58.

**9.303 Third Party Representations**

- 9.304 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

<b>Third Party Comment</b>	<b>Officer Response</b>
Site security	The College’s Porter’s Office will continue to control access for pedestrians and vehicular movements.
Community integration and café use	The College is already a ‘gated’ community which is warden controlled. The café would be used by staff and students.
Similarities with 18 Adams Road application (reference 21/01437/FUL)	Each case should be determined on its own merits. Notwithstanding this, the Owlstone site already has built form on the boundary (particularly on the southern boundary); the scheme is landscape-design led which integrates large open spaces between buildings; the loss of trees is considered acceptable with sufficient space for additional tree planting; the proposal would enhance the Conservation Area and would not adversely impact the adjacent LNR in biodiversity terms.
Relevance of Policy 52	The policy covers sites where <i>an existing house or houses are retained and new dwellings are erected in the garden or multiple garden areas or curtilage; and/or the existing buildings are demolished and the plot(s) subdivided in order to make way for further</i>

	<i>residential development</i> . Given that the application site does not comprise either a residential (C3) dwelling nor a subdivision to make way for further residential (C3) development, this policy is not relevant to the assessment of this planning application. Neither does the application site feature as being an important 'garden' within adopted local plan guidance documents.
Water supply demand	Whilst comments are acknowledged, the net gain in 45 students is considered acceptable. The sustainability officer has recommended water efficiency savings.
Potential for residential housing	Any proposal for permanent residential housing would be assessed on its own merits. The student housing would be for postgraduates and will be tied to the College's use.
Make site more biodiverse without building	The proposal would achieve a substantial biodiversity net gain and provide much needed student housing at the same time.
LNR's historic importance	The LNR was designated as protected open space for its recreational and environmental importance. The LNR is not a designated heritage asset and therefore paragraphs 199 and 200 of the NPPF do not apply. The impact upon the Conservation Area has been assessed which does include the LNR in the relevant paragraph of this report.
Environmental Impact Assessment	Application site would be less than 5ha and urban development would be below 1ha in size, so a screening opinion is not required.
Notified neighbours	All adjacent neighbouring dwellings were directly notified of the planning application, two site notices were posted on entrances to the LNR and it was advertised in the local press.
Vandalism and litter	The LNR is already open to public so there is no basis that this will worsen.
Green Belt destruction	The application site is adjacent and not within the existing Cambridge Green Belt.
Overshadowing of LNR	The LNR is already heavily shaded. Given the northern orientation of the closest accommodation block, any overshadowing is negligible.
Overlooking of LNR	Whilst some windows will look out towards the adjacent LNR, it is not considered that this would be harmful. Lighting impacts have been discussed and addressed.

Heritage Assets	The application is supported by a Conservation Area Appraisal. The Conservation Officer has no objections concerning the level of information provided with reference to the NPPF 2021.
Construction work duration	This would only be short to medium term.
Nursery relocation	The applicant will be responsible for deciding on how to phase work including demolition of the existing nursery building.
Design Review Panel	This has not been requested by specialist officers. The application has been subject to several pre-application meetings.
Committee site visit	This will be arranged with the case officer in attendance.
Verified views	The accuracy of these was considered during discussions and views have been prepared using methods set out in the Landscape Institute guidelines for LVIA (GVLIA).

### 9.305 Planning Obligations (S106)

9.306 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

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

9.307 The applicant has indicated their willingness to enter into a S106 planning obligation under the Town and Country Planning Act 1990 in accordance with the policy requirements of the Council's Local Plan and the NPPF.

9.308 Policy 85 of the Local Plan 2018 states that planning permission for new developments will only be supported/permitted 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.

9.309 Following a formal consultation with the Developer Contributions Monitoring Officer, given that the accommodation would be for Queens' College students or affiliate students, there is no requirement for sports or open space contributions.

9.310 Heads of Terms

9.311 The Heads of Terms (HoT's) as identified are the basis for the proposed the S106 and are set out in the summary below:

<b>Obligation</b>	<b>Contribution / Term</b>	<b>Trigger</b>
Primary Health Care	£11,500 based on a net gain of 45 units	Prior to occupation
Post Graduate Use	Individual lettings for Post Graduates only, no C3 family accommodation, no conferencing or out of term time alternative residential or short term stay uses.	Compliance
Monitoring	£700 per obligation	N/A
Parking Provisions	Management of no keeping of cars	Prior to occupation
Ambulance contributions	TBC, subject to further consideration	Prior to occupation
Temporary Traffic Regulation Order (TRO)	Along Owlstone Road to ensure adequate construction vehicular access	Prior to commencement of development
Permanent Traffic Regulation Order (TRO)	Along Owlstone Road to ensure safe fire vehicular access	Prior to commencement of development

Third party comments concerning pressure on infrastructure including doctors are acknowledged. Following a formal consultation with the Cambridge and Peterborough Primary Health Care Team, taking into account the limited capacity of the closest GPs surgeries and given that the additional students (net gain of forty-five) would put more pressure on these existing services, it is considered that the proposed planning obligation is appropriate which will meet the tests set by the Community Infrastructure Levy Regulations 2010. The Ambulance Service has requested a developer contribution which is under consideration and in particular whether such a contribution would meet the tests referred to above. Delegated authority is sought for officers to conclude this matter.

9.312 As discussed in the previous sections of this report, the S106 would ensure that the new sixty units are to be used by Postgraduate students at Queens' College or an affiliated institution. The units would be used by individual postgraduate students on a year-round basis. A restriction will be contained within the S106 to ensure that no other persons use these units and they are not used as family units (C3).

### 9.313 Other Matters

9.314 Refuse

- 9.315 Policy 57 Local Plan 2018 requires refuse and recycling to be successfully integrated into proposals.
- 9.316 The proposed bin storage would be integrated into the existing outbuildings. The capacity and design approach is considered to meet the RECAP Waste Management Design Guide SPD.
- 9.317 Waste from communal areas would be collected by staff and waste from study bedrooms collected by students themselves and transported to the refuse area. Refuse would be collected from the site entrance via a gateway to the south of the Porter's Lodge as is the existing arrangement. These bins would be dragged to the stopping point at the end of Owlstone Road by which these bins would be collected by the Council's refuse team.
- 9.318 Following a formal consultation with the Council's Waste Team, given that the proposal would follow the existing arrangement and taking into account the covered location, the proposal is acceptable with reference to Policy 57 of the Local Plan 2018.
- 9.319 Archaeology
- 9.320 Following a formal consultation with the County Council's Archaeological Officer, taking into account the submitted desk-based assessment and archaeological features found in other sites including Croft Gardens, along Barton Road, the application site is considered to be located in an area of archaeological potential and therefore a pre-commencement condition will be attached to require a written scheme of investigation in accordance with Policy 61 of the Local Plan 2018 and the NPPF 2021.
- 9.321 Crime prevention
- 9.322 Following a formal consultation with the Crime Prevention Design Officer, it is considered that the area is of low vulnerability to the risk of crime at present. It is considered that the proposed layout is acceptable with good levels of permeability and natural surveillance within the application site.
- 9.323 Suggestions have been made concerning enhanced design for cycle storage and Sheffield stands, CCTV locations, refuse store security doors, access control on flats, and lift/stair cores. Whilst these suggestions are acknowledged, the application site would continue to be warden-controlled and therefore the security of the site could be managed effectively without the need for planning related measures.
- 9.324 Whilst third parties have raised the suggestion that boundary treatments including hedging and planting be kept down to 1-1.2 metres and tree crowns raised to 2 metres, the proposed layout and positioning of windows allows for natural surveillance of the existing Blocks A and B and the proposed accommodation Blocks with a degree of mutual overlooking to the informal open spaces. Therefore, it is not considered that the

landscaping on the boundary edges is required to be adjusted in this instance.

**9.325 Fire safety**

9.326 The application is supported by a Design and Access statement demonstrating fire and rescue vehicle access routes through the application site are achievable. There are no objections by the Fire Authority to the proposed development subject to a scheme of fire hydrants to be submitted to and approved in writing by the Local Planning Authority to ensure that this is appropriate for emergency use. This requirement will be included as a condition on any planning consent granted.

9.327 Whilst third party comments concerning evacuation routes through the LNR are acknowledged, there are no new routes to connect the LNR to the application site and therefore there is no material issue regarding this.

9.328 Third party comments have questioned the fire evacuation procedure during construction however such matters are for the applicant to manage during the construction phase.

**9.329 Planning Balance**

9.330 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).

9.331 The proposed development would result in economic benefits through the construction of new buildings; social benefits through the expansion of the existing student community and the enhancement of welfare and educational facilities. The environmental benefits through the upgrade of the existing buildings' thermal performance, demonstrate that the scheme accords with sustainable development principles.

9.332 The proposal would provide much needed student accommodation. The application site is a sustainable location for the extension of the existing College use. In addition, the development would result in an enhancement to the site's welfare and study spaces.

9.333 The proposal would respond positively to character and appearance of the Conservation Area and preserve the character of the adjacent protected open space. The new accommodation Blocks would achieve passivhaus standards whilst existing buildings would be altered to improve their thermal performance.

9.334 The proposed development would minimise and mitigate any residual harm to protected species including bats and provide achievable



compensatory measures and landscape enhancements to the existing site.

- 9.335 The application demonstrates an acceptable sustainable drainage strategy can be achieved on site and therefore safeguards it and the surrounding landscape from current and future flood risk.
- 9.336 The indicative construction route is considered to be realistic and achievable, and a detailed plan can be conditioned to ensure that construction is safely managed. TRO provisions would be secured to enable safe construction and fire tender access.
- 9.337 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

### **9.338 Recommendation**

9.339 **Approve** subject to:

-(i) planning conditions as set out below with delegated authority to Officers to carry out minor amendments; and

(ii) the prior completion of a Section 106 Agreement under the Town and Country Planning Act 1990 which includes the obligations as substantially referenced in the Heads of Terms set out in this report together with delegated authority to Officers to negotiate any necessary minor departures and to complete the settled Agreement.

## **10.0 Planning Conditions**

- 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 91 of the Town and Country Planning Act 1990 (as amended by 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 Prior to commencement of development, a Phasing Strategy shall be prepared and submitted to the local planning authority setting out the phases and sub phases of development, and a mechanism for its update as required. It shall be agreed in writing and implemented in accordance with the agreed details.

Reason: To ensure appropriate timing for the discharge of other conditions. (Cambridge Local Plan 2018 policies 35, 36, 55, 57, 59, 61, 69, 70, 71 and 81)

- 4 Notwithstanding the noise limits as set out in Noise Impact Assessment Issue 04 Max Fordham, Noise Impact Assessment Technical Note 12th May 2022 Max Fordham and Survey feedback and Site Suitability 22 June 2021 Max Fordham, no operational plant, machinery or equipment shall be installed for any phase until a noise assessment and any noise insulation/mitigation as required for that phase has been submitted to and approved in writing by the local planning authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 36).

- 5 No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

- 6 There shall be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

- 7 No development (or phase of) (including demolition or piling) shall commence until a demolition/construction noise and vibration impact assessment associated with that phase of development, has been submitted to and approved in writing by the local planning authority. The assessment shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration on construction and open sites and include details of any piling and mitigation/monitoring measures to be taken to protect local residents from noise or vibration. The

development shall be carried out in accordance with the approved measures.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

- 8 No development (or phase of) shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction for that phase of development, 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 (Cambridge Local Plan 2018 policy 36).

- 9 If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination.

The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

- 10 No excavated material for the development (or phase of) shall be imported or reused until a Materials Management Plan (MMP) has been submitted to and approved in writing by the Local Planning Authority. The MMP shall include:

- a) details of the volumes and types of material proposed to be imported or reused on site
- b) details of the proposed source(s) of the imported or reused material
- c) details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) results of the chemical testing which must show the material is suitable for use on the development
- e) confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development. The local planning authority shall be provided from time to time with copies of such particulars within five working days upon request

All works will be undertaken in accordance with the approved MMP.

Reason: To ensure that no unsuitable excavated material is brought onto the site in the interest of environmental and public safety in accordance with (Cambridge Local Plan 2018 Policy 33).

- 11 Prior to the use of any PA system serving the Café and Gym of the development, full details are required of noise control / mitigation measures in order to minimise the level of noise emanating from the said uses shall be submitted to and approved in writing by the local planning authority. The scheme shall be carried out as approved and retained as such.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

- 12 Prior to installation of plant, equipment or machinery for the purposes of extraction, filtration and abatement of odours for the development (or phase of) details of the proposed installations must be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the use (in that phase) is commenced and shall be retained as such.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 36).

- 13 Prior to the installation of electrical services for the four new accommodation blocks hereby approved, an electric vehicle charge point scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Shall provide for five slow electric vehicle charge points with a minimum power rating output of 7kW
  2. Additional passive electric vehicle charge provision of the necessary infrastructure including capacity in the connection to the local electricity distribution network and electricity distribution board, as well as the provision of cabling to parking spaces for four car parking spaces to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required
  3. The electric vehicle charge points shall be designed and installed in accordance with BS EN 61851 or as superseded
- The electric vehicle charge point scheme as approved shall be fully installed prior to the first occupation of the four new accommodation blocks 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 Policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan (2018) and with Cambridge City Council's adopted Air Quality Action Plan (2018).

- 14 No demolition or construction works shall commence on site until a traffic management plan for that phase has been submitted to and agreed in writing by the Local Planning Authority.

The principal areas of concern that should be addressed are:

- i) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- ii) Contractor parking, with all such parking to be within the curtilage of the site where possible
- iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible.)
- iv) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway.

Details shall also include tracking/swept path analysis of the type of vehicles to be used during construction/demolition and how potential conflict with pedestrian and cyclists using Short Lane/access road can be avoided. The development shall be carried out in accordance with the approved details.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development. (Cambridge Local Plan 2018 Policy 81).

- 15 Within the school term times, demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall service the site only between the hours of 0930-1430 hours Monday to Friday (as proposed by the outline TMP submitted with the planning application). At all other times (including Saturdays in term times), the restrictions in conditions in 5 and 6 will apply unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development. (Cambridge Local Plan 2018 Policy 81).

- 16 No development (or phase of) above slab level shall commence until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

Reason: To ensure an adequate water supply is available for emergency use in accordance with Policy 31 of the Cambridge Local Plan 2018

- 17 No demolition/development (or phase of) shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work for that phase which has been

secured in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) the statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material.

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure that before any demolition and or development commences that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2018 policy 61).

- 18 No laying of services, creation of hard surfaces or erection of a building for any phase shall commence until a surface water drainage scheme for that phase, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall be based upon the principles within the agreed Flood Risk and Drainage Strategy Report prepared by Smith and Wallwork Engineers (ref: 000292-SAW-ZZ-ZZRP C-0001 rev. P04) dated 20/04/2022 and shall include where appropriate:
- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
  - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
  - c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
  - d) Details of the proposed attenuation and flow control measures;
  - e) Site Investigation and test results to confirm infiltration rates;
  - f) Temporary storage facilities if the development is to be phased;
  - g) A timetable for implementation if the development is to be phased;

h) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;

i) Details of the maintenance/adoption of the surface water drainage system;

j) Measures taken to prevent pollution of the receiving groundwater and/or surface water

The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of that phase of development.

Reason: To ensure appropriate surface water drainage and to prevent the increased risk of flooding. (Cambridge Local Plan 2018 policies 31 and 32).

- 19 No development (or phase of), including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works for that phase to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts in accordance with Cambridge Local Plan 2018, Policy 32.

- 20 Prior to the commencement of the accommodation blocks, a detailed hydrological report shall be submitted to and approved in writing by the Local Planning Authority. The report shall provide an assessment as to the effects of the development upon groundwater levels and the flow of groundwater locally including its impact on neighbouring properties and land. The hydrological report shall specifically consider and influence the foundation design of the proposal. Should the report demonstrate any significant detrimental impact on groundwater or groundwater flows, it shall propose mitigation to be carried out in accordance with a proposed phased programme of implementation to ensure that there is no exacerbation of flood risk to nearby properties. Any mitigation shall be carried out in accordance with approved report and details of timing.

Reason: To ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with the Cambridge Local Plan 2018, Policy 32.

- 21 The development hereby permitted shall be designed in accordance with the energy and carbon reduction strategy and overall sustainability strategy as set out in the Owlstone Croft, Cambridge, Sustainability

Statement and Matrix, Issue 4 (Max Fordham, April 2022). Prior to occupation of the new accommodation blocks, evidence of Passivhaus certification for these blocks shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions and promoting the principles of sustainable construction and efficient use of buildings (Cambridge Local Plan policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 22 Prior to occupation of any of the four new accommodation blocks, a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to and approved in writing by the local planning authority. This shall demonstrate that all new accommodation blocks are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 23 No development (or phase of) shall take place above slab level, except for demolition, until details of all the materials for the external surfaces of buildings to be used in the construction of that phase of the development have been submitted to and approved in writing by the local planning authority. The details shall include brick details; stonework; pre-cast concrete; non-masonry walling systems; render; windows, sills and surrounds; doors and entrances; porches and canopies; roof cladding; external metal work, balustrades, rainwater goods, edge junctions and coping details; colours and surface finishes. 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 (Cambridge Local Plan 2018 policies 55 and 57).

- 24 Prior to works above slab level for each phase, sample panels of the following items shall be provided on site for inspection and approved in writing by the Local Planning Authority:

- (a) brick sample panel including the brick detailing on the facades, window splays, bond, mortar mix and pointing technique, coursing, and special brick patterning [hit and miss, splayed, alternate brick stacked, alternate brick diamond, alternate brick fluting, alternate brick headers]
- (b) samples of the pre-cast concrete
- (c) sample of the render



- (d) roofing materials including standing seam roof
- (e) the junction between materials
- (f) details of the new entrance gates

The approved sample panel is to be retained on site for the duration of the works for comparative purposes, and works will take place only in accordance with approved details.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area in accordance with Cambridge Local Plan 2018 policies 55, 57, 61 and 62.

25 Prior to works above slab level, details of a hard and soft landscaping scheme for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials including for access roads; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) 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;

b) 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;

If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected (including gaps for hedgehogs)

d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

- e) a scheme of advanced planting along the eastern boundary of the application site which shall be completed prior to commencement of works above slab level of the four accommodation blocks.

Unless otherwise stated, the landscaping works shall be completed prior to occupation of the new accommodation blocks, in accordance with the approved details and retained thereafter.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59, 61 and 69).

- 26 No development (or phase of) above slab level shall take place until full details of all tree pits, hard paving and soft landscaped areas for that phase of development have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. All proposed underground services will be coordinated with the proposed tree planting and the tree planting shall take location priority.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2018; Policies 55, 57 and 59).

- 27 Prior to construction of the roofs of the four new accommodation blocks, details of the biodiverse green roofs shall be submitted to and approved in writing by the Local Planning Authority. Details of the green biodiverse roofs shall include means of access for maintenance, plans and sections showing the make-up of the sub-base to be used and include the following:

- a) Roofs can/will be biodiverse based with extensive substrate varying in depth from between 80-150mm,

- b) Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting indigenous to the local area and shall contain no more than a maximum of 25% sedum (green roofs only),

- c) The biodiverse (green) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency,

- d) Where solar panels are proposed, biosolar roofs should be incorporated under and in between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation,

- e) A management/maintenance plan approved in writing by the Local Planning Authority,

All works shall be carried out and maintained thereafter in accordance with the approved details

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity. (Cambridge Local Plan 2018; Policy 31).

- 28 Prior to commencement for each phase 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 out and before equipment, machinery or materials are brought onto the site for the purpose of any development by way of either commencement or implementation (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 section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 29 Prior to the commencement for each phase of site clearance, a pre-commencement site meeting shall be held and attended by the site manager and arboricultural consultant to discuss details of the approved AMS. A record of the meeting will be submitted to the council for its written approval.

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 section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 30 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 section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 31 No occupation of the accommodation blocks shall commence until a Travel Plan, following the principles contained within the Outline Travel Plan April 2022 (PJA), has been 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 how the provisions of the Plan will be monitored for compliance and confirmed with the local planning authority. The Travel Plan shall be implemented and monitored as approved upon the occupation of the development.

Reason: In the interests of encouraging sustainable travel to and from the site (Cambridge Local Plan 2018, policies 80 and 81).

- 32 Other than any development/demolition of Blocks A, B and partial demolition of the outbuilding, hereby approved, no other development (including demolition of the existing nursery) shall take place until details of replacement nursery provision with at least equivalent facilities, capacity and accessibility for existing users has been provided and approved in writing by the local planning authority. Details shall also include evidence of the leasing and management arrangements for this replacement facility. No demolition of the nursery facilities and no development of the new accommodation blocks shall take place until the approved replacement facility is operational.

Reason: To ensure that nursery provision is provided elsewhere in accordance with Policy 73 of the Cambridge Local Plan 2018.

- 33 The eight units within the accommodation blocks hereby approved as shown on within 5.4 (page 49) of the design and access statement which are identified as meeting the requirements of M4 (3) fully accessible units of the building regulations shall be installed in accordance with these details and retained as such thereafter.

Reason: To ensure provision for disabled students in accordance with policy 46 of the Cambridge Local Plan 2018.

- 34 No development (or phase of) shall commence (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) for that phase has been submitted to and

approved in writing by the local planning authority. The CEcMP shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of biodiversity protection zones.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timings of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure that before any development commences appropriate construction ecological management plan has been agreed to fully conserve and enhance ecological interests in accordance with Cambridge Local Plan 2018 policy 57.

35 No development of the four new accommodation blocks shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Prescription of a work schedule (including an annual work plan for a minimum of 30 years with review every five years).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives and BNG percentage of the originally approved scheme. The approved plan will be implemented and delivered in accordance with the approved details.

Reason: To ensure that before any development commences an appropriate landscape and ecological management plan has been agreed in accordance with Cambridge Local Plan 2018 policy 70 and NPPF paragraph 174.

- 36 Prior to occupation of the four accommodation blocks, a scheme for the provision of integrated bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of box numbers, specification, and their location. No accommodation block unit shall be occupied until nest boxes have been provided for that property in accordance with the approved scheme. The scheme shall be retained as such thereafter.

Reason: To conserve and enhance ecological interests in accordance Cambridge Local Plan 2018 policy 70

- 37 Prior to the installation of any artificial lighting in any phase, an ecologically sensitive artificial lighting scheme for that phase shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any existing and proposed internal and external artificial lighting of the site in that phase and an artificial lighting impact assessment with predicted lighting levels.

The scheme shall:

- a) Identify those parts of the site, especially the Local Nature Reserve (LNR) boundary, that are sensitive for bat species and where artificial lighting is likely to cause disturbance along identified important route for foraging and commuting.
- b) Show how and where internal and external artificial lighting will be installed (through the provision of appropriate vertical and horizontal lighting lux contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb light sensitive bats species using the identified routes.
- c) include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken.
- d) not exceed the maximum permitted 0.4 lux level on the vertical plane (before and post curfew) along the boundary of the LNR, as specified for light sensitive bat species in accordance with the Bat Conservation Trust and ILP guidance GN08/18.
- e) use top-guided windows to the first and second-floor windows in the southern elevation of Block 4 to minimise light spill when opened.

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details/measures. The scheme shall be retained as such thereafter. No additional lighting should be installed without written approval from the Local Planning Authority.

Reason: To conserve and enhance ecological interests and to minimise the effects of light pollution on the surrounding area (Cambridge Local Plan 2018 policy 34, 57, 69 and 70).

- 38 No development of the four new accommodation blocks shall commence until a site wide Ecological Design Strategy (EDS), including Biodiversity Net Gain provision, has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following where appropriate:

- a) Purpose and conservation objectives for the proposed works
- b) Review of site potential and constraints
- c) Detailed design(s) and/or working method(s) to achieve stated objectives
- d) Extent and location/area of proposed works on appropriate scale maps and plans
- e) Type and source of materials to be used where appropriate, e.g. low nutrient soils, native species of local provenance
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development
- g) Persons responsible for implementing the works
- h) Details of initial aftercare and long-term maintenance
- i) Details of monitoring and remedial measures
- j) Details for disposal of any wastes arising from the works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained as such.

Reason: To ensure that before any development commences an appropriate ecological design strategy has been agreed in order to fully conserve and enhance ecological interests in accordance with Cambridge Local Plan 2018 policy 70 and NPPF paragraph 174.

## **Informatives**

- 1 To satisfy and discharge Environmental Health conditions relating to artificial lighting, contaminated land, noise / sound, air quality and odours / fumes, any assessment and mitigation shall be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction SPD, (Adopted January 2020) <https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-and-construction-spd> and in particular section 3.6 - Pollution and the following associated appendices: 6: Requirements for Specific Lighting Schemes 7: The Development of Potentially

Contaminated Sites in Cambridge and South Cambridgeshire: A  
Developers Guide 8: Further technical guidance related to noise pollution

- 2 Residents of the new student accommodation will not qualify for Residents' Permits of any sort within the existing Residents' Parking Schemes operating on surrounding streets
- 3 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. 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. No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. 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. 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.
- 4 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions) Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.
- 5 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: <https://www.cambridgeshire.gov.uk/business/planning-and-development/waterminerals-andwaste/watercourse-management/> Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.



- 6 Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.
- 7 All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).
- 8 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.
- 9 The details required to discharge the submission of materials condition above should consist of a materials schedule, large-scale drawings and/or samples as appropriate to the scale and nature of the development in question.

#### Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

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# Agenda Item 5



<b>Planning Committee Date</b>	11 January 2023
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	20/04261/FUL
<b>Site</b>	Jewish Synagogue 3 Thompsons Lane Cambridge CB5 8AQ
<b>Ward / Parish</b>	Market
<b>Proposal</b>	Demolition of existing Synagogue and Jewish Community facility and erection of a new Synagogue and Jewish Community facility including replacement parking spaces and new cycle storage and associated works.
<b>Applicant</b>	Trustees of the Cambridge University Students' Union
<b>Presenting Officer</b>	Mary Collins
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	To be confirmed
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Context of site, design and external spaces (and impact on heritage assets)</li><li>2. Residential amenity</li></ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks planning permission for the demolition of the existing Synagogue and Jewish Community facility and erection of a new Synagogue and Jewish Community facility including replacement parking spaces and new cycle storage and associated works.
- 1.2 The principle of a replacement Synagogue and community facility is acceptable. However, the site is highly constrained, adjacent residential gardens are small and on a lower level and therefore any additional impacts arising from the proposal on the occupiers of these properties will be magnified. These impacts will require very careful consideration, particularly for the occupants of Portugal Place properties.
- 1.3 Officers recommend that the Planning Committee APPROVE the proposal.

## 2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area	x	Local Nature Reserve	
Listed Building – setting of	x	Flood Zone 1	x
Building of Local Interest – setting of	x	Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

- 2.1 The application site is situated on the eastern side of Thompsons Lane, in close proximity to Bridge Street which lies to the southwest.
- 2.2 The site comprises the existing Cambridge Jewish Student Centre, which is set back from the Thompsons Lane frontage.
- 2.3 Adjoining the application site is the Old Vicarage in Thompson’s Lane, which is Grade II and is sited to the southwest.
- 2.4 St Clement’s Church, which is Grade II\* listed and its churchyard adjoin the application site to the south.
- 2.5 To the east is the terrace comprising nos. 23-29 Portugal Place, which are Grade II listed residential properties.
- 2.6 The Cambridge School of Visual and Performing Arts (CSVPA) is adjacent to the application site and is situated to the northwest. The existing

Synagogue building wraps around the southern and eastern sides of this building. The garden of 22 Portugal Place adjoins the site to the north.

- 2.7 On the opposite side of Thompsons Lane, nos. 32-35 are identified as Buildings of Local Interest.
- 2.8 The site falls within the Cambridge Historic Core Conservation Area.
- 2.9 There is a tree preservation order on the site, however the protected tree appears to have been removed.
- 2.10 The site falls within the controlled parking zone. The proposed development is located within the Air Quality Management Area.

### **3.0 The Proposal**

- 3.1 Planning permission is sought for the demolition of the existing Synagogue and Jewish Community facility and erection of a new Synagogue and Jewish Community facility including replacement parking spaces and new cycle storage and associated works.
- 3.2 The proposed replacement building would wrap around the rear of the CSVPA and would be on a similar footprint to the existing building but would be increased and extended forwards. To the northern elevation is a fire escape.
- 3.3 A detached bike store for a vertically staggered bicycle rack for 18no. bike spaces is along the southern boundary. This would be sited directly behind The Old Vicarage. Sheffield hoops for 10 spaces are laid out on the front of the site.
- 3.4 At basement level, a plant room for an Air Source Heat Pump is proposed, and a perforated bronze screen would allow ventilation to this area
- 3.5 At ground floor level would be a plant room and an integrated bin store, as well as cold store, kitchen and WC to the front section of the building. The entrance lobby would be to the side and would lead into a hall and Shul (Worship space) which would occupy the rear part of the building.
- 3.6 Lift access to the first floor is provided from the entrance lobby as well as stairs and WC including accessible WC.
- 3.7 At first floor is a garden room to the front section and facing Thompson's Lane. The remainder of the first floor would be areas for study/social and egalitarian worship/quiet study with the use of under eaves storage to the rear of the building.
- 3.8 Sections of the roof would be articulated with three sections articulated with pitched roofs of zinc with central rooflights, with flat roof sections separating

the roof forms. There would be a rooflight above the first floor garden room to the front.

- 3.9 Two parking spaces to the forecourt including one accessible parking space.
- 3.10 The proposal also includes within the application site, resurfacing of the parking and access to the Old Vicarage.
- 3.11 A line of bollards would be erected to demark the boundary between the forecourt of the synagogue and the listed building.
- 3.12 Three trees would be removed to facilitate the development.
- 3.13 Provision of heating and hot water will be via air source heat pumps, with no combustion emissions to air.
- 3.14 The application has been amended to address representations and further consultations have been carried out as appropriate.
  - Relocation of rooftop plant including the proposed air source heat pumps to a basement plant room. Amendments so that the building can operate 'fully sealed' with no reliance on openable windows for ventilation and cooling in order to reduce the risk of noise breakout.
  - The redesign submitted Aug 2021 includes a complete redesign of the M&E systems within the building. The building has now been designed to operate throughout the year as a 'sealed' building with no need to open windows for ventilation eliminating potential for breakout of noise. The redesign includes ensuring the rooflight over the winter garden is now fully sealed and insulated to the same level of the rest of the building envelope.

**Revisions 14 October 2022** - Amendments to the rear (east) elevation of the proposed building. Alterations to a section of the roof.

The kitchen extract is now clearly noted on the elevation and roof plan.

#### 4.0 Relevant Site History

Reference	Description	Outcome
C/77/0552	Demolition of existing Synagogue	Refused 21.12.1977
C/77/0553	Erection of Synagogue	Refused 21.12.1977

Listed building consent and planning permission was refused for the following reason: 'The proposed development by virtue of its size, massing,

design and disposition on the site is prejudicial to the amenities of the surrounding properties and to the Conservation Area in general.'

## **Policy**

### **4.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

### **4.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 10: The City Centre

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 73: Community Facilities  
Policy 80: Supporting sustainable access to development  
Policy 81: Mitigating the transport impact of development  
Policy 82: Parking management

#### **4.3 Neighbourhood Plan**

N/A

#### **4.4 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022  
Sustainable Design and Construction SPD – Adopted January 2020  
Cambridgeshire Flood and Water SPD – Adopted November 2016  
Landscape in New Developments SPD – Adopted March 2010  
Trees and Development Sites SPD – Adopted January 2009

#### **4.5 Other Guidance**

Cambridge Historic Core Conservation Area Appraisal (2015)

#### **5.0 Consultations**

- 5.1 **Archaeology – No Objection** Our records indicate that this site lies in an area of archaeological potential located within the medieval core of Cambridge and close to the medieval town boundary known as King's Ditch, with known palaeochannels and hythes in the area. Thompsons Lane, formerly 'Harlestone Lane', is here similarly oriented and at a similar distance from the river frontage as an unnamed street/yard illustrated on the east bank of the River Cam, east of the Bridge, on *Hammond's Map of Cambridge* dated to 1592 (Cambridgeshire Historic Environment Record reference MCB23090). Archaeological investigations carried out immediately north of the proposed development in 2015 following the demolition of a terrace of Edwardian houses (1-8 Clements Gardens) identified several phases of activity from the middle Bronze Age through to the 20th century (CHER ref MCB25080). A single trial trench which was hand-excavated at the rear of the National Spiritualist Church immediately adjacent also revealed a series of deposits dating to the medieval to modern periods, and possibly earlier. A number of post-medieval foundations were also revealed (CB15755). The building proposed for demolition under the current scheme occupies a former yard area illustrated on early edition Ordnance Survey mapping to the rear of properties (now demolished) fronting Thompsons Lane. Groundworks required for the implementation of the development, if approved, are likely to encounter evidence of the remains of these demolished structures and the former usage of this site, which evidence would be destroyed or damaged by the proposed development.

Do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological



investigation secured through the inclusion of a negative condition, such as the example condition approved by DLUHC.

## 5.2 Conservation Officer – No Objection

The site is within the Historic Core of the Central Conservation Area. The existing building is not of specific significance, but it is in close proximity to a number of grade II listed buildings. The demolition of the existing building can be supported provided that the replacement building does not affect the setting of the listed buildings and preserves or enhances the character or appearance of the conservation area.

The conservation area appraisal for Thompsons Lane notes that the existing synagogue is poorly defined. The building is set back from the pavement edge and there is car parking and hard landscaping in front of the main elevation which does not make a positive contribution to the streetscene. The appraisal also notes the chimney stacks of the Old Vicarage as being a focal feature in the street. There are clear views of this elevation of the grade II listed building and the chimney stacks from many viewpoints along Thompsons Lane.

The proposed new synagogue is keeping to the same footprint along the rear/eastern boundary with Portugal Place, with a minor change at the southeast corner, but is moving forward towards Thompsons Lane. This will line it up with the CSVPA. The architects have shown that this proposed alignment will not impact on the views along Thompsons Lane towards the chimney stacks of the old Vicarage, keeping the focal feature.

The building will be higher than the existing as it will have an articulated roof rather than the flat roof of the current synagogue. Sunlight studies have been submitted which show that the basement gardens of Portugal Place will be no worse off than the existing situation in terms of daylight. The Neighbouring Property Sections show how the new building height will impact on the surrounding listed buildings to the east and south. For the majority of the buildings in Portugal Place, the impact of the building will be no greater than the existing on the boundary, with the increased height being within the angle of the roof which slopes away from these properties. In Conservation terms, the impact on the setting of these listed buildings is acceptable. The impact on the setting of the Old Vicarage is also acceptable as the main elevation faces the churchyard of St Clement's and as stated above, the view of the chimney stacks is retained.

The building is to be of contemporary design with modern materials. The use of a red toned brick will be a reference to the existing building and as such, subject to seeing a sample panel, can be supported. The verticality of the details references the CSVPA which also has long slit windows and panels to the front elevation. The use of a metal roof covering will enable it to be articulated away from the listed buildings along Portugal Place. The proposed front elevation will be of greater height than the CSVPA, but not the Old Vicarage. The architects consider it to be a stepping stone between

the two and by bringing the building line forward, the new synagogue will make a contribution to the streetscene that it doesn't currently do.

The loss of the limited vegetation along the Thompsons Lane frontage is disappointing. This area is very 'hard' even with the limited groundcover and trees that currently exist. The replacement trees should be of a suitable species that will thrive in this location and make a positive statement. They should be of a good size when planted so that they have an immediate effect. If possible, more vegetation should be introduced into the scheme before construction so that there is a softening of the streetscape. The strategy and storage for the waste bins will have a positive impact on the streetscene and the conservation area.

Taking the above into account, consider that the proposal will not adversely affect the setting of the Listed Buildings in the area.

Taking the above into account, I consider that the proposal will preserve or enhance the character or appearance of the conservation area.

The proposals will comply with Local Plan policies 57 and 61.

With reference to the NPPF and the effect on the significance of the heritage asset, paragraph 190 would apply.

### 5.3 Environmental Health – No Objection

Previous memos dated 20<sup>th</sup> November 2020, 19<sup>th</sup> August 2021, 18<sup>th</sup> February 2022 and 27<sup>th</sup> October 2022 relate.

An email has been submitted from RH Partnership dated 3<sup>rd</sup> November 2022. The email advises that:

*“We are prepared to instal an external noise monitoring device at a location to be agreed opposite the Portugal Place properties. We will accept an appropriate maximum sound level for the relevant frequency bands and if these are exceeded then we will be obliged to restrict this activity - whether it is from drums or any other musical instrument or sound source.”*

*With regards to the other concerns noted, including as in-house limiters, as previously stated we would be happy for you to condition external noise levels with fixed data that we can design to at the next stage, as this will inform the specification of equipment required to meet the requirements*

Recommend an “external / third party amplification” condition which requires that all musical and sound generation equipment is connected and controlled through the in-house limiter to maintain sound levels set as per the Clarke Saunders Acoustics (CSA) “noise impact assessment” report dated 9<sup>th</sup> April 2021 (AS11989.210224.NIA.2). Only the in-house equipment / amplification / speakers etc are to be used with third party sound generation equipment strictly prohibited to protect local amenity and quality of life. Recommend the condition ensures that acoustic equipment

(e.g., acoustic drums) that are not connected to and fully controlled by the in-house limiter are not permitted.

Recommend a noise assessment / insulation condition to ensure acceptable details are submitted of the exact sound system set up including limiter and other detailed acoustic mitigation are fully installed.

A post construction completion / commissioning / testing condition is also recommended to ensure once the community facility is constructed, the noise mitigation scheme is adequately containing sound generated within the community facility (when agreed within the noise assessment / insulation condition) to protect local amenity and quality of life.

○ **Standard conditions:**

Construction hours  
Collection during construction  
Construction/demolition noise/vibration & piling  
Implementation of Remediation  
Completion Report  
Material Management Plan  
Unexpected Contamination

○ **Bespoke Conditions:**

Odour filtration  
Artificial Lighting  
Construction/demolition dust compliance  
Plant noise impact assessment  
External / third party amplification  
All doors (except for egress/ingress) and windows serving the application site shall remain closed during events and during the playing of music / amplified voice.  
No music, either amplified or acoustic, or amplified voice shall be permitted within the garden room.  
Submission of Site Investigation Strategy  
Noise assessment and insulation scheme  
Noise Assessment / Insulation Scheme Post Construction Completion, Commissioning and Testing Report  
Submission of Site Investigation Report & Remediation Strategy

**5.4 Highways Development Management – No objection**

- No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority
- Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall enter or leave the site only between the hours of 09.30hrs -15.30hrs, seven days a week.

- All the proposed hard paved areas be constructed so that their falls and levels are such that no private water from the site drains across or onto the adopted public highway.

Informative - licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway.

## **5.5 Historic England – Do not wish to offer advice**

## **5.6 Nature Conservation Projects Officer – No Objection**

The bat survey requirements identified within the PEA have been carried out and report no bats using the potential roost features. However, these surveys were undertaken in August 2019 and as such are deemed out of date due to the changing habits of bats, who may find new roosts with each new season. The recorded presence of foraging Common and Soprano Pipistrelles in and around the site further increase the potential for the bat roost status of the building to have changed. Ideally would request follow up bat emergence survey within the appropriate season to inform the application. If this is not achievable then suggest a condition requiring a resurvey of these features prior to demolition.

Note a green roof is proposed on the cycle store, this is welcomed, however, details should be secured via condition. The roof is likely to be largely shaded from the churchyard Sycamores and therefore careful species selection will be required.

Support the PRE recommendation for integrated bird and bat boxes into the new building. The number, specification and locations of these should be secured via condition or alternatively provided on a drawing for the approved documents.

Whilst the BNG baseline of the predominantly hard surfaced site is likely to be low, there are opportunities to seek a 10% BNG, including biodiverse green roof on cycle shelter and soft landscaping around the entrance and frontage to Portugal place.

Request a landscaping condition that seeks to maximise the biodiversity potential through a mix of native and non-native planting, providing year-round nectar and cover for invertebrates.

The PEA recommends a sensitive lighting scheme to avoid impacts on foraging bat species, in particular no additional lighting of the Sycamore canopies of adjacent churchyard. Details can be secured via condition.

## **5.7 Sustainability Officer – No Objection**

The scheme is targeting a BREEAM excellent rating. A range of measures have been incorporated into the design of the scheme to enhance its environment performance including:

- Use of cross laminated timber for the primary structure, which has low

embodied carbon.

- The use of air source heat pumps to help reduce the carbon emissions of the building associated with energy use, as part of an overall hierarchical approach to reducing energy and carbon emissions.
- The targeting of maximum Wat 01 credits for water efficiency, in line with the requirements of policy 28.

Recommends reusing the materials arising from the demolition of the existing synagogue, if possible, on site, to further reduce the embodied carbon associated with building materials.

Conditions

- BREEAM: Design Stage Certification
- BREEAM Post Construction Certification

### **Revised drawings**

From a sustainable design and construction perspective the most relevant amendments are:

- Relocation of rooftop plant including the proposed air source heat pumps to a basement plant room. It is important that the air source heat pumps have access to external air in order for them to operate efficiently, so the proposals for the façade to be redesigned to incorporate acoustically attenuated louvres to serve the air source heat pumps is welcomed.
- Amendments so that the building can operate 'fully sealed' with no reliance on openable windows for ventilation and cooling in order to reduce the risk of noise breakout. The reasons for this approach are noted, but it will be important that the ventilation system is designed in order that it is able to deal with extreme summer temperatures and reduce any risk of overheating in the building.

**5.8 Sustainable Drainage Officer – No Objection** The proposals have demonstrated that a suitable surface water drainage strategy for the site can be delivered. However, the applicant proposes to partly discharge surface water via infiltration and no on-site infiltration testing results have been undertaken/submitted to support this. A final surface water strategy based on the infiltration test results should be submitted and therefore the following condition is recommended.

- No development shall commence until infiltration testing has been undertaken in accordance with BRE365/CIRIA156 and a final surface water strategy based on the results of this testing has been agreed by the Local Planning Authority.

### **5.9 Tree Officer – Raises Concerns**

The proposed development comes closer to existing trees of value than the current building and is taller than existing. While in principle construction

could be possible without material damage to retained trees the combined impact of a new lift, foul drainage, foundations and level access are expected to impact materially on trees T1 and T2. If the application is otherwise acceptable and gains approval minimum dig foundation design is expected to be needed to safeguard the healthy retention of trees and this may have an impact on internal floor levels and ridge heights. It will be necessary to prepare a tree protection methodology that includes foundation design and foul drainage installation to minimise the impact on nearby trees prior to construction commencement. To this end and if the application gains approval, the following conditions are required.

- Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP materials, ground works, installation of services, erection of scaffolding and landscaping.
- Pre-commencement site meeting
- Tree protection methodology

### **5.10 Waste – No Objection**

The rules for Places of Worship are a regular set of 240 litre bins (black = general, dark blue = recycling & green = garden waste where there is a garden/ graveyard) for use on a domestic fortnightly service. This is the maximum allowed irrespective of covers/ residents etc and if more capacity is required then a commercial service is needed.

Looking at the proposed site plan the bin store is sufficient – that is all.

- The doors need to open fully against the wall – and quickly lockable open - so the large bins can be easily manoeuvred down the shallow slope to the road.
- There is no detail of the distance from bin store to road – looking at the car parking it is assumed to be less than 10m so acceptable.

## **6.0 Development Control Forum of 11 February 2021**

### **6.1 The Forum concluded:**

- A site visit would be beneficial for Planning Committee members.
- Concern regarding the loss of light into the rear of Portugal Place.
- Noted the importance of retaining the trees where possible. Advised that the term 'Winter Garden' was misleading.
- Stated the excavation of the basement should be as shallow as possible.
- Questioned if a zinc roof would be in keeping with the surrounding area.
- Noise and congregation on site including smoking on site.
- Views out of the site and into the site.
- Trees on the south of the development did cast a lot of shadow to both the site and Portugal Place. Had suggested to residents these could be trimmed back to increase the daylight. Would consider producing shadow diagrams that did not include the trees.

- Highlighted the conclusion of the daylight and sunlight report submitted with the application; overall the impact of the proposed development was small and full compliant with default BRE criteria.
- Alternative locations had not been considered as the site was well located and convenient for students; its purpose was to create a centre for the students.
- The flat roof over the cycle store would be a green roof but not on the main building. Important to preserve the trees in an urban environment.
- Rooftop plant

6.4 A copy of the minutes is attached in full at appendix A.

6.5 The scheme has been amended following the DCF. Plant is now in the basement rather than the roof and the basement has designed not to impact on the Old Vicarage .

## **7.0 Third Party Representations**

7.1 97 online representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Overdevelopment, cramped
- The proposed design is excessive in its scale and mass, particularly in terms of its larger footprint, the extended roof line to both the north and south, and the increased height by comparison with the current building.
- The current Synagogue is more domestic in appearance, and more in keeping with the adjacent properties in Thompson's Lane and Portugal Place. The size and bulk of the proposed development, especially the change from a flat single storied roof to a pitched two storey roofline - the materials (roofing sheet metal) which will create an overly industrial look, in a conservation area with predominantly brick and slate. The impact of the development (given its present proposed scale) when viewed from St Clement's churchyard, and when approaching the end of Portugal Place from Bridge Street. The historic character and setting of both the Church and Portugal Place will be detrimentally affected by the presence of a modern building of such scale, which will significantly and unsympathetically block the view between the historic Old Vicarage and Portugal Place.
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Loss of amenity and outlook to properties in Portugal Place and loss of amenity and enjoyment of outdoor spaces.
- Overpowering nature of the building is increased because the houses in Portugal Place sit lower than the Synagogue site. This effect increases as the terrace descends north-south along Portugal Place. The terrace of houses between No 29 and No 23 is on a marked slope, descending from No 29 at the north end to No 24 at the south end.

- In the amended proposal the height of building is reduced, and now follows the height of the present Synagogue. Nonetheless, the proposal considerably adds to the mass of the present building.
- Most obviously, it adds an additional storey to the elevation adjacent to Numbers 27, 26 and 25 Portugal Place.
- The design of the proposed building remains inappropriate given the location.

Those in support have raised cited the following reasons:

- This building represents the heart of the Jewish community in Cambridge, yet sadly it is not fit to function. It is outdated both in terms of size and facilities. There are also major safety concerns with the current building.

7.3 Full copies of the representations can be found on the planning file via public access on the Council's website.

## **8 Member Representations**

8.1 None

## **9 Local Groups / Petition**

9.1 Not applicable

9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

## **Assessment**

### **Principle of Development**

10.0 Within their Design and Access Statement the applicants state that Jewish student life in Cambridge has centred for many years around the traditional Orthodox Synagogue situated in Thompsons Lane, built in the 1930s and refurbished in 1989- 1990. The total Jewish student population in Cambridge is estimated by the applicants to be around 1200; three hundred of whom are registered with the Cambridge University Jewish Society (JSoc) and, of those, about two thirds are formal or informal participants in programmes and events at the Thompsons Lane Synagogue. The Cambridge Traditional Jewish Congregation (CTJC), whose members are normally resident in Cambridge, attend the Orthodox services at Thompsons Lane which are run by university students during term and residents in the vacation. Egalitarian services are held in a mix of locations, sometimes in the corridors of the existing synagogue, sometimes in colleges. The existing Synagogue is in poor condition. The proposed new building will provide improved religious facilities for the Orthodox (students and local residents) and separately accommodate the needs of the



Egalitarian Community. The new building will also provide flexible space for study meetings including interfaith dialogue and social activities for Jewish students and others from the university. The existing building will be re-provided primarily as a place of worship.

10.01 The applicants also set out that the project to renew the existing Synagogue has been in progress for 10 years and has been the subject of three Pre-applications with Cambridge City Council in 2011, 2015 and 2018, and two Public Consultations in 2018 and 2019. They state that the core ambitions of the project are to:

- Improve facilities for all of the activities the building currently accommodates
- To act as a more inclusive centre bringing both the Orthodox and Egalitarian Jewish communities together with the wider Jewish student population including Jewish students with a secular background.
- Create a building which positively contributes to the Thompsons Lane streetscape.
- Achieve a high quality building with durable materials designed to last

10.1 Policy 73 of the Local Plan 2018 states that new or enhanced community, sports or leisure facilities will be permitted if:

- a. the range, quality and accessibility of facilities are improved;
- b. there is a local need for the facilities; and
- c. the facility is in close proximity to the people it serves.

New city-wide or sub-regional community, sports or leisure facilities should also:

- d. be permitted if they are provided in sustainable locations;
- e. comply with the National Planning Policy Framework's sequential approach
- f. demonstrate the need for the proposal within the catchment area it is expected to serve;
- g. demonstrate that it would not have a negative impact upon the vitality and viability of the city centre, including its evening economy; and
- h. where possible, include in the proposal facilities which are open to the wider community, to enhance both accessibility and the range of facilities available.

This policy is applicable to existing facilities and sites last used for community, sports or leisure purposes, in order to avoid situations where these facilities are lost through demolition without any planned replacement facility.

- 10.2 With respect to policy 73, community facilities include uses in former class D1 (non-residential institutions), except university teaching accommodation. A place of worship or religious instruction; such the Synagogue would be a community facility. The use would fall under Class F1, Learning and non-residential institutions, (f), - any use not including residential use for, or in connection with, public worship or religious instruction. The policy lends positive support to the provision of the new Synagogue and community facility and criteria a-c are fulfilled. The principle of the development is acceptable and significant public benefit would arise from the proposal.

### **Context of site, design and external spaces, impact on heritage assets**

- 10.3 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 10.4 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.
- 10.5 Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it a statutory duty for a local planning authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in the exercise of its planning powers with respect to any buildings or other land within a Conservation Area, to 'Pay special attention to the desirability of preserving or enhancing the character or appearance of that area'
- 10.6 The National Planning Policy Framework 2021 clearly sets out the requirement to conserve the significance of heritage assets and emphasises that great weight should be given to this (and the more important the asset the greater that weight should be), paragraphs 195, 197 and 199. For this reason, any harm requires a clear and convincing justification. Less than substantial harm should be weighed against the public benefits of the proposal (paragraphs 200 and 202).

- 10.7 The setting of a heritage asset as outlined in Historic England's Good Practice Advice Note 3 is the surroundings in which an asset is experienced and may therefore be more extensive than its curtilage.
- 10.8 The application falls within the Historic Core Conservation Area. As well as being appropriate to the conservation area, the new building must also be sensitive to the setting of the listed building close by, the Old Vicarage, St Clement's Church and nos. 23-29 Portugal Place, and the Buildings of Local Interest on the opposite side of Thompsons Lane, nos. 32-35. This part of the city is very densely developed with the only open spaces being within the churchyard of St Clement's and the existing spaces to the front of the synagogue and the Cambridge School of Visual and Performing Arts (CSVPA).
- 10.9 The conservation area appraisal for Thompsons Lane notes that the existing synagogue is poorly defined. The building is set back from the pavement edge and there is car parking and hard landscaping in front of the main elevation which does not make a positive contribution to the street-scene.
- 10.10 The new building would be sited further forward in its plot and closer to the Thompson Lane frontage creating a sense of enclosure with the forecourt.
- 10.11 The conservation area appraisal notes the chimney stacks of the Old Vicarage as being a focal feature in the street. There are clear views of this elevation of the grade II listed building and the chimney stacks from many viewpoints along Thompsons Lane
- 10.12 The position of the proposed building respects the significance of The Old Vicarage as views of the side elevation and chimney stacks would not be blocked and would remain clearly visible and experienced from the public realm. The proposal is considered to preserve the significance of the listed building and its setting.
- 10.13 With respect to the adjacent St Clement's Church, there will be some views through into the application site from the churchyard and from Bridge Street. A group of trees in the churchyard would provide screening of the proposed new building when viewed from Bridge Street and Portugal Place and this group of trees would continue to add to the backdrop and the setting of the listed church and the impact on views would not be harmful.
- 10.14 The proposed new synagogue retains the same footprint along the rear/eastern boundary with Portugal Place, with a minor change at the south east corner, but the size of the building is being increased and moving forward towards the frontage with Thompsons Lane. The building will be higher than the existing and will have a fully articulated roof over the larger footprint.
- 10.15 The building is to be of contemporary design with modern materials. The materials proposed would be of a red toned brick for the walls and would be a reference to the existing building and the design of the new building has drawn inspiration from the existing with the use of red bricks and with the

verticality of the details references the CSVPA which also has long slit windows and panels to the front elevation. The use of a metal roof covering will enable it to be articulated away from the listed buildings along Portugal Place.

- 10.16 The front elevation of the building will be in line with the adjacent CSVPA and its orientation will relate to the existing pattern of buildings with the principal elevations parallel with the highway.
- 10.17 The proposed front elevation will not be higher than the CSVPA but would not exceed the height of The Old Vicarage. There is a mixture of building forms on this side of Thompsons Lane and the proposed replacement building would play a role in maintaining the character and rhythm of the street scene with a scaled transition and a stepping stone between these two buildings. By bringing the building line forward, the new synagogue would have a greater presence in the street and would make a contribution to the streetscene and conservation area which the existing building does not currently do, as this would be to the benefit of the visual amenities of the surrounding area.
- 10.18 It is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area or the setting of listed buildings, such as St Clement's Church. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.
- 10.19 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57 and 59 and the NPPF

## **10.20 Trees**

- 10.21 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 10.22 The application is accompanied by an Arboricultural Impact Assessment. The Council's Tree Officer has advised that the proposed development comes closer to existing trees of value than the current building and is taller than existing. While in principle construction could be possible without material damage to retained trees, the combined impact of a new lift, foul drainage, foundations and level access are expected to impact materially on trees T1 and T2. Recommends that minimum dig foundation design is expected to be needed to safeguard the healthy retention of trees and this is likely to have an impact on internal floor levels and ridge heights. It will be necessary to prepare a tree protection methodology that includes

foundation design and foul drainage installation to minimise the impact on nearby trees prior to construction commencement. Subject to conditions the proposal would accord with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71.

### **10.23 Carbon Reduction and Sustainable Design**

10.24 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

10.25 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.

10.26 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible. The scheme is targeting a BREEAM excellent rating, with the submitted BREEAM pre-assessment showing a score of 71.80%, giving a slight buffer over the minimum requirement. A range of measures have been incorporated into the design of the scheme to enhance its environment performance including:

- Use of cross laminated timber for the primary structure, which has low embodied carbon.
- The use of air source heat pumps to help reduce the carbon emissions of the building associated with energy use, as part of an overall hierarchical approach to reducing energy and carbon emissions.
- The targeting of maximum Wat 01 credits for water efficiency, in line with the requirements of policy 28.

10.27 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal subject to conditions relating to carbon reduction technologies and water efficiency. They also recommend that further consideration be given to reusing the materials arising from the demolition of the existing synagogue, if possible, on site, to further reduce the embodied carbon associated with building materials.

10.26 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

### **10.27 Biodiversity**

- 10.28 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 10.30 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal. Whilst the BNG baseline of the predominantly hard surfaced site is likely to be low, there are opportunities to seek a 10% BNG, including biodiverse green roof on the cycle shelter and soft landscaping around the entrance and frontage to Portugal place as well as integrated bird and bat boxes into the new building.
- 10.31 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered. A follow up bat emergence survey within the appropriate season and condition requiring a resurvey of these features prior to demolition will be required by condition.
- 10.32 Three trees on the application site are proposed to be removed. Planting is proposed to the front elevation of the building and two trees are indicated to be planted. A landscaping condition that seeks to maximise the biodiversity potential through a mix of native and non-native planting, providing year-round nectar and cover for invertebrates is recommended.
- 10.33 In consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

#### **10.34 Water Management and Flood Risk**

- 10.35 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 10.36 The site is in Flood Zone 1 and is therefore considered at a low risk of flooding. The applicants have submitted a Flood Risk and Drainage Strategy Report. The Council's Sustainable Drainage Engineer has advised that the proposals have demonstrated that a suitable surface water

drainage strategy for the site can be delivered. A final surface water strategy based on the infiltration test results should be submitted through a condition.

10.37 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

### **10.38 Highway Safety and Transport Impacts**

10.39 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

10.40 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.41 Access to the site would be via an existing dropped kerb and vehicular access onto the site. There are no highways safety issues.

10.42 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority who raise no objection to the proposal subject to conditions.

10.43 Subject to conditions as applicable, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

### **10.44 Cycle and Car Parking Provision**

10.45 Two parking spaces to the forecourt including one accessible parking space and Sheffield stands for cycles. A detached cycle store for 18 cycles is also proposed.

10.47 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L.

10.48 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging of at least one slow EV Charge Point for every two parking spaces in non-residential developments. A condition is recommended to secure this.

10.49 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

### **10.50 Amenity**

10.51 Policies 35 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

### **Neighbouring properties at 23-29 Portugal Place**

10.52 The proposed replacement building would be sited directly behind numbers 25-29 Portugal Place which are situated to the southeast. It would occupy a similar position in relation to the common boundary. The distance between the rear wall of the proposed building and the rear wall of the Portugal Place properties is between 3.5 and 5.6 metres (given that the rear wall of the proposed building is not parallel with the rear walls of the properties in Portugal Place). The rear gardens to these properties are separated from the application site by high brick walls and these gardens are at a lower ground level to the Synagogue

10.53 The majority of the buildings in Portugal Place, the impact of the building will be no greater than the existing on the boundary, with the increased height being within the angle of the roof which slopes away from these properties. Given the lower levels of the rear gardens and depth of these gardens, the proposed new building would not have a significant impact on these outdoor amenity areas. It would not have a detrimental impact through loss of light to rear facing windows. However, for those who currently overlook the flat roof single storey sections of the current synagogue, the increase in massing would be apparent. The footprint of the proposed building would be no nearer to the common boundary. The roof section would slope up and away from the boundary. The eaves height of the building has been kept low to mimic the existing eaves height with a roof sloping away from the boundary. Although the height has been kept low on the boundary it would still result in additional massing close to these gardens.

### **Overshadowing**

10.54 The submitted shadow study indicates for the summer solstice, in the early hours the proposal will cast shadow over the forecourt with very little shadow created by the proposal. At four in the evening existing and proposed shadowing is similar in the gardens to Portugal Place.

10.55 At the Equinoxes, both the majority of the site and the surrounding Portugal Place rear gardens will be in shadow at 8am, 12am and 4pm, a similar situation to existing. At the Winter solstice, the site and the rear gardens are in shadow. In the shorter winter evenings the site and surroundings are in darkness.

### **Loss of light**



- 10.56 The section of proposed building closest to the boundary slopes up and away from the rear boundary of the gardens in Portugal Place and presents a large stretch of roof. Given that these gardens are lower than the adjoining site with a high brick wall, the proposal would not result in any additional harm to these windows or a detrimental loss of light to first or second floor rear facing windows. Sunlight studies have been submitted which show that the basement gardens of Portugal Place will be no worse off than the existing situation in terms of daylight.
- 10.57 The daylight impact, in relation to both Vertical Sky Component and No Sky Line will be minimal and fully compliant with the BRE guidelines. The sunlight impact complies with the BRE guidelines.

#### **Loss of outlook, overbearing impact, visual amenity**

- 10.58 With regard to the properties towards the south-western end of the terrace, at 28 and 29 Portugal Place there would not be a significantly harmful impact over and above the existing building. It is considered that the dwellings at nos. 25-27 Portugal Place would be most impacted by way of loss of outlook.
- 10.59 No.27 has a basement kitchen. A second-floor bedroom used as an office/studio, has an outlook which would be affected.
- 10.60 No.26 has a first floor office, with its only window facing over the existing flat roofed section. The outlook from this window would be affected.
- 10.61 No.25 has a first floor kitchen/living room. The rear window serving the kitchen, again looks over the existing flat roof section and would be affected. The additional storey is directly adjacent and the proposal will block about half of the visible sky from this window. The properties towards the north-eastern end of the terrace at 23 and 24 Portugal Place do not directly face the proposal and the outlook from rear facing windows would not be detrimentally affected.
- 10.62 Taller elements of the new building are proposed particularly behind numbers 25 and 26 whose current outlook is over a single storey section of the building with views across towards properties in Thompsons Lane. The latest amendments to the scheme have altered the impact of this roofslope by reducing the amount of roof-space and creating a flat roofed section inset from the boundary. There is however a loss of outlook and increased enclosure to these properties which needs to be considered in the planning balance against the benefits of the scheme as a replacement community facility.

#### **Overlooking/loss of privacy**

- 10.63 There are no windows in the south facing roofslope of the proposed building. There are windows at ground floor level but owing to the intervening distance and boundary wall to Portugal Place, there would be no

overlooking. There is an external fire escape on the northern elevation of the building and there is the potential for overlooking from this elevated vantage point. This could be mitigated via a condition for screening of the fire escape.

#### **Impact on CSVPA building**

10.64 This is adjacent to the north. This building presents a brick façade towards the application site with the only openings being at ground floor level and glazed entrance. This property has a roof lantern on its flat roof. The proposed building would extend further forward but is not considered to be detrimental to the amenity of users of this building.

#### **Impact on The Old Vicarage, Thompson's Lane**

10.65 This is situated to the southwest. The proposal should not result in a detrimental degree of overshadowing of the Vicarage as this area is in shadow for much of the year. Given the articulation of the roof with the areas of flat roof in between, Officers are of the opinion that the proposal would not unduly impact on the outlook from the roof terrace of the Old Vicarage.

#### **Impact on properties opposite at 32, 33, 34 and 35 Thompsons Lane**

10.66 Given the separation between the principal elevation of these properties and the front elevation of the proposed replacement building, are not considered to be detrimentally impacted by the proposal

10.67 These properties are located to the west of the site. The daylight impact, in relation to both VSC and NSL, will be minimal and fully compliant with the BRE guidelines. The sunlight impact is minimal and complies with the BRE guidelines.

#### **10.68 Future Occupants**

##### **Inclusive access**

Lift access is provided to the first floor with level access to the main entrance.

The proposal is compliant with Cambridge Local Plan (2018) policies 56 and 57.

#### **10.69 Construction and Environmental Impacts**

10.70 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of

future occupiers. These conditions are considered reasonable and necessary to impose.

10.71 The Council's Environmental Health team have assessed the application and are satisfied that the proposal would not detrimentally harm the amenity of future occupants or adjacent residents and recommend conditions relating to the construction and operational phases in particular to the noise mitigation of any future plant and "external / third party amplification" which requires that all musical and sound generation equipment is connected and controlled through the in-house limiter to maintain sound levels. Only the in-house equipment / amplification / speakers etc are to be used with third party sound generation equipment strictly prohibited to protect local amenity and quality of life. The condition ensures that acoustic equipment (e.g., acoustic drums) that are not connected to and fully controlled by the in-house limiter are not permitted. A noise assessment / insulation condition will be attached to ensure acceptable details are submitted of the exact sound system set up including limiter and other detailed acoustic mitigation are fully installed.

A post construction completion / commissioning / testing condition is also recommended to ensure once the community facility is constructed, the noise mitigation scheme is adequately containing sound generated within the community facility (when agreed within the noise assessment / insulation condition) to protect local amenity and quality of life.

10.72 Summary

10.73 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35 and 57.

#### **10.74 Refuse and recycling Bins**

Policy 57 requires refuse and recycling to be successfully integrated into proposals. A refuse store is proposed at ground floor level with access from the side of the building. The store would accommodate 4 commercial wheeled bins. As the bin store does not directly face the kerbside, the Council's refuse crew would not be able to empty these bins on collection days. As such, the bins would need to be wheeled out to the kerbside. The internal refuse store, however, does improve the visual amenities of this part of the conservation area and the setting of the adjacent Old Vicarage.

10.76 The proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

#### **10.77 Planning Balance**

10.78 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).

- 10.79 The proposal is acceptable in principle and supported by policy 73 of the Local Plan 2018. It would provide a much needed new and improved Synagogue and community facility for the Jewish community in a highly sustainable and accessible part of the City. Significant community benefit would arise from the replacement building which must be weighed in favour of the proposal.
- 10.80 The proposal would result in the total loss of a building within the conservation area. The loss of the existing building, one which makes a neutral contribution to the conservation area, is considered to be outweighed by the benefits provided by the replacement building, which is of a higher architectural quality, which would be highly sustainable and would be targeting BREEAM Excellent standards.
- 10.81 The proposal would not harm the setting of adjacent listed buildings and would preserve/enhance the Historic Core conservation area.
- 10.81 The proposal would introduce additional massing and provide additional enclosure to existing properties and their outlook along Portugal Place towards the new building, most notably and significantly nos. 25, 26 and 27 but also to a lesser extent those properties adjacent. Properties along Portugal Place and which face the site are tightly constrained, with small gardens and they exhibit a change in levels. These factors have led to numerous objections to the scheme and throughout the course of the application the applicants have sought to attempt to reduce the impact of the scheme on neighbouring amenity through revisions whilst also providing a meaningful new Synagogue and community facility. The harm which would arise to the amenity of the occupants of Portugal Place properties needs to be balanced against the wider community benefits that would arise from the scheme. The judgement for members should include a careful consideration of the design and the tight and constrained context of the site.
- 10.82 For officers, having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

### **10.83 Recommendation**

10.84 **Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

### **11.0 Planning Conditions**

- 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 91 of the Town and Country Planning Act 1990 (as amended by 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 No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) the statement of significance and research objectives;
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development. (Cambridge Local Plan 2018 Policy 61.

- 4 No development shall commence until infiltration testing has been undertaken in accordance with BRE365/CIRIA156 and a final surface water strategy based on the results of this testing has been submitted to and agreed by the Local Planning Authority.

The scheme shall be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

Reason: To ensure appropriate surface water drainage and to prevent the increased risk of flooding. (Cambridge Local Plan 2018 policies 31 and 32).

- 5 Prior to commencement 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.

Prior to site clearance a pre-commencement site meeting shall be held and attended by the site manager and the arboricultural consultant to discuss details of the approved AMS. A record of this meeting shall be provided to the Council for approval.

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 section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 6 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 section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 7 No demolition/development shall commence until follow-up dusk emergence / dawn re-entry surveys have been undertaken. This should be done during May - September (inclusive) to determine whether bats are roosting and, should this be the case, a mitigation strategy as appropriate based on the results of the survey shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with these approved details.

Reason: To ensure that before any demolition/development commences appropriate surveys are undertaken to prevent injury or death to bats which may roost on the site (Cambridge Local Plan 2018 policy 70).

- 8 Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, a site investigation strategy based on the information identified in the Phase 1 Desk Study Report (Ground Engineering, ref: C14919, dated November 2020) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety (Cambridge Local Plan 2018 policy 33).

- 9 Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 8, the following shall be submitted to and approved in writing by the Local Planning Authority:

- (a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors
- (b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety (Cambridge Local Plan 2018 policy 33).

- 10 The development (or each phase of the development where phased) shall not be occupied until the approved Phase 3 Remediation Strategy has been implemented in full.

Reason: To ensure that any contamination of the site is effectively remediated in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

- 11 The development (or each phase of the development where phased) shall not be occupied until a Phase 4 Verification/Validation Report demonstrating full compliance with the approved Phase 3 Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

- 12 If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination.

The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

- 13 No development (including any site clearance/preparation works) shall be carried out until a Site Waste Management Plan has been submitted to the Local Planning Authority for approval in writing.

The plan shall include the following matters: -

- (a) Waste management and disposal and material re use;
  - (b) anticipated nature and volumes of waste
  - (c) measure to ensure the maximisation of the reuse of waste
  - (d) measures to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.
  - (e) any other steps to ensure the minimisation of waste during construction
  - (f) the location and timing of provision of facilities pursuant to criteria b/c/d
  - (g) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.
- and,
- (h) Materials storage; and hazardous material storage and removal.



The development shall be carried out in accordance with the approved details

Reason: To ensure that building waste is minimised. (Cambridge Local Plan 2018 Policy 33).

- 14 No material for the development (or phase of) shall be imported or reused until a Materials Management Plan (MMP) has been submitted to and approved in writing by the Local Planning Authority. The MMP shall include:
- a) details of the volumes and types of material proposed to be imported or reused on site
  - b) details of the proposed source(s) of the imported or reused material
  - c) details of the chemical testing for ALL material to be undertaken before placement onto the site.
  - d) results of the chemical testing which must show the material is suitable for use on the development
  - e) confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved MMP.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety. (Cambridge Local Plan 2018 Policy 33).

- 15 No development (including demolition, enabling works or piling shall commence until a demolition/construction noise and vibration impact assessment associated with the development, has been submitted to and approved in writing by the local planning authority. The assessment shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration on construction and open sites and include details of any piling and mitigation/monitoring measures to be taken to protect local residents from noise or vibration. The development shall be carried out in accordance with the approved measures.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

- 16 Before the use hereby permitted is commenced a noise insulation scheme post construction completion, commissioning and testing report to include scheme sound performance testing and monitoring, shall be submitted to and approved in writing by the local planning authority.

The post construction completion, commissioning and testing report shall demonstrate compliance with the Noise Assessment / Insulation Scheme (as approved / required by condition 14) and shall include airborne and structural acoustic / sound insulation and attenuation performance

standard certification / reports for scheme elements, the consideration and checking of the standard and quality control of workmanship and detailing of the sound insulation scheme and any other noise control measures as approved. Full noise insulation scheme sound performance testing and monitoring including noise limiting control / limiter device level setting to the satisfaction of the LPA will be required.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

- 17 No development above ground level shall commence until a scheme detailing plant, equipment or machinery for the purposes of extraction, filtration and abatement of odours and to discharge at an appropriate outlet height / level has been submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the use is commenced and shall be retained as such.

Reason: To protect the amenity of nearby properties. (Cambridge Local Plan 2018 policy 36).

- 18 No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority.

The principal areas of concern that should be addressed are:

- i) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- ii) Contractor parking, with all such parking to be within the curtilage of the site where possible
- iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible.)
- iv) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that before development commences, highway safety will be maintained during the course of development. (Cambridge Local Plan 2018 Policy 81).

- 19 There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

- 20 No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

- 21 Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall enter or leave the site only between the hours of 09.30 hours -15.30 hours and 09.30 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: for the safe and effective operation of the highway (Cambridge Local Plan 2018, Policy 81)

- 22 No operational plant, machinery or equipment shall be installed until a noise insulation/mitigation scheme as required has been submitted to and approved in writing by the local planning authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.

The combined rating level of sound emitted from all fixed plant and/or machinery associated with the development at the use hereby approved shall not exceed the rating level limits specified within the Clarke Saunders Acoustics "noise impact assessment" report dated 9th April 2021 (AS11989.210224.NIA.2).

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

- 23 Prior to any superstructure works commencing on site for the application hereby approved, a noise impact assessment of the use on neighbouring premises (to include existing residential premises in the area and the proposed habitable rooms of the development itself) and a noise insulation scheme or other noise control measures as appropriate, in order to minimise the level of noise emanating from the application site and associated internal spaces having regard to but not exhaustively the following shall be submitted in writing for approval by the Local Planning Authority :

- o Nature / type of uses and events to be held;

- o Sound system setup with in-house fixed sound system incorporating noise limiting control / device set to the satisfaction of the Local Planning Authority;
- o Noise egress, airborne, structural and flanking sound via building structural elements;
- o Building fabric, glazing, openings and ventilation systems acoustic performance;
- o Adequate alternative ventilation should be provided to ensure external doors and windows remain closed.
- o Premises entrances / exits and any associated external spaces and patron noise;

The noise insulation / mitigation scheme as approved shall be fully constructed and implemented before the application site uses hereby permitted are commenced and shall be retained thereafter.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

- 24 The dust mitigation and monitoring methodology as specified within the Construction Planning Associates "construction management strategy" document dated June 2021 (C626 Cambridge JSC CMS v3.doc, issue 3) shall be fully implemented.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers (Cambridge Local Plan 2018 policy 36).

- 25 All doors (except for egress/ingress) and windows serving the application site shall remain closed during events and during the playing of music / amplified voice.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policy 35)

- 26 No music, either amplified or acoustic, or amplified voice shall be permitted within the garden room.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policy 35)

- 27 All musical and sound generation equipment used within the application site shall be connected to and played and channelled through the in-house limited amplification / fixed sound system. The use of any external third party independent amplification / sound systems is strictly prohibited.

The use of unamplified / acoustic musical equipment and independent amplification / sound systems that are not connected to and fully played and channelled through / controlled by the in-house limited amplification /

fixed sound system is prohibited or not permitted within the application site.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2018 Policy 35)

- 28 Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01/20 (or as superseded).

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.

Reason: To minimise the effects of light pollution on the surrounding area (Cambridge Local Plan 2018 policy 34)

- 29 Prior to occupation a "lighting design strategy for biodiversity" features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall: a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

No additional lighting of the Sycamore canopies of adjacent churchyard.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To minimise disturbance, harm or potential impact upon protected species in accordance with Policy 70 of the Cambridge Local Plan 2018 and their protection under the Wildlife and Countryside Act 1981.

- 30 No development above ground level shall commence until a scheme for the provision of integrated bird and bat boxes into the new building has been submitted to and approved in writing by the Local Planning

Authority. The scheme shall include details of box numbers, specification and their location. The development shall not be occupied until the boxes have been provided installed in accordance with the approved scheme.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

31 Notwithstanding the approved plans, the flat roof of the cycle store hereby approved shall be a green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:

- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.
- b) With suitable access for maintenance.

The green biodiverse roof(s) shall be implemented in full prior to the use of the development hereby approved and shall be maintained in accordance with the Green Roof Organisation's (GRO) Green Roof Code (2021) or successor documents, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: [green-roofs.co.uk](http://green-roofs.co.uk)

32 Prior to commencement of the erection of the new Synagogue, details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) 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;

b) 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; to maximise the biodiversity potential through a mix of native and non-native planting, providing year round nectar and cover for invertebrates.

c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.

d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

All hard and soft landscape works shall be carried out and maintained in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).

- 33 Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour, type of jointing shall be agreed in writing with the Local Planning Authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2018 policies 57 and 61)

- 34 No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the Local Planning Authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policies 57 and 61)

- 35 No hardstanding shall be constructed until full details of the type and source of pavers have been submitted to the Local Planning Authority as samples and approved in writing. Hardstanding shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

- 36 All proposed hard paved areas shall be constructed so that their falls and levels are such that no private water from the site drains across or onto the adopted public highway.

Reason: for the safe and effective operation of the highway. (Cambridge Local Plan 2018, policy 81)

- 37 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, with maximum credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted identifying how the shortfall will be addressed. 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 (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 38 Prior to the use or occupation of the development hereby approved, 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 (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 39 Prior to occupation, one slow EV Charge Point shall be provided on site and fully installed and operational. The charging point shall be 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 (NPPF 2021) paragraphs 107, 112, 174 and 186, Policies 36 and 82 of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).



## Informatives

- 1 A brief for the recommended programme of archaeological works is available from this office upon request.  
Historic Environment Team, SAC1301  
Place and Economy  
Sackville House, Sackville Way  
Cambourne, Cambridge, CB23 6HL  
01223 728564  
[ArchaeologyDC@cambridgeshire.gov](mailto:ArchaeologyDC@cambridgeshire.gov) .

Partial discharge of the archaeological condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI

- 2 All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).
- 3 Before the existing property is demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.
- 4 The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. A separate permission must be sought from the Highway Authority for such works.
- 5 To satisfy and discharge Environmental Health conditions relating to artificial lighting, contaminated land, noise / sound, air quality and odours / fumes, any assessment and mitigation shall be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction SPD, (Adopted January 2020) <https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-and-construction-spd> and in particular section 3.6 - Pollution and the following associated appendices:
  - o 6: Requirements for Specific Lighting Schemes
  - o 7: The Development of Potentially Contaminated Sites in Cambridge and South Cambridgeshire: A Developers Guide
  - o 8: Further technical guidance related to noise pollution

## Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

**DEVELOPMENT CONTROL FORUM**11 February 2021  
10.00 am - 1.22 pm**Present****Planning Committee Members:** Councillors Baigent, Green, Page-Croft, Porrer, Thornburrow and Tunnacliffe

Councillor Martinelli (Ward Councillor)

**Officers:**

Area 3 Development Manager: Lorraine Casey

Senior Planner Officer: Saffron Loasby

Committee Manager: Claire Tunnicliffe

Meeting Producer: Liam Martin.

**For Applicant:**

R H Partnership Architects: David Ward

Loftus Family Property: Richard Loftus

CRU: Robert Perlman

Lawrence Heller

**For Petitioners:**

Resident of The Old Vicarage

2 residents of Portugal Place

**FOR THE INFORMATION OF THE COUNCIL****21/3/DCF Declarations of Interest**

Councillor Baigent: Personal, Cambridge Cycle Campaign.

**21/4/DCF Application and Petition Details (20/04261/FUL / Jewish Synagogue 3 Thompsons Lane Cambridge CB5 8AQ)**

Application and Petition Details (20/04261/FUL / Jewish Synagogue 3 Thompsons Lane Cambridge CB5 8AQ)

Application No: 20/04261/FUL

Site Address: Jewish Synagogue 3 Thompsons Lane Cambridge CB5 8AQ

Description: Demolition of existing Synagogue and Jewish Community facility and erection of a new Synagogue and Jewish Community facility

including replacement parking spaces and new cycle storage and associated works

Applicant: The Trustees Agent: David Ward, R H Partnership Address: 94 Chesterton Road Cambridge CB4 1ER

Lead Petitioner: Resident of Thompson's Lane

Case Officer: Saffron Loasby

Text of Petition:

We the undersigned petition the council to Establish a Development Control Forum in respect of planning application 20/04261/FUL Residents support application 20/04261/FUL (redevelopment of synagogue), but petition for a Development Control Forum to discuss concerns & remedies.

Background noise level doubled in violation of pre-planning stipulations and Council Policies. Moreover, at time of measurements made by out-of-date acoustic report, there existed a disputed source of other noise pollution, thus background noise level unrepresentative of quieter current situation. Proposed Remedy - acoustic report be updated; with current designs; background noise levels re-measured excluding disputed neighbouring restaurant disturbance; noise estimates at bedroom heights.

Noisy, unshielded, roof-mounted mechanical equipment planned near neighbouring bedroom windows in grade II listed residential dwellings. 3 large units < 10 metres from Portugal Place & The Old Vicarage bedrooms, at same height with no acoustic screening. Sound power levels estimated up to 86 dBA, comparable to power lawn mower. Proposed Remedy - propose deletion of roof-mounted equipment; noisy plant confined to interior.

Consider making planning consent subject to following conditions:

1 – CUJS enter into Undertaking to operate the facility in a manner befitting more intensive use:

- Single point of contact be established, with formal role in governance; local community access to accountable parties with authority to address concerns;
- Suitable signage urging visitors to respect local residents when entering and leaving;
- Noiseless gates, secured against wind, kept in this condition;
- Overnight stay of people not permitted.

2 – 'Winter Garden' Roof Terrace with retractable roof, directly overlooks neighbours' bedrooms. Roof only allowed to be open from 10:00 to 21:00, no music to be played in the winter garden at any time when roof open, nor other

noisy activities e.g. film night, but excluding religious observances requiring opening of roof. Employ frosted glass all sides.

3 – Proposal impacts rights of way of The Old Vicarage, and compromise has been negotiated. However, access to eastern boundary wall blocked by proposed security fence. CUJS to enter into undertaking to allow access to eastern boundary for purposes outlined in pre-existing Deed, on basis not more restrictive than that to date.

4 – Smokers may congregate outside the proposed gate which is directly by main entrance to The Old Vicarage, or to the east of the building but adjacent to windows of Portugal Place. Smoking not to be allowed in vicinity of neighbouring properties nor in Roof Terrace.

5 – Proposed modifications to Construction Management Strategy regarding:

- Standard working hours in section 2.2 are Mon to Thu 8am to 6pm, inconsistency with section 3.9 (Mon to Fri);
- Dust assessment summary in section 4.1 incorrectly noted as low/negligible, based on erroneous Appendix D. Sensitivity of people to dust soiling effects assessed High, sensitivity of people to health effects of PM10 assessed High;
- Propose relocation of site welfare unit, or additional provision of impermeable barrier, or relocation of toilet & shower facilities for consistency with tree survey recommendations
- Propose monitoring of ground water levels;
- Propose reference party wall awards & neighbours' rights;
- Residents sandwiched between the contemporaneous Car Park work-site & proposed site, suffering superimposition of noise & dust, requiring additional monitoring. All local residents will suffer road disruption at both ends of only vehicular entrances to area, requiring additional coordination.

6 – Fire risk assessment to be carried out and fire suppression equipment installed.

7 - Trees T001&2&4 pose risk to life and property. 4&5 have suffered recent trauma with council consent, but further cropping proposed of canopy (5) and roots (4&5). No trees are within site boundary, belong to neighbours; convince neighbours that the proposed tree damage is within risk tolerance.

### **Case by Applicant's Agent**

David Ward (R H Partnership Architects, Director) made the following points:

- i. Provided a summary of the application.

- The site catered for 1200 religious and non-religious students.
  - The building was used seven days a week from early morning to late night.
  - As well as a religious function there was also a social and cultural purpose; Friday nights were the most popular where up to 100 students would meet.
  - Built in 1937, the building sat in a conservation area but was not listed and was currently a single storey with a pitched roof.
  - The building did no longer meet the use of the community.
  - The proposal was to demolish the building and replace with a two-storey building, moving the front of the building closer to Thompson Lane.
  - The front elevation would be of brick and the roof zinc.
  - The three major elements would be the synagogue, the community space and kitchen. The community space and synagogue would have a moveable wall to meet the requirements
  - The building occupied the rear of the site closest to Portugal Place.
  - Access into the Old Vicarage (Thompson Lane) with a parking space for the Old Vicarage. The application site included this parking space, this space was preserved.
  - A basement would be accessed from the social space.
- ii. Around the site was Wyng Gardens, Portugal Place, St Clements Church, the Old Vicarage, with the Cambridge School of Visual Arts sitting on the northern edge of the site.
- iii. Properties on Portugal Place overlooked the rear of the site where the views of the synagogue were described as not noticeable' as from Bridge Street and the Cemetery, hidden by trees.
- iv. The Old Vicarage sat on the southern boundary of the site and acknowledged that long views of the Old Vicarage needed to be preserved.
- v. Two public consultation meetings had been held with residents (2018 and 2019) and two zoom meetings since the application had been submitted.
- vi. Response to the issues raised in the petition were as follows (a- m):
- a) Background noise:
- The windows to the proposed building would not have to be opened due to the design and ventilation of the building.
  - The plant ventilation of the plant would not run at night.

- Exploring the option of moving the roof mounted plant to the basement at the front of the building. This would supply heat to the building through floor trenches.
  - The ventilation would be supplied by the mechanical heat recovery ventilation units which would be placed around the building taking the air in. This would be circulated throughout the building, extracted to the outside and recover the heat until the air was exhausted.
  - Ducts up from the basement below would fix to the louvers on the elevations.
  - The MVHR units would be connected to grills in the external walls, these grills would not be placed on the elevation facing Portugal Place.
  - The plant was still in the development but assumed 4m floor to floor in the basement.
  - Was currently in discussion with acoustic engineers to ensure the louvers were within the set noise limits.
- b) Single Point of Contact:
- This will be established
- c) Signage:
- Signage would be placed around the building to remind students to be respectful of their neighbours when leaving the building.
- d) Noiseless gates
- To be secured against wind.
- e) Overnight stay of people.
- Would not be permitted.
- f) Winter Garden:
- Roof only allowed to be open from 10:00 to 21:00.
  - No music would be played at any time when roof open, nor other noisy activities.
  - Frosted glass to be used around all sides.
  - Investigating the possibility of changing the roof from glass to solid roof with opening roof lights.
- g) Right of Way of the Old Vicarage:
- This would be retained.
- h) Smoking on site:
- No smoking on site could be permitted.
- i) Construction Management Strategy

- Required further consideration but had submitted information to planning officers for review.
  - j) Trees:
    - Agreed that trees around the site should remain in good health. An arboricultural impact assessment had been submitted for review.
  - k) Party Wall:
    - Agreed there needed to be a party wall agreement.
  - l) Car Park Work:
    - Could not advise when the work would be undertaken.
  - m) Fire Risk Assessment:
    - This could be undertaken.
- vii. In summary the applicant agreed on the following issues raised by the petitioner:
- The use of the winter garden
  - Right of way
  - Party Wall and Trees
  - When programmes of work were established on the car park works and synagogue development further discussion would be undertaken with residents.
- viii. Wished to continue the good working relationship with residents and welcomed feedback and support from the planning authority.

### **Case by Petitioners**

- i. Petitioners were in support of development subject to further changes that it was hoped would be addressed.
- ii. The site was surrounded by grade II listed buildings, one of which was the oldest churches in Cambridge and another, the oldest timber framed building in Cambridge, with period properties along Portugal Place.
- iii. Through continued engagement with the applicant the one hundred concerns presented over the last two years had been addressed with only a handful outstanding. Some of which had been addressed in the applicant's presentation.
- iv. The three major issues of concern were:
  - a) Background noise
    - The acoustic report had been based on an outdated design, there had been no night-time attenuation of noise.
    - The noisiest plant would have been 10m from bedrooms on Portugal Place and The Old Vicarage.
    - Requested an updated acoustic report based on the latest design which should also include the placement of the louvres.



- Proposed a new background measurement at new receptor locations. The new development should not exceed the newly measured background.
  - Consider glazing design around the winter garden.
  - Welcomed the applicant's comments that the roof mounted plant would be relocated to the basement.
  - Recommended the plant should be placed at the north west corner of the footprint, elongated east west away from the foundations of the Old Vicarage.
- b) Height, bulk, and massing.
- Pleased to note the street scape had been preserved in front of the development, the chimney stacks of the Old Vicarage and St John's Chapel.
  - Would lose 4 of 6 north-facing locations at the Old Vicarage due to the building brought forward but this was a reasonable compromise.
  - Those in Portugal Place would now have a two-storey building prior to the original single storey which would have more of an impact on residents.
  - No's 29-23 Portugal Place were owner occupied
  - Ask for updated drawings and visuals regarding the update on views from all window levels using professional photos.
  - Would like the applicant to repair and reinforce the boundary wall with Portugal Place.
  - Requested the applicant to consider the following:
    - Further lowering eastern roofline.
    - Elimination of flat roof now roof mounded equipment has been deleted and have a bevelled edge.
    - Consider elimination of some first-floor volumes, e.g. north-east egalitarian Worship/ quiet study area.
    - Alternative roof materials facing Portugal Place. The zinc roof would obscure a large amount of the views from Portugal Place looking out to Thompson Lane.
    - Consider elimination of some first-floor volumes, e.g. north-east egalitarian Worship/ quiet study area.
  - Reminded the Forum of the 1977 planning application; the scheme was rejected on the basis that the proposed replacement was detrimental to the visual amenities of this part of the conservation area.
- c) Proposed planning conditions which required written confirmation from the applicant.

- Single point of contact to be established as it was difficult for neighbours to contact the current governance structure.
- Suitable signage to ensure the noise levels were kept down when entering, leaving, and loitering around the site.
- Noiseless gates to be kept as a condition.
- Overnight stay of people not permitted.
- Access to eastern boundary for purposes outlined in pre-existing Deed is permitted. The right of way was not in dispute, but it would not be taken away by the erection of the proposed gate.
- Planning condition was to be applied to the winter garden. Roof only allowed to be opened from 10.00 to 21.00. No music to be played at any time when the roof is opened or other noisy activities excluding religious observances requiring opening of the roof. Frosted Glass is used on all sides with suitable acoustic properties.
- Planning condition for smoking not to be allowed in the vicinity of neighbouring properties or on the roof terrace.
- Construction Management Planning to be updated and kept evergreen between the Council, the applicant, and residents.  
Proposed modifications to the following:
  - Standard working hours in section 2.2 were Mon to Thu 8am to 6pm, inconsistency with section 3.9 (Mon to Fri)
  - Dust assessment summary in section 4.1 incorrectly noted as low/negligible, based on erroneous Appendix D. Sensitivity of people to dust soiling effects assessed High, sensitivity of people to health effects of PM10 assessed High
  - Proposed relocation of site welfare unit, or additional provision of impermeable barrier, or relocation of toilet & shower facilities for consistency with tree survey recommendations
  - Propose monitoring of ground water levels
  - Propose reference party wall awards & neighbours' rights
  - Residents sandwiched between the contemporaneous Car Park worksite & proposed site, suffering superimposition of noise & dust, requiring additional monitoring. All residents would suffer road disruption at both ends of only vehicular entrances to area, requiring additional coordination between the council and 2 developers

- Fire risk assessment to be carried out before the application was considered. However, if this was not possible it should be made clear this should be subject to a successful risk assessment showing there was no incremental risk to the Old Vicarage.
- Requested a response from the Tree Officer on the works to be undertaken to the trees and consider balanced cropping of canopy to reduce the risk of becoming over heavy on one site. This should be stipulated as a planning condition.

### **Case Officer's Comments**

- i. Application received 16 October 2020 with neighbours notified of the application on 2 November and site notice advertising the application placed on 13 November.
- ii. Representation had been received from 9 residents and Maudling College. The main objections were:
  - Over development.
  - Principle Development: Would harm the conservation area, neighbouring listed buildings and amenities.
  - Character design and appearance: The development was out of scale with its immediate neighbours, too high and overbearing.
  - Impact of residential amenities: Overbearing in terms of mass to those occupants living in Portugal Place and the Old Vicarage.
  - Loss of privacy and overshadowing.
  - Would lead to an increase in noise disturbance and light pollution to neighbouring residents.
  - Highway issues: Based on the complexity of the construction of the car park site. The impact of the construction on neighbouring occupiers and the effect of the potential road closures would have on the surrounding areas.
  - The impact the development would have on the neighbouring trees inside and outside of the site:
- iii. The following policy consultations had been received:
  - Local Highways Authority: supported the application subject to the condition for a separate traffic management plan; advised against surface water runoff into the highway and weight limitation on the road and surrounding network.
  - Environmental Heath: Requested further information on plant machinery and equipment, noise assessments, artificial lighting, installation, noise pollution and site investigation strategy. There

were ongoing discussions on what can and could not be conditioned.

- Sustainability Officer: Supported the application subject to receiving additional information on the proposed heat pumps, water efficiency and the roof plan details.
- Drainage Officer: Supported the application subject to a condition regarding infiltration testing.
- Conservation Officer: Supported the application subject to the conditions regarding sample and materials and required further information on the roof design. The impact on the Old vicarage was acceptable with views of the chimney stack retained. The new synagogue would make an improved contribution to the street scene.

iv. Waiting comments from the following consultees:

- Urban Design Team.
- Ecology Department.

### **Ward Councillor Comments.**

- i. Congratulated the residents on their work liaising with the applicant / agent; the application had been improved over the last few months in response to comments made.
- ii. Welcomed the development but there were outstanding issues which needed to be addressed which were:
  - A single point of contact responsible for the day to day running of the Synagogue who would be able to respond to residents when required.
  - Preservation of the views particularly the Old Vicarage on Thompson Lane.
  - Further discussion was required regarding the loss of views concerning the listed buildings on Portugal Place; professional photos were required.
  - Welcomed the relocation of the SLC pumps being moved but further information was required.
  - Reduction in roof height and bulk of the proposed building was necessary.
- iii. Noted a few developments had been proposed for the surrounding area and it would be beneficial to align all the works to minimise disruption to residents.

### **Members Questions and Comments**

- i. Stressed the importance of keeping the dialogue open between residents and the applicant / agent; thanked the applicant / agent for their continued consultation and willingness to listen to resident's proposals.
- ii. Congratulated the petitioner's level of detail regarding their petition.
- iii. Stated a site visit would be beneficial for Planning Committee members.
- iv. Expressed concern regarding the loss of light into the rear of Portugal Place.
- v. Noted the importance of retaining the trees where possible.
- vi. Requested further information on sustainable drainage due to the amount of open space that would reduce on the site.
- vii. Advised that the term 'Winter Garden' was misleading.
- viii. Questioned how the plants on the first floor would be maintained.
- ix. Stated the excavation of the basement should be as shallow as possible.
- x. Suggested a possible swap with Cambridge University to relocate to the existing building in return for land outside of the city centre where an all-purpose building could be housed; or sell the site to fund a build elsewhere.
- xi. Welcomed the sustainability that had been proposed by the applicant.
- xii. Questioned if a zinc roof would be in keeping with the surrounding area.
- xiii. Would hope that verified views and overshadowing diagrams would be produced for the Planning Committee to consider what, if any impact, the proposed development would have on the neighbouring properties.
- xiv. Queried if a second acoustic assessment would be undertaken for the new heat pumps.
- xv. Asked if the Case Officer could advise which conditions were considered possible to the application.
- xvi. Believed there was opportunity to reduce conflict for the following issues, however important to recognise that not all requests could be done under planning conditions:
  - Consider how much of the trees should be cut back to let in light but was also important to retain privacy.
  - Noise and congregation on site including smoking on site.
  - Views out of the site and into the site.
- xvii. Enquired why car parking was necessary on site.
- xviii. Sought clarification on who undertook the daylight and sunlight survey.

**In response the Applicant /Agent said the following:**

- i. It was important to ensure the large trees which were off site would not be compromised by the development.
- ii. Trees on the south of the development did cast a lot of shadow to both the site and Portugal Place. Had suggested to residents these could be trimmed back to increase the daylight.
- iii. Would consider producing shadow diagrams that did not include the trees.
- iv. Highlighted the conclusion of the daylight and sunlight report submitted with the application; overall the impact of the proposed development was small and full compliant with default BRE criteria.
- v. Alternative locations had not been considered as the site was well located and convenient for students; its purpose was to create a centre for the students.
- vi. The proposal was to keep the current three car parking spaces, one was a mobility space, the other for deliveries and the third belonged to the Old Vicarage. The removal of the spaces had not been considered.
- vii. The daylight and sunlight survey had been carried out by a specialist company; the slides were not included as the presentation had responded to the issues highlighted in the petition.
- viii. Advised that updates would be submitted on daylight and sunlight report, acoustic and tree reports.
- ix. The flat roof over the cycle store would be a green roof but not on the main building. The removal of the roof plant could now offer an opportunity for a brown or blue roof.

**The Petitioners said the following:**

- i. Members of the Planning Committee would be welcome to visit properties on Portugal Place to look at all aspects of the site. Significant to note that Portugal Place was not flat so each property would have a different view.
- ii. Important to preserve the trees in an urban environment.
- iii. The daylight and sunlight report suggested the biggest obstruction to the daylight (particularly for Portugal Place) was the bulk of the trees rather than the building itself; therefore, pruning of the trees on both sides would be beneficial.
  - Recent work had taken place on two of the trees undertaken by the City Council so had experienced “recent trauma”.
- iv. Had never suggested that the site should be relocated but that the building line should be set further back from the street, however, this was not possible.

- v. The Old Vicarage car parking space on the site was historical and provided vehicle and pedestrian access to the rear of the Old Vicarage.

The Chair noted the request for a site visit and would take this forward and agreed it would be beneficial for members of the Planning Committee to visit the gardens on Portugal Place.

After Member questions had taken place the Chair recommended the Forum hold a discussion around the proposed conditions as put forward by the petitioners:

- a) Single point of contact for residents.
- The Chair suggested this could be outlined as a condition in a management plan as part of the planning permission.
  - The agent advised that this was being drafted but the applicant needed to confirm
  - The Petitioner advised that there was an issue with the legal status and was unable to find a counterpart to sign the undertaking, hence why this should remain as a planning condition.
  - Bin store to be installed but should be included in the management plan.
- b) Old Vicarage Access.
- Cambridge University Jewish Society enter the undertaking with the Old Vicarage to allow access to eastern boundary for purposes outlined in pre-existing deed, on a basis not more restrictive than to date.
    - The Chair advised that this fell outside the remit of what could be secured within planning conditions as it related to a legal right of access within a non-planning deed. This would need to be resolved outside the planning process.
- c) Winter Garden Rood Terrace.
- Roof only allowed to be open from 10:00 to 21:00.
  - No music to be played at any time when roof open not other noisy activities excluding opening of roof.
  - Employ frosted glass on all sides with suitable acoustic properties.
    - The agent advised there was no objection to the conditions proposed and would be in the application document.
    - The Planning Officer would review the comments made by the Environmental Health Officers in relation to the winter garden.
    - The Chair advised that these were not unusual proposals and could be secured by planning condition.
- d) Smoking.

- Not be allowed in vicinity of neighbouring properties or on the roof terrace.
  - The applicant was supportive of a non-smoking policy and could impose the policy on site but could not stop smoking in a public place such as on the street.
  - The Chair confirmed that it was not within the planning remit to stop smoking in the vicinity of neighbouring properties. Suggested there could be a commitment to manage the smoking outside of the site in the management plan.
  - A comment was made that if there was not a designated smoking area this could push those individuals who smoked to go out to the surrounding streets.
- e) Construction Management Strategy.:
  - Standard working hours in section 2.2 are Mon to Thu 8am to 6pm, inconsistency with section 3.9 (Mon to Fri)
  - Dust assessment summary in section 4.1 incorrectly noted as low/negligible, based on erroneous Appendix D. Sensitivity of people to dust soiling effects assessed High, sensitivity of people to health effects of PM10 assessed High.
  - Propose relocation of site welfare unit, or additional provision of impermeable barrier, or relocation of toilet & shower facilities for consistency with tree survey recommendations
  - Propose monitoring of ground water levels
  - Propose reference party wall awards & neighbours' rights
  - Residents sandwiched between the contemporaneous Car Park worksite & proposed site, suffering superimposition of noise & dust, requiring additional monitoring. All local residents will suffer road disruption at both ends of only vehicular entrances to area, requiring additional coordination between the council and 2 developers
    - The Chair advised that piling was a standard condition when a basement was involved in the construction work. The inconsistency in hours would be investigated. Party wall agreements would not be covered within the management strategy but could be dealt with by informative.
    - The applicant confirmed the new construction management plan reference the construction of the basement.
- f) Fire Risk Assessment.
  - The Chair advised that this would be a building control matter and not covered by planning condition but as an informative that a fire risk assessment should be undertaken.
- g) Trees.
  - Council Consultee responsible for trees to respond.



- Consider balanced cropping of canopy to reduce risk of becoming over-heavy on one side.
- Stipulate as Planning Condition.
  - The agent confirmed an arboricultural impact assessment had been submitted which concluded 'there were no overt or overwhelming arboricultural constraints that could be reasonably sighted to preclude the proposed construction'.
  - It was suggested the impact assessment should be looked at by the Tree Officer to determine what impact the proposed development would have on the trees. If the trees were protected the applicant would have a responsibility to the trees even if they were on neighbouring land.
  - The agent suggested that there was a tree preservation order on the trees, the Council would have the power to serve notice on the owners to trim them and / or carry out maintenance to preserve them.
  - The Chair advised that the Tree Officer was yet to respond to the proposed application, but the issues raised would be passed on for their information.
  - The petitioner reported the Tree Officer had confirmed Trees 1,2,3 and 4 were the Council's responsibility as they were in the historic churchyard; the Council had accepted responsibility of maintaining the land. Tree 5 belonged to Homerton College.

### **Summing up by the Applicant's Agent**

- i. Welcomed the meeting and discussion around the proposed development.
- ii. Would continue the good working relationship with the petitioners and residents.
- iii. Acknowledged further work was required on the proposed application, but this was already being looked at. This included the movement of the roof plant to the basement and the views from Portugal Place.
- iv. Most of the issues outstanding were capable of resolution but some of the issues raised were for the planning officers and planning committee to consider.

### **Summing up by the Petitioners**

- i. Felt an alignment with the developer had been achieved on background roof mounted equipment in the process to the Development Control Forum; agreed with the agent that resubmitted plans should be submitted rather than restarting the application process.

- ii. Agreed to the development of the basement but should not disrupt neighbouring foundations; would like further discussion on what proposals would be done to monitor the situation.
- iii. Further discussion was required with the agent / applicant on the height, bulk, and massing issue.
- iv. Welcomed the discussion on the suggested planning conditions and anticipated there be would proposals brought forward as recommended by the Case Officer.
- v. Welcomed additional discussion on the scale up of the building and the proportions within the space.
- vi. Reiterated the invitation to visit the properties on Portugal Place to look at the incline that they sat on and the changes in the view.
- vii. Advised that a detailed description of the petition had been placed on the planning portal.

### **Final Comments of the Chair**

- i. Summarised the main issues discussed.
- ii. Suggested a meeting between the case office, the applicant and petitioner to discuss some of the issues raised if required.
- iii. Would encourage the applicant to keep in touch with the petitioner throughout the process.
- iv. Would recommend a site visit for the Planning Committee when the application comes to the Committee for consideration.
- v. Notes of the Development Control Forum would be made available to the relevant parties and published on the City Council.
- vi. A copy of the minutes would be attached to the Planning Officer's report when the application would be considered at a future Planning Committee.

The meeting ended at 1.22 pm

**CHAIR**

# Agenda Item 6



<b>Planning Committee Date</b>	11 <sup>th</sup> January 2023
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/03076/FUL
<b>Site</b>	Edeva Court, Cambridge, CB1 8AF
<b>Ward / Parish</b>	Queen Ediths
<b>Proposal</b>	Construction of a single storey extension at roof level comprising 3 no. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.
<b>Applicant</b>	Avon Ground Rent
<b>Presenting Officer</b>	Charlotte Spencer
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Principle of development</li><li>2. Character and appearance of the area</li><li>3. Highway Safety</li><li>4. Parking Provision</li><li>5. Residential Amenity</li><li>6. Fire Safety</li></ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks planning permission for the construction of a single storey extension at roof level comprising 3 no. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.
- 1.2 The proposal respects the character and appearance of the street scene, surrounding area.
- 1.3 The proposal does not adversely impact the residential amenity of neighbouring properties and provides adequate living conditions for future occupiers.
- 1.4 The proposal would not have a detrimental impact on highway safety.
- 1.5 Officers recommend that the Planning Committee APPROVE the proposal.

## 2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone	1
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	Adj
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre	X	Article 4 Direction	
Safeguarded Pubs	X		

- 2.1 The application relates to a site located to the east of Wulfstan Way. To the front of the site lies the Queen Edith Public House and to the rear lies Edeva Court, which is a three storey block of 12 self contained flats. To the north of the site lies Dunstan Court which is a retirement housing complex and a small block of shops with flats above. To the south lies the rear gardens of Nos.61-71 (odds) Queen Ediths Way. To the west lies the playing fields of Queen Edith Community Primary School which is a Protected Open Space.

## 3.0 The Proposal

- 3.1 The application is seeking planning permission for the construction of a single storey extension at roof level comprising 3 no. self-contained

residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.

- 3.2 The additional floor would have a width of 16.8 metres, set in from the existing flank walls by 3.1 metres and span for a maximum depth of 15.6 metres. The extension will add an additional height of 2.8 metres resulting in an overall height of 12.4 metres. The new floor would clad in grey zinc.
- 3.3 One new car parking space would be provided within the existing parking area and the gates would be reduced to a width of 3.75 metres to allow this. A new bike store would be provided adjacent to the waste store and a Sheffield stand for visitors along the southern boundary.
- 3.4 The application has been amended to address representations and issues that were highlighted in the Development Control Forum. The width of the gates have been increased in size and there have been alterations to the bike store. One of the flats has been reconfigured to reduce the number of bedrooms, and the amount of green roof has been increased in size. Further consultations have been carried out as appropriate.

#### 4.0 Relevant Site History

Reference	Description	Outcome
12/1616/FUL	Demolition of existing public house building and replacement with new public house including ancillary one bedroom manager's apartment (Use Class A4) and single two bedroom residential apartment (Use Class C3) above, and a separate block of 12 two-bedroom residential apartments (Use Class C3), with associated access, car parking and landscaping.	PERM 18.09.2013
14/1558/FUL	Installation of electric gates at entrance to apartment's car park & updated hard & soft landscaping proposals to the residential developments	PERM 04.12.2014

- 4.1 Edeva Court was built following planning permission 12/1616/FUL and the existing gates were later approved under 14/1558/FUL.
- 4.2 Pre-application advice was sought by the applicant to create an additional floor. Officers considered that the application was acceptable in principle and would provide an acceptable standard of living for future occupiers. However, there was concern with the visual impact, impact on residential amenity by reason of loss of privacy and parking layout.

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

### **5.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 45: Affordable housing and dwelling mix

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 70: Protection of priority species and habitats

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

### **5.3 Neighbourhood Plan**

N/A

### **5.4 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022  
Sustainable Design and Construction SPD – Adopted January 2020  
Cambridgeshire Flood and Water SPD – Adopted November 2016  
Health Impact Assessment SPD – Adopted March 2011  
Trees and Development Sites SPD – Adopted January 2009

## **6.0 Consultations**

### **6.1 County Highways Development Management – No objection**

6.2 Comment Date 28.11.2022:

The amended documents do not change the Highways Authority's comments.

6.3 Comment Date 15.08.2022:

The proposal is for three additional units but only one additional parking space. The surrounding roads provide uncontrolled parking and so the development may impose additional parking demands upon the on-street parking on surrounding streets. However, this is unlikely to result in any significant adverse impact upon highway safety.

### **6.4 Sustainable Drainage Officer – No objection**

6.5 Comment Date 24.11.2022

Original drainage comments are still valid

6.6 Comment Date 16.08.2022

The development is acceptable subject to condition requesting a scheme for the disposals of surface water and foul water.

### **6.7 Environmental Health – No Objection**

6.8 Comments 09.11.2022

The submitted CEMP recommends restrictive working hours to protect amenity/ quality of life of the neighbouring properties. It includes noise monitoring and set locations near sensitive receptors and a complaint procedure. It provides mitigation methods to be employed to control dust/mud. A compliance condition is recommended to ensure these mitigations are fully implemented.

6.9 Comments 11.08.2022

The original application contained a noise assessment which concluded that a noise insulation scheme would be required at the residential flats to ensure adequate glazing and alternative ventilation to open windows were installed to protect occupiers from commercial noise from the public house. A noise insulation condition is recommended again.

6.10 Recommend plant noise condition and informatives as the design and access statement refers to Air Source Heat Pumps.

6.11 Where there is communal parking, there is a requirement for at least one slow EV charging point per two dwellings. Therefore, this development requires 6. This can be secured by condition.

#### **6.12 Fire Authority – No objection**

6.13 Adequate provision be made for fire hydrants by way of Section 106 or planning condition.

#### **6.14 Development Control Forum of 25<sup>th</sup> October 2022**

6.15 During the Development Control Forum, issues were raised regarding fire safety and these have been noted by the applicants. Applicants confirmed that a Construction Environmental Management Plan would be submitted to overcome concerns raised in regards to construction works. The possibility of providing a lift was discussed. The petitioners put forward a revised design which the applicant stated they would consider. The applicant also stated they would look at amending the width of the gate.

6.16 A copy of the review letter is attached in full at appendix A.

#### **7.0 Third Party Representations**

7.1 Two individual representations and a letter from GSC Solicitors on behalf of Edeva Court Residents have been received following the submission of the amendments.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Density and overdevelopment
- Lack of affordable housing
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Construction impacts
- Car parking and parking stress
- External amenity space
- Free hold/lease hold issues

7.3 Fifteen individual representations and a letter from GSC Solicitors on behalf of Edeva Court Residents have been received following the submission of the original application.

7.4 Those in objection have raised the following issues:

- Character, appearance and scale
- Density and overdevelopment
- Lack of affordable housing
- Residential amenity impact (privacy, noise and disturbance)
- Construction impacts



- Car parking and parking stress
- External amenity space
- Free hold/lease hold issues
- Fire risks
- Lack of a lift
- Services
- Timeframe for comments
- Lack of consultation from the applicant

## **8.0 Assessment**

### **8.1 Principle of Development**

8.2 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need. The proposal would contribute to housing supply and thus would be compliant with policy 3.

8.3 The principle of the development is acceptable and in accordance with Policies 1 and 3 of the Cambridge Local Plan (2018)

### **8.4 Housing Provision**

8.5 Policy 45 of the Cambridge Local Plan requires residential development of 15 units or more to provide a minimum of 40% of affordable housing. Objections have been received regarding the lack of affordable houses, however, although following development, the proposal would result in 15 flats within Edeva Court, the proposal is only seeking permission for 3 and it would not be reasonable to retrospectively apply this policy to the existing units. As such, Policy 45 is not relevant for this application.

### **8.6 Design, Layout, Scale and Landscaping**

8.7 Policies 55, 56, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

8.8 Edeva Court is a modern, brick, flat roofed building that has a simple design that gives the appearance of both horizontal and vertical symmetry. Due to the large set back from the road it currently does not visually dominate the two storey buildings of the pub and shops and it is currently lower than the adjacent two and a half storey Dunstan Court.

8.9 The extension would be clad in zinc which is considered would successfully contrast with the existing brick whilst creating a visually lighter component. The design of the extension would follow that of the existing

front elevation. It would be set in from the side walls and coupled with the zinc material it is considered that the proposal would not result in a top heavy appearance and the horizontal and vertical symmetry which is a characteristic of the existing building would be retained.

- 8.10 Edeva Court is set significantly back from Wulfstan Way and whilst there are views of the building beyond the row of shops and the Queen Edith Pub, the building is not the most dominant within the existing street scene. The proposed third floor would raise the maximum height of the roof by 2.8 metres and would bring the maximum height of Edeva Court to slightly above that of the nearby Dunstan Court. It is considered that the step in and use of visually lighter materials in conjunction with the limited additional height, the proposal would not result in an overly tall structure that would dominate the existing street scene.
- 8.11 Overall, it is considered that the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Policies 55, 56, 58 and 59 of the Cambridge Local Plan (2018).

#### **8.12 Biodiversity**

- 8.13 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 8.14 The proposal would be built a top of an existing building and the plans demonstrate a green roof. As such, it is considered that it would not result in a loss of ecology. As such, the proposal is compliant with Policies 57, 69 and 70 of the Cambridge Local Plan (2018).

#### **8.15 Water Management and Flood Risk**

- 8.16 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 8.17 The site is in Flood Zone 1 and is therefore considered at Low risk of flooding. The Council's Sustainable Drainage Engineer has advised that a Scheme for Surface Water and Foul Water be submitted which can be dealt with by way of condition. However, as the footprint of the building would not be increase and the overall small scale nature of the site in conjunction with the building regulations requirements it is considered unreasonable to add this condition.

8.18 Policy 31 part f states that any flat roof is a green or brown roof. The plans demonstrate that there would be a green roof where solar panels are not located. This is acceptable and a condition can be added to ensure that this is installed.

### **8.19 Highway Safety and Transport Impacts**

8.20 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

8.21 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

8.22 The application is supported by a Transport Technical Note has been submitted. The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority. Whilst the Highways Authority note that it may result in additional demand for on street parking, this would unlikely result in an unacceptable risk for Highway Safety and as such have not raised a formal objection nor requested any conditions.

8.23 The width of the access gates would be reduced. However, following amendments, the gates now allow sufficient space for emergency vehicles and refuse vehicles to enter the site. As the gates do not lead directly onto the public highway the reduction in width would not result in a detrimental impact on highway safety.

8.24 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

### **8.25 Cycle and Car Parking Provision**

8.26 Cycle Parking

8.27 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision.

- 8.28 A new lockable bike store would be installed adjacent to the existing car park. The store would allow for 6 cycles to be stored in semi-vertical stands which complies with the requirements within appendix L. Whilst no elevations of the store have been submitted, it is considered that this can be dealt with by way of condition.
- 8.29 Car parking
- 8.30 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.
- 8.31 The proposal creates one additional parking space for the three 2-bed flats. The standards for this size of dwellings is a maximum standard and so the proposal does comply with appendix L. Concerns have been raised regarding the low parking provision and whilst it is noted that it could lead to on-street parking demand, the Highways Authority have confirmed that this would not impact upon highway safety. Edeva Court lies within the Wulfstan Way neighbourhood centre and is in close proximity to shops including small convenience stores, pharmacy, takeaways and a public house and it is in close proximity to a doctors surgery. There are bus routes along Wulfstan Way and Queen Ediths Way and the site is within cycling distance to the city centre. Subsequently, it is considered that the provision of only one parking space in this location is acceptable.
- 8.32 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.
- 8.33 The Environmental Health Officer has requested that 6 EV charging points be installed. However, all but one of the parking spaces are existing and so it would be considered unreasonable to request this level of provision retrospectively. However, it would be reasonable to add a condition ensuring that the new parking space allows for EV charging with an informative recommending that the applicant considers upgrading the other spaces with passive provision as a minimum.
- 8.34 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

### **8.35 Amenity**

8.36 Policy 35, 36, 50, 52 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

### **8.37 Neighbouring Properties**

8.38 Due to the separation distance from the dwellings along Queen Ediths Way in conjunction with the proposed set in from the side elevation it is considered that the additional floor would have an acceptable level of impact on the residential amenities of these dwellings in terms of loss of light, loss of outlook or sense of dominance.

8.39 There are 4 side windows on Dunstan Court facing Edeva Court at first and second floor level. However, due to the set in from the existing building it is considered that the additional floor would not result in any further impact on these windows.

8.40 In terms of privacy, it is considered that some of the proposed balconies could result in overlooking to the private garden areas of the residential dwellings along Queen Ediths Way. In addition, due to the positioning of the rear balconies, it is considered they could result in overlooking to the existing balconies to the floors below. However, with suitable screening then it is considered that this could be overcome and it is considered that this can be dealt with by way of condition. Three side windows would be installed facing Queen Ediths Way. A condition can be added to ensure that these windows are obscurely glazed with limited opening. Whilst two of these windows would act as secondary windows, it is noted that the middle window would be the only window serving the single bedroom of Flat 15. Whilst this is not ideal, as it is considered that the room would mainly be used for sleeping, it would be unreasonable to refuse the application for this reason alone.

8.41 There have been many concerns raised with the impact on construction works on the existing flats in terms of noise and disturbance and this is noted. The applicant has submitted a Construction Environmental Management Plan which has been reviewed by the Council's Environmental Health Officer who has raised no objections to the proposed mitigation and has recommended a compliance condition which is reasonable. Whilst Officers understand the concerns of the existing residents as construction works are temporary it is difficult to refuse any application for this reason alone.

### **8.42 Future Occupants**

- 8.43 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).
- 8.44 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
13	2	4	1	70	86.2	+16.2
14	1	2	1	50	50.6	+0.6
15	2	3	1	61	63.2	+2.2

- 8.45 The proposal complies with the Government's Technical Housing Standards – Nationally Described Space Standards (2015).
- 8.46 Garden Size(s)
- 8.47 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers.
- 8.48 Balconies would be provided for each of the proposed units with the single bed unit having a 5 square metre balcony, the 2-bed, 3-person having access to a 7.52 square metre balcony and the 2-bed, 4-person unit having two balconies totally 12.2 square metres. Concerns have been raised regarding the provision of amenity space and it is noted that paragraph 6.35 of the Local Plan states that dwellings within more than one bedroom would need to take space for children to play into account. Officers acknowledge that the proposed balconies would not provide safe and useable play space. However, all of the existing units within Edeva Court are two bed units and those on the first and second floors only benefit from balconies. In addition, it is noted that the Nightingale Recreation Ground is within walking distance of Edeva Court. As such, whilst it is not ideal, on balance it is considered that the proposed amenity space is acceptable in this instance.
- 8.49 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met. Concerns have been raised regarding the lack of a lift. While this is a policy requirement, the proposal is an extension to an existing building and the proposed units would not be housed completely within a new building envelope. Therefore, it is not practicable to require part M4(2) compliance in this instance. In addition, although Building Control have not responded to a consultee request the applicant has confirmed that following discussions with them they have confirmed that they do not require a lift.

8.50 Summary

8.51 Subsequently, it is considered that subject to the imposition of conditions, the proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 36, 50, 51, 52, and 58.

**8.52 Fire Safety**

8.53 Concerns have been raised in regards to the increased risk of fire and reduced fire safety by neighbouring properties. As the building following development would not exceed 18 metres in height or 7 storeys there is not a requirement for a fire statement to be submitted as part of the planning process. The Fire Authority have been consulted and they have not raised any objections subject to a condition being added for the provision of fire hydrants which is considered reasonable.

**8.54 Third Party Representations**

8.55 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

<b>Third Party Comment</b>	<b>Officer Response</b>
Character, appearance and scale	Considered in paragraphs 8.6-8.11
Affordable housing	Considered in paragraph 8.5
Residential Amenity	Considered in paragraphs 8.37-8.40
Construction Impacts	Considered in paragraph 8.41
Parking	Considered in paragraphs 8.29-8.34
Amenity Space	Considered in paragraph 8.48
Fire risk	Considered in paragraph 8.53
Lift	Considered in paragraph 8.49
Building control	Concerns have been raised regarding the building works. A planning permission does not override the requirement for Building Regulations to be obtained which help ensure works are safe, structurally sound, water and fire protected.
Freehold/Lease hold issues	This is a civil matter between different owners in which the local planning authority has not role.
Lack of Consultation from Applicant	Whilst it is highly recommended that applicants consult with local residents prior to a planning application this is not a requirement.

Timeframe for Comments	The application was received on 6 <sup>th</sup> July 2022, due to delays in validation the neighbours were consulted on 25 <sup>th</sup> July 2022 who were given 3 weeks to respond. A site notice was also displayed on the 4 <sup>th</sup> August which expired on 25 <sup>th</sup> August 2022. The Local Planning Authority met the national requirements for consultation. Following the receipt of amendments a full re-consultation was sent out on 8 <sup>th</sup> November 2022 which expired on 29 <sup>th</sup> November.
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**8.56 Planning Balance**

8.57 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).

8.58 Summary of harm

8.59 The proposal would change the appearance of the existing building and would have temporary impacts on the existing residents of Edeva Court. However, these have been considered to be limited levels of harm.

8.60 Summary of benefits

8.61 The proposal would result in a net gain of 3 dwellings which would contribute to the housing market. These are smaller dwellings which would be considered more affordable than other larger properties within the area.

8.62 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

**8.63 Recommendation**

8.64 **Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

**9.0 Planning Conditions**

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 91 of the Town and Country Planning Act 1990 (as amended by 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. The construction methodology, proposed mitigation and monitoring as specified within the Union4 Planning "Draft Construction and Environmental Management Plan" dated November 2022 (Rev 01) shall be fully implemented.

Reason: Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 35 and 36).

4. No operational plant, machinery or equipment shall be installed until a noise assessment and any noise insulation/mitigation as required has been submitted to and approved in writing by the local planning authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 36).

5. No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

6. Prior to the commencement of development, a noise insulation / attenuation scheme as appropriate, detailing the acoustic / noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced internally at the residential units as a result of high ambient noise levels in the area shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the external and internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings".

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of the existing and future occupiers adjoining properties. (Cambridge Local Plan 2018 policy 35).

7. No permanent connection to the electricity distribution network shall be undertaken until a residential dedicated electric vehicle charge point scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate:

(i) Dedicated active slow electric vehicle charge points with a minimum power rating output of 7kW to serve the proposed parking space.

The approved scheme shall be fully installed before the development is occupied and retained as such.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality (Cambridge Local Plan 2018 policies 36 and 82 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

8. No development above ground level shall commence until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.

Reason: To ensure an adequate water supply is available for emergency use.

9. No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a minimum net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:

- i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
- ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the appropriate DEFRA metric in force at the time of application for discharge;
- iii) Identification of the existing habitats and their condition on-site and within receptor site(s);

- iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the appropriate DEFRA metric in force at the time of application for discharge;
- v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate to criterion v) shall be submitted to the local planning authority in accordance with DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

10. Notwithstanding the approved plans, the flat roof of the extension hereby approved shall be a green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:
- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.
  - b) With suitable access for maintenance.
  - c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

The green biodiverse roof(s) shall be implemented in full prior to the use of the extension and shall be maintained in accordance with the Green Roof Organisation's (GRO) Green Roof Code (2021) or successor documents, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: [green-roofs.co.uk](http://green-roofs.co.uk)

11. The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout of the cycle store. A cycle store proposed with a flat / mono-pitch roof shall include plans providing for a green roof. Any green roof shall be planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick. The cycle store and green roof as appropriate shall be

provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

12. The development shall not be occupied until a scheme for the screening of the balconies has been submitted to, and approved in writing by the Local Planning Authority. The balconies shall be constructed in full accordance with the approved details and shall be retained as such.

Reason: To safeguard the privacy of adjoining occupiers (Cambridge Local Plan 2018 policies 55, 57/58).

13. The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: To safeguard the privacy of adjoining occupiers (Cambridge Local Plan 2018 policies 55, 57/58).

14. No dwelling shall be occupied until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include SAP calculations which demonstrate that all dwelling units will achieve carbon reductions as required by the 2021 edition of Part L of the Building Regulations. Where on-site renewable or low carbon technologies are proposed, the Statement shall include:

a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and

b) Details of any mitigation measures required to maintain amenity and prevent nuisance.

The proposed renewable or low carbon energy technologies and associated mitigation shall be fully implemented in accordance with the measures set out in the Statement prior to the occupation of any approved dwelling(s).

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

15. No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local

planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

### Informatives

1. To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014+A1:2019) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background sound level (LA90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

If noise sensitive premises are located within the site boundary, then the glazing of the premises and/or amenity areas will also be a location for the rating level of all plant not to exceed the existing background sound level (LA90).

Tonal/impulsive sounds and other sound characteristics should be eliminated or at least considered in any assessment and should carry an additional correction (rating penalty) in accordance with BS4142:2014+A1:2019. This is to prevent unreasonable disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits an acoustic prediction survey/report in accordance with the principles of BS4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the application boundary having regard to neighbouring premises.

Whilst our requirements are for the rating level not to exceed the background sound level at the application site boundary, if the plant is roof mounted and nearby noise sensitive receivers are in closer proximity than the site boundary and / or the site boundary is afforded shielding from the application building parapet, the nearest noise sensitive receiver would be the required assessment location.

It is important to note that a full BS4142:2014+A1:2019 assessment is not required, only certain aspects to be incorporated into an acoustic assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; sound sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, frequency spectrums, directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full acoustic calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

2. The applicant is advised to allow for additional passive electric vehicle charge provision of the necessary infrastructure including capacity in the connection to the local electricity distribution network and electricity distribution board, as well as the provision of cabling to parking spaces for all remaining residential car parking spaces to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required.
3. Fire Service vehicle access should be provided in accordance with Approved Document B Volume 1 of the Building Regulations. There should be vehicle access for a pump appliance to within 45m of all points within the dwelling-house in accordance with paragraph 11.2 of Approved Document B Volume 1. Where the proposed new dwelling cannot meet access requirements for fire appliances, compensatory feature(s) should be provided.

**DEVELOPMENT CONTROL FORUM**

25 October 2022

10.00 - 11.45 am

**Present**

**Planning Committee Members:** Councillors Bennett, Gawthrope Wood, Howard, Smart and Thornburrow

**Ward Councillor:** Davies

**Officers:**

Interim Delivery Manager and s106: Phil McIntosh

Senior Planning Officer: Charlotte Spencer

Committee Manager: Sarah Steed

Meeting Producer: Chris Connor

**For Applicant:**

Al Hannify (Agent)

Stephanie Brooks (Architect)

**For Petitioners:**

Philip Kratz

Janet Grimwood

Residents of Edeva Court

**FOR THE INFORMATION OF THE COUNCIL****22/13/DCF Opening Remarks by Chair**

The Chair outlined the role and purpose of the Development Control Forum. They stated no decisions would be taken at the meeting.

**22/14/DCF Apologies**

Apologies were noted from Councillors Collis and Porrer.

**22/15/DCF Declarations of Interest**

No declarations were made.

**22/16/DCF Application and Petition Details (Ref 22/03076/FUL/ Edeva Court, Cambridge CB1 8AF)**

Application No: 22/03076/FUL  
Site Address: Edeva Court, Cambridge CB1 8AF  
Description: Construction of a single storey extension at roof level comprising 3 no. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.  
Applicant: Avon Ground Rent Ltd  
Agent: Ms Tanya Kozak  
Address: 30 Stamford Street London SE1 9LQ  
Lead Petitioner: Residents of Edeva Court  
Case Officer: Charlotte Spencer

**Text of Petition:**

We would like to discuss this application and issues we have regarding the submission and communication between the Freeholder and the Leaseholders/Tenants and Neighbours.

Consultation: the Freeholder did not consult or discuss their planned application. We would like the opportunity to put forward our concerns and suggestions.

Additionally, there's not been enough time during the peak holiday month to organise a response that potentially could turn the lives of people living at Edeva Court up side down.

This is a far bigger issue than just the residents of Edeva Court, it is likely to impact many hundred if not thousands of Cambridge residents unless a clear policy is made regarding the circumstances that a residential (or commercial building) can be developed.

1. Noise and disturbance impact survey: This will cover but not be limited to Construction taking place on and within the building, cranes/delivery trucks and storage of materials, security of the building and airborne dust/building materials. We request any decision requires an impact survey and that the applicant provides a fully costed and evidence supported plan to ensure that the occupants peacefully enjoyment is preserved.



Noise levels should be binding by current guidelines.

The survey should include the impact of the proposed construction of 3 flats on the people living in them.

2. Additional parking spaces: only one space has been allocated for the additional flats. To limit construction of any additional flats to the number of new parking spaces without narrowing the gate which is required for large removal vehicles etc. The current 12 spaces are numbered and allocated. Adding one extra space for 3 flats is designing conflict into the community.

To ensure construction vehicles do not adversely effect patrons visiting the pub and people living in Edeva Court. Additionally that once the work is completed there will be no long term negative impact on local parking facility especially in regard to the GP surgery, Pharmacy, local pub and residential care home.

3. To install a lift to bring it in line with other similar developments constructed in Cambridge at the time Edeva Court was built and to bring it in line with the equality act 2010.
4. To improve the current design of the proposed construction so that any additional flat do not cause a loss of privacy or light to the surrounding buildings
5. The building was designed and built as low rise housing: changing this to a 4 story build changes the specification of the services and requirements of the building.

The application to include fully specified upgrade to the current fire prevention systems and ones that ensure that the building does not put at risk the residents at the nearby older peoples' residential home.

6. Internal changes to the building due to the increase in living units to include:
  - Insulation of internal soil pipes.
  - Fire doors to be on automatic release system on the ground floor emergency access.
  - Increase in space and racks for additional bicycles.
7. To limit the working day to no more than 9 to 4 if the flats are occupied. And limit truck movements and access to enable young families to safely enter and exit Edeva Court during the day. To ensure that no works vehicles us the parking outside the GP's surgery or Pharmacy and to discuss with the Queen Edith Pubs landlord how to ensure that vehicles do not negatively impact the pubs business.
8. Loss of green roof: the original planning consent specifically included a green roof which is not part of the new construction.

## Case by Applicant

- 1) The site was off Wulfstan Way. The proposal was to extend the building above the existing building using materials similar to what was already there. The increased height of the building would still be lower than neighbouring trees.
- 2) Three flats were proposed, comprising a 1 bed, a 2 bed and a 3 bed, each with their own private amenity space.
- 3) Responses to concerns raised by the Petitioners:
  - a. Noise and disturbance - the Applicant would be required to produce a Construction and Environmental Management Plan which would cover issues such as noise, dust, wheel washing and time frames for deliveries.
  - b. Parking spaces - the Applicant stated that the proposals were developed with the climate emergency in mind and a shift towards sustainable modes of transport. The Parking Strategy had been informed by a parking survey carried out by a Highways Consultant. The survey identified that there was parking available within 200m of the site, this was why only one extra parking space was proposed.
  - c. Width of the entrance gate - it was confirmed that the width of the gate was wide enough for an emergency vehicle and Building Control had advised that the width of the entrance should be 3.7m wide, which the Applicant agreed to.
  - d. Provision of a lift - the Applicant advised that a lift could not be provided within the existing building without impinging on someone's flat. If a lift was provided this would need to be located at the front or the side of the building. Building Control had advised that a lift was not required.
  - e. Privacy - the Applicant stated that no windows were proposed on the north side. The City Council's Design Code stated that a 20m window to window separation distance was sufficient to secure privacy. The Applicant stated that they were happy for the secondary windows to be frosted. Two small balconies proposed, which could have frosted glass.
  - f. Impact on daylight and sunlight - the Applicant advised that a daylight / sunlight assessment had been undertaken and none of

- the 21 windows tested were classed as unacceptable under the BRE guidelines.
- g. Impact of the additional floor on fire prevention - the Applicant advised that a fire consultant would be appointed at the detailed design stage. The building height would not exceed 11m, therefore the Building Regulations categorised it as 'low rise' so it was under the Tall Building threshold.
  - h. Internal soil pipes – noise arising from soil pipes were the responsibility of building management, but the development would assist where it could.
  - i. Cycle parking - six new secure bike parking spaces would be created near the entrance and a Sheffield stand would be provided for visitors.
  - j. Construction hours were usually between 8am-4pm and it was noted that the Petitioners had requested 9am-4pm, the Applicant was happy to negotiate the construction hours.
  - k. Proposals included the reinstatement of the green roof.

### **Case by Petitioners**

- 4) Noted a change in legislation which came into effect in August 2020 which included new permitted development rights for upward extensions. Noted the site was within the protected zone of Cambridge airfield which meant that permitted development rights weren't available.
- 5) Local Plan policy 51 dealt with accessible homes, the policy was trail blazing to ensure that homes were built to M42 standard. Flats built on top of the existing scheme would not meet accessibility standards.
- 6) Local Plan policy 52 – dealt with the sub division of existing dwellings – pointed to sufficient provision of amenity space.
- 7) Local Plan policy 55 – the development should respond to context.
- 8) Local Plan policy 56 required creating successful spaces, the application did not meet this policy.
- 9) Local Plan policy 58 required proposals to reflect or successfully contrast with the existing building form and be sympathetic to the area. The height, scale and massing of the proposals had a permanent adverse impact on the suburban character of the area.
- 10) The provision of one parking space for potentially ten new residents was not sufficient.

- 11) The plans showed poor quality and inadequate private external amenity space.
- 12) The proposals would have an intolerable impact on residents and give rise to an unacceptable level of harm.
- 13) Felt fire safety questions had not been answered. They were speaking as a qualified Tall Building Fire Safety expert.
- 14) Edeva Court was currently built with a steel frame and concrete structure, in a fire the flames would be contained within the structure.
- 15) The Health and Safety Executive advised that the industry needed to stop thinking that fire safety was dealt with at the building regulation stage, fire safety consideration began at the planning stage.
- 16) Modular construction was proposed which would be pre-made and shipped in. This would cut down construction on site, but the structure would be constructed with combustible materials and put on top of the existing building's roof. Experts advised this type of construction would be the new cladding crisis.
- 17) Referred to examples of fires in modular constructed buildings which had passed building regulation checks.
- 18) Felt fire safety considerations should come first at the planning stage.
- 19) Requested the original construction method be used.
- 20) Noted that the first residents heard of the development proposals was when the fire alarm went off and they found people measuring up the building.
- 21) Felt a lift should be added at the back of the building.
- 22) Leaseholders did not want to live in a construction site for 6 months, they would need to move out.
- 23) The building had been poorly built and maintained and a new management agent had been appointed in January 2022.
- 24) Residents were concerned how noise / dust etc would be managed appropriately.
- 25) Felt access and parking was limited. Whilst there were periods where parking requirements were low, there were also times when there were high pressures on parking as there was a doctor's surgery and pharmacy close by.
- 26) Was happy with the building they bought and did not expect something to be built on top of their building. Wanted the building to meet fire safety standards.

**Case Officer's Comments:**

- 27) The planning application was received on 6 July 2022. Neighbours and consultees were notified of the application on 25 July. A site notice advertising the application was displayed on 4 August.
- 28) Representations had been received from 15 neighbouring properties. In addition, a letter from GSC Solicitors had been sent in on behalf of existing residents of Edeva Court.
- 29) The main objections are summarised as:
- a. Height, scale and massing;
  - b. Detailed design including materials;
  - c. Insufficient parking;
  - d. Inadequate cycle parking and refuse facilities;
  - e. Inadequate private amenity space;
  - f. Impact on the living conditions of existing residents and highway safety during construction works;
  - g. Impact on residential amenity due to loss of privacy;
  - h. Lack of a lift;
  - i. Fire risks;
  - j. Structural concerns;
  - k. Lack of consultation prior to submission.
- 30) A petition requesting the Development Control Forum with 34 signatures was received on 22 August.
- 31) The following consultation responses have been received:
- a. County Highways Development Management - The proposal was for three additional residential units with one additional off street car parking space. The streets in the vicinity provided uncontrolled parking and as there is no effective means to prevent residents owning a car this demand is likely to appear on-street in competition with existing residential units. The development may therefore impose additional parking demands upon on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.
  - b. Sustainable Drainage Officer - The proposals have not indicated a detailed surface water or foul water drainage scheme however, as

this is a minor development and there are no known flood risk issues, it would be acceptable to obtain this information by way of conditions. The proposals of green roof are welcomed and should be detailed in condition.

- c. Environmental Health Officer - Development is acceptable subject to the imposition of the following conditions: plant noise insulation, construction / demolition hours, demolition/ construction collections/deliveries, noise insulation scheme, EV charging.

32) Relevant site history:

- a. 12/1616/FUL - Demolition of existing public house building and replacement with new public house including ancillary one bedroom managers apartment and single two bedroom resident apartment above and a separate block of 12 two-bed residential apartments with associated access, car parking and landscaping. The application was approved on the 18.9.2013.
- b. 14/1558/FUL – Installation of electric gates at the entrance to apartment's car park and updated hard and soft landscaping proposals to the residential apartments. Approved 4.12.2014.
- c. Pre-application advise was sought by the Applicant in 2021 for the current application.

### **Case by Ward Councillors**

Councillor Davies spoke as a Ward Councillor on behalf of local residents.

- 33) Felt the Applicant had not communicated well with residents regarding their plans for the site.
- 34) Expressed concerns around compliance with planning conditions.
- 35) Questioned the reliability of the results of the parking survey undertaken in May 2021 as noted that most of the appointments undertaken at the Biomedical Campus in May 2021 were being undertaken offsite.
- 36) Edeva Court was adjacent to a doctor's surgery and pharmacy which generated high parking demand.
- 37) Queried who would live in the proposed units and thought it was likely to be occupied as a house share, therefore assumptions regarding the number of cars may not be correct.
- 38) Expressed concern that the Local Plan did not cover this type of development.
- 39) Felt the Petitioners had come forward with a compromise position and engaged constructively with the discussion.

**Responses to Members' Questions:**

- 40) The case officer advised that the Applicant / Agent could be asked to provide further information upfront to address some of the concerns raised at the Forum but it would be up to the Applicant / Agent to provide it as the information would usually be secured by a planning condition (for example draft Construction Management Plan).
- 41) The Case Officer advised that the Airport Safety Directive issue needed to be looked into further in terms of permitted development rights for upward extensions to blocks of flats.
- 42) The Case Officer confirmed that the parking survey was undertaken in May 2021 and that guidance would be taken from the Highways Authority as to whether this period was appropriate.
- 43) The Agent advised that amenity spaces in the form of balconies were proposed but that no dedicated children play space was proposed and that no space was provided currently. They also noted that a 3 bed flat provided the opportunity for a family to live in the space but did not require it.
- 44) The building currently had 12 2 x bed flats and understood the ground floor flats had access to private outdoor amenity space and then the flats above had balconies.
- 45) The planning application would be reviewed against Local Plan policies.
- 46) The Case Officer noted that fire safety was assessed through Building Regulations.
- 47) The Architect noted comments had been made about locating a lift at the back of the building but stated that there was no space for it. If a lift was installed the maintenance cost (£2000 per annum) would have to be spread across all users.
- 48) The Case Officer confirmed that there was no requirement for affordable housing as only 3 units were being proposed.

**Summing up by the Applicant's Agent**

- 49) Noted the fire safety issues and concerns which had been raised.
- 50) The proposal would be constructed from a steel frame as per the existing building and would not be a modular construction.
- 51) Mitigation of construction noise would usually be dealt with as part of the Construction and Environment Management Plan. Was happy to provide a draft Construction and Environmental Management Plan.

- 52) The parking survey was undertaken by a specialist Highways Engineer and completed in compliance with policies 53 and 82 of the Local Plan.
- 53) Noted discussions regarding a lift and stated that they had been advised a lift was not required under the Building Regulations.
- 54) The loss of privacy to surrounding properties had been considered as part of the design process.
- 55) Services and fire safety would be assessed by the Council's Building Control Team.
- 56) Six cycle parking spaces were proposed for residents and a Sheffield cycle parking stand was proposed for visitors.
- 57) Would explore the brick faced façade proposed by the Petitioners.

### **Summing up by the Petitioners**

- 58) Questioned who would want to take a pram up four flights of stairs if there was no lift provision.
- 59) Construction noise would be significant, the Applicants advised that tenants would have to live in the building whilst work was carried out. The roof would need to be cut open for the work to be carried out.
- 60) Many of the residents worked at Addenbrookes or worked from home.
- 61) Felt information from the Applicants had not been forthcoming.
- 62) The proposals needed to be fire safety compliant.
- 63) Requested that a Chief Fire Engineer (of the Leaseholder's choice) approved the proposals before it proceeded further.
- 64) Felt the object of the proposals was to increase the freehold value of the flats.

### **Final Comments of the Chair**

- 65) The Chair observed the following points the Applicants said they would re-consider:
- a. Increasing the width of the access;
  - b. The provision of a Draft Construction and Environmental Management Plan.
  - c. The Petitioner's alternative design.
- 66) Notes of the Development Control Forum would be made available to relevant parties, published on the council's website and appended to the Planning Officers report.



- 67) The planning case officer should contact the applicants/agent after the meeting to discuss the outcome of the meeting and to follow up any further action that is necessary. The applicant will be encouraged to keep in direct contact with the petitioners and to seek their views on any proposed amendment/s.
- 68) The Council will follow its normal neighbour notification procedures on any amendments to the application.
- 69) Application to be considered at a future Planning Committee.
- 70) Along with other individuals who may have made representations on the application, the petitioners' representatives will be informed of the date of the meeting at which the application is to be considered by Committee and of their public speaking rights. The Committee report will be publicly available five clear days before the Committee meeting.

The meeting ended at 11.45 am

**CHAIR**

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# Agenda Item 7



<b>Planning Committee Date</b>	11 January 2023
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/02936/FUL
<b>Site</b>	208-208a Cherry Hinton Road
<b>Ward / Parish</b>	Coleridge
<b>Proposal</b>	Erection of new 2nd floor to provide two new dwelling units with balconies.
<b>Applicant</b>	Balzano and Ruggerio
<b>Presenting Officer</b>	Tom Chenery
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1. Impact on the Character and Appearance 2. Intensification of the site 3. Refuse/Bin Storage
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks to erect a 2<sup>nd</sup> floor roof extension with a flat roof to create two new dwelling units with balconies.
- 1.2 The proposal is not considered to cause harm to the character and appearance of the area and is designed appropriately
- 1.3 The proposal is not considered to cause undue harm to the amenity or living conditions of neighbouring occupiers and would provide an acceptable level of amenity for future occupiers.
- 1.4 The proposal would comply with the RECAP standards regarding bin distances and would be similar to that of the approved scheme to the south of the site.
- 1.5 Officers recommend that the Planning Committee Approve the proposal.

## 2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1	X
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

- 2.1 208– 208A Cherry Hinton Road is a two storey building which has a retail unit at ground floor and two flats at first floor. To the rear of this building is a storage area for the shop which has permission for four one and a half storey dwellings, granted under 18/0906/FUL. To the rear there are two external staircases leading to independent balconies belonging to the existing flats with external amenity space at the ground floor. The access is off the eastern side of Blinco Grove along a road between the northern side of No 156 Blinco Grove (northern half of a pair of semi-detached houses) and the southern side of a rectangular flat roofed single storey building, directly to the north of which lies the car park of the Rock Public House.
- 2.2 To the east lies the rear garden of No. 210 Cherry Hinton Road which has a large single storey outbuilding which runs along the eastern side of the application site. There is also a converted residential unit called No. 216A

Cherry Hinton Road. This dwelling was permitted under planning reference 10/1259/FUL.

- 2.3 To the south is the rear garden of No.158 Blinco Grove. The entrance on the side also adjoins the side elevation of this property
- 2.4 Directly to the west of the site, there is a garden area to the rear of the local post office at No. 206 Cherry Hinton Road. This garden area is currently used by Balzano's a restaurant/café (No. 204 Cherry Hinton Road) for outdoor seating. To the rear of Balzano's restaurant/café there is a large two storey projection with a pitched roof, which is used as a storage/preparation area for Balzano's restaurant/café.

### 3.0 The Proposal

- 3.1 The application seeks planning permission for the erection of a new 2nd floor to provide two new dwelling units with balconies.
- 3.2 The existing building benefits from a ground floor commercial unit with two flats on the first floor level. The second floor extension would alter the design of the existing front façade and extend the roof by some 2.35m so that it would have an overall height of approximately 8.8m. The proposal would have a depth of some 9.15m and width of 12.35m. It would be inset from the front, rear and sides of the existing building.
- 3.3 The proposed extension would have a flat roof design and the materials would consist of Horizontal wide tiles, although the specific material/design has not been specified.

### 4.0 Relevant Site History

Reference	Description	Outcome
21/04952/FUL	Erection of new 2 <sup>nd</sup> Floor to provide 2 new dwelling units with balconies	Refused
19/1588/FUL	Erection of new 2 <sup>nd</sup> floor to provide two new dwelling units with balconies	Withdrawn
18/0906/FUL	Construction of 4X 1-bed units	Permitted
16/1014/FUL	Construction of 4 No1 bed flats	Withdrawn

- 4.1 A previously submitted Planning application 21/04952/FUL which sought planning approval for a similar scheme, was refused for 3 reasons these included:
  1. The overall level of amenity for future occupants would be poor and result in a cramped living environment. The scheme fails to demonstrate that it is not practicable to provide an acceptable quality and quantity of internal and external amenity space for future occupiers contrary to policies 50 and 58 of the Cambridge Local Plan 2018, and paragraph 130 (f) of the NPPF.

2. The proposal does not provide sufficient details of any cycle parking within the site for the number of bedrooms within the four flats and therefore the proposal does not provide satisfactory securable and easily accessible cycle parking for future occupiers to use and as such, is contrary to Policy 82 and Appendix L of the Cambridge Local Plan 2018 and the guidance set out under the Cycle Parking Guide for New Residential Developments Guide (2010).
3. Insufficient information has been provided for the proposed bin storage for the proposed dwellings. The proposed drag distance to the road is over the recommended distance set out by RECAP guidance and the bin size set out within the design and access statement would require collection and the proposed plans do not set out the location for the bins. The proposal is therefore contrary to Policy 55, 56 and 57 of the Cambridge Local Plan 2018.

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

### **5.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation  
Policy 31: Integrated water management and the water cycle  
Policy 50: Residential space standards  
Policy 51: Accessible homes  
Policy 52: Protecting garden land and subdivision of dwelling plots  
Policy 53: Flat conversions  
Policy 55: Responding to context  
Policy 56: Creating successful places  
Policy 58: Altering and extending existing buildings  
Policy 72: Development and change of use in district, local and neighbourhood centres  
Policy 80: Supporting sustainable access to development  
Policy 81: Mitigating the transport impact of development  
Policy 82: Parking management

### **5.3 Neighbourhood Plan**

N/A

### **5.4 Supplementary Planning Documents**

Greater Cambridge Biodiversity SPD – Adopted February 2022  
Sustainable Design and Construction SPD – Adopted January 2020

### **5.5 Other Guidance**

Cycle Parking Guide for New Residential Developments (2010)

### **6.0 Consultations**

#### **6.1 County Highways Development Management**

6.2 No Objection: subject to recommended conditions.

#### **6.3 Environmental Health**

6.4 Further information required: It is not possible to comment on the proposed development and the additional information set out below will be required in order to provide comments.

Additional information regarding the windows on the first floor accommodation indicating that the habitable room windows are fixed shut.

Conditions recommended

Informal additional Comment: “Happy living rooms are now fixed shut with the sonair units installed. They don’t have to have all the kitchen windows F/S. As a non habitable room might be sensible to have one of those

kitchen windows for each kitchen on the side elevations openable to help with odour / moisture removal”

## **6.5 Sustainable Drainage Officer**

6.6 No Objection: subject to recommended conditions

## **7.0 Third Party Representations**

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

- 216 Cherry Hinton Road

7.2 Those in objection have raised the following issues:

- Bin Storage
- Disabled Access
- Flood Issues
- Intensification of the use of the site

7.3 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council’s website.

## **8.0 Assessment**

### **8.1 Principle of Development**

8.2 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need.

8.3 208 and 208A form a two storey 1920’s red brick building with a flat roof which falls within a Local Centre. The building has commercial units at the ground floor and residential flats on the first floor. The proposed roof extension will create 2 additional units and provision will be made for additional cycle and bin storage to the rear.

8.4 The proposal would contribute to housing supply and thus would be compliant with policy 3.

8.5 The application is a resubmission of two previous schemes, 19/1588/FUL, which was withdrawn and 21/04952/FUL which was refused due to the previous scheme not providing an acceptable level of amenity for future occupiers; not providing sufficient details for cycle parking and insufficient information being provided for bin storage.



8.6 Policy 52 requires proposals for the subdivision of existing residential curtilages to be of a form, height and layout appropriate to the surrounding pattern of development and character of the area whilst retaining sufficient garden space and balancing protecting the amenity and privacy of neighbours with creating high quality functional environments for future occupiers.

8.7 In order for the proposal to be acceptable in principle, it must overcome the previous reasons for refusal as well as not having a negative impact on the character and appearance of the area; neighbouring amenity and highways safety. This will be assessed in turn below.

### **8.8 Design, Layout, Scale and Landscaping**

8.9 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

8.10 The application proposes an additional floor to be added to create two additional studio units. The established character of the immediate streetscene on the southern side of Cherry Hinton Road comprises two storey terraced dwellings with pitched roofs. The application site is the only one with a flat roof design. As a result, it has a lower ridge height than that of the neighbouring properties, particularly No.206 Cherry Hinton Road.

8.11 The proposal would increase the overall building height by some 2.35m so that it was a total of 8.8m. The scheme has been set in from the boundaries and gable roof frontages have been added reducing the impact from the street scene. It has also been designed with pitched gables to the front elevation which is in keeping with the surrounding dwellings.

8.12 Although the overall height of the proposal would be greater, due to the overall height of the adjacent properties, it would still be less than that of No.206 and approx. 300mm greater than No.210. As a result, the proposal would appear subservient to the wider established character of the area and is acceptable.

8.13 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 and the NPPF.

### **8.14 Highway Safety and Transport Impacts**

- 8.15 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they have an acceptable transport impact.
- 8.16 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.17 Pedestrian access to the site would be from Cherry Hinton Road to the front/north via the main door and entrance stairwell that provides access to all 4 proposed flats. Pedestrian access is also available to the rear from Blinco Grove to the south. Pedestrians would be able to use the access which leads to the rear car park and side access passage to the consented 4 dwellings under application 18/0906/FUL. There is no proposed car parking as part of the proposal.
- 8.18 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, who raise no objection to the proposal subject to conditions regarding construction vehicle hours and a constructors parking plan which are considered reasonable and would be added to any permission granted.
- 8.19 Subject to conditions as applicable, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.
- 8.20 Cycle and Car Parking Provision**
- 8.21 Cycle Parking
- 8.22 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms.
- 8.23 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L.
- 8.24 The proposal is to be car-free and there are no off-street parking spaces provided. The site falls within a Controlled Parking Zone however streets to the north and east provide uncontrolled parking, and there is no effective means to prevent residents from owning cars. This is not considered to result in any significant impact on Highway Safety. The Council has maximum parking standards outlined in Policy 82 and Appendix L of the

Cambridge Local Plan (2018). Cambridge City Council promotes lower levels of private parking where good transport accessibility exists. The site is located in District Centre and in close proximity to public transport routes, including the railway station. Considering the central location of the property and the highly constrained nature of the site, it is considered acceptable and in accordance with Policy 82.

8.25 The submitted plans, notably Plan Number 19/1480/09 A indicates that three Sheffield stands will be provided to the rear of the application site, which means the proposal would be able to provide 6 cycle spaces. These spaces are specifically for the occupants of the two existing flats and the two proposed flats. This area would be covered and this is indicated on plan number 19/1480/07 Rev D and would have a flat, green roof. It would not be for the use of the existing commercial use. Plan Number 19/1480/15 highlights the two areas for bins and bikes either side of the main property. The agent has confirmed that the existing bike and bin store would be the same as the existing and would gain access from the front entrance. In addition to this, there are spaces to the front which would allow for visitor cycle parking.

8.26 The proposal is therefore considered to provide an adequate number of cycle parking spaces which would overcome the previous second reason for refusal 2 which relates to cycle parking and would accord with Policy 82 and Appendix L of the Cambridge Local Plan (2018).

8.27 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

### **8.28 Amenity**

8.29 Policies 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

### **8.30 *Neighbouring Properties***

8.31 The existing flats are accessed from Cherry Hinton Road. The proposal would add a third storey above the existing two storey building but would not protrude from the existing footprint of the property.

8.32 The proposal would be of a similar height to the directly adjacent properties to the east and west (No. 206 and No's 210-212 Cherry Hinton Road) and would not protrude from the rear building line of these properties. Although the proposal is increasing in height, due to its siting, scale and design, the development would not cause any undue harm to the amenity or living conditions of the adjacent neighbouring properties to the east and west.

- 8.33 As highlighted, planning permission has been granted for the erection of 4 dwellings to the rear of the application site (south). The proposal would benefit from several windows that would directly face these properties, particularly the most northern plot within that application (18/0906/FUL). There are no windows on the northern elevation of the most northern property and as a result, the proposed windows would not result in any loss of privacy or overlooking to any habitable rooms of these adjacent properties.
- 8.34 The approved dwellings to the south do benefit from rear gardens. Due to the siting of the proposal within this application and the oblique viewing angles afforded by their siting the proposal will not result in any undue loss of privacy or overlooking to the rear gardens of these properties.
- 8.35 All other residential properties are far enough removed from the proposal that the development will not result in any undue harm to their amenity or living conditions.
- 8.36 Overall, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 56, 58 and 35.
- 8.37 *Amenity of Future Occupants*
- 8.38 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).
- 8.39 The existing and proposed gross internal floor space measurements for units in this application are shown in the table below:

Existing first floor units

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	3	1	61	74	+13
2	2	3	1	61	74	+13

- 8.40 The gross internal floor space measurements for units in this application are show in in the table below:

Proposed Units

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	3	1	61	61	0
2	2	3	1	61	61	0
3	Studio	1	1	37	37	0
4	Studio	1	1	37	37	0

- 8.41 Policy 50 details the residential space standards as set out in the National Space Standards. This policy is triggered as the proposal creates a two new studio flats by creating an additional storey. The internal layout at first floor has been altered to allow for access to the second floor via a private staircase.
- 8.42 As set out in the above table, the proposed development would meet the residential space standards for internal floor areas as well as the existing flats which are being amended as highlighted above. The proposal has overcome reason for refusal 1 on the previously refused scheme 21/04952/FUL
- 8.43 The external space for the proposed dwellings would measure 1.5 m x 2.7m with a total area of 4.2m<sup>2</sup>. The balconies would open out onto Cherry Hinton Road. The Design and Access Statement advises that the amenity areas for the two proposed studios have been located at the front of the building, away from the commercial noise sources located to the south of the application site which is considered reasonable. MAS Environmental have provided a report which states that provides acceptable noise exposure at the road façade balconies including solid balustrade mitigation measures. Officers therefore consider that whilst the balconies overlook a busy road and have not been fully enclosed, they are considered satisfactory.
- 8.44 The current residential flats benefit from a 91m<sup>2</sup> area of shared garden amenity space to the rear of the site. This area was deemed acceptable in approved application 18/0906/FUL, but did not provide any cycle parking or bin storage areas. The proposal would amend this external amenity space so that it had a total area of approximately 73m<sup>2</sup> and would include a landscaped area, bin store and cycle store.
- 8.45 Within paragraph 6.35 of the supporting text of Policy 50 which relates to residential space standards, it identifies that development with flats need to provide high-quality shared amenity areas. The proposal would provide exactly 39m<sup>2</sup> of shared external amenity space. Plan Number 19/1480/09

Rev A highlights that the proposal would be enclosed from other residential developments and there would be a degree of planting and landscaping around the area which would enable it to be high quality.

- 8.46 There would be no commercial access to the rear of the site or to the rear amenity space. No light report has been submitted to indicate the level of light that would be received in this shared amenity space. The amenity space is located to the south of the site and as such would receive the majority of daylight throughout the day. It is noted that the adjacent buildings to the south in the approved scheme would disrupt some of the sunlight received but it is still considered that there would be an acceptable amount of light that would be received in this area, particularly in the summer months.
- 8.47 It is noted that the external amenity space for the first floor flats would be slightly altered, however, is not considered to be altered significantly and would still provide an acceptable level of amenity area given the sites location and context. The proposal is considered to provide an adequate level of residential amenity for future occupiers and is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56
- 8.48 *Accessibility*
- 8.49 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met.
- 8.50 Building regulations part M4(2) require that reasonable provision be made for people to gain access to and use the dwelling and its facilities. This includes step free access to the dwelling and its facilities, communal facilities and must be able to be used by a wide range of people including older and disabled people. This part also states that it may only be applied to a dwelling that is being erected and does allow for some flexibility regarding conversions. The proposed units do not have level access, however, as the proposal is for the conversion and extension of an existing dwelling the proposal is not required comply with Part M4 (2).
- 8.51 The applicant has provided details regarding the provision of lift access. By insertion of a lift it would result in the loss of one of the shop fronts and zone A retail space and will greatly reduce the floor space of the existing residential units. In addition to this, the associated costs of inserting a lift would be in excess of £200,000, which would make the scheme unviable. In addition to this, it would result in the loss of capital value of the existing retail space.
- 8.52 Overall, the proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 52, 53, 57 and 58.

### **8.53 Waste/Bin Storage**

8.54 The guidance within RECAP indicates that for low rise blocks such as this proposal, residents should not have to travel more than 30m.

8.55 The submitted plans specifically No's. 19/1480/09 Rev A and 19/1480/15 indicate that the proposed bin store would be located to the rear of the site directly adjacent to the existing building. The proposal would not share the bin storage that is located to the south of the application site beyond the approved development 18/0906/FUL.

8.56 It is noted that rubbish bags bins would not be taken more than the 25m as outline in the RECAP guidance but would have to be taken more than 45m from the proposed units to the bin collection area on Blinco Grove.

8.57 Due to the size of the bins, they would need to be moved by a managing agent, not residents. This has been confirmed in writing by the planning agent. These details would have to be conditioned as no details have been provided with the condition specifying the arrangements to enable collection from the kerbside of the adopted highway.

8.58 Although the bins would be a quite a distance from the residential dwellings, it would be below the guidance within RECAP. Further to this, the distance of the bin to be taken to the collection point would be of a similar distance to the approved scheme to the south (18/0906/FUL). Although the proposal has not completely overcome reason for refusal 3, due to the accepted bin arrangements at the approved development to the south, plus the proposal being within the recommended distance of carrying bins to a storage point as highlighted within RECAP, it would be unreasonable for the proposed development to be refused solely on bin storage and collection areas some of which has already been established and implemented.

8.59 The proposal is therefore considered to be acceptable in this regard.

### **8.60 Third Party Representations**

8.61 The remaining third-party representations not addressed in the preceding paragraph are considered below.

8.62 An objection has been received regarding the proposal being an intensification of the current use and that the proposal should be considered in the context of the previously approved scheme to the south (18/0906/FUL). No details have been provided regards the specifics of the intensification although there are further comments regarding bin storage and disabled access. These points have been addressed in the report above.

8.63 The proposal would result in an additional two residential units. As highlighted the proposed development would comply with the required cycle and parking standards set out in the development plan as well as internal and external space standards set out in Policy 50 of the Local Plan. There have been no objections from the Local Highways Authority regarding the use of the access nor from Environmental Health. As a result, the proposal is not considered to be an over-intensification of the site and would comply with the National Planning Policy Framework and Cambridge Local Plan (2018).

#### **8.64 Other Matters**

##### *Flat Roof*

8.25 The proposed flats have a flat roof. Policy 31 of the Cambridge Local Plan states all flat roofs should be green or brown. Considering the extent of the proposed flat roof a condition would be added to any permission granted for a green or brown roof.

##### *Drainage*

8.26 The proposal is an extension to an existing building and therefore would not increase the amount of surface water drainage on site. A condition has been recommended by the Drainage Officer that prior to the commencement of development a scheme for the disposal of foul water shall be provided. Given that the site is not in any defined area at risk of surface water flooding or that from the rivers and sea, plus that the proposal is an extension to the existing building, it is considered that the surface and foul water drainage conditions are unnecessary as the proposal would connect to the existing drainage system.

##### *Environmental Health*

8.65 Amended plans have been submitted which indicate that the 1<sup>st</sup> floor habitable room windows are to be fixed shut with sonair units installed. Informal additional comments from the Environmental Health Officer have been received indicating they are happy with the amended plans but that non habitable rooms should be openable. The applicant has submitted amended plans in line with these comments. The proposal is therefore considered not to cause any undue environmental health concerns that cannot be overcome via a condition.

##### *Sustainability*

8.66 In order to ensure the proposal aligns with the Council's sustainability goals and Policy 29 and 30 of the Local Plan, it is necessary to add several conditions specifically relating to water efficiency and carbon efficiency.



## **8.67 Planning Balance**

- 8.68 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).
- 8.69 It is acknowledged that the proposed bin storage for the site is not ideal, but it is recognised that the proposal complies with the adopted RECAP standards.
- 8.70 Nonetheless, the proposal would not cause harm to the character and amenity of the area, to neighbouring or future occupiers and would comply with the parking and cycle parking guidance set out within the Appendix L of the Local Plan.
- 8.71 Having taken into account the provisions of the adopted development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Approval.

## **8.72 Recommendation**

### **8.73 Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

## **9.0 Planning Conditions**

- 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 91 of the Town and Country Planning Act 1990 (as amended by 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 No development shall take place above ground level, other than demolition, until details of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge

Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions)).

- 4 Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic / noise insulation performance specification of the glazing within the Cherry Hinton Façade accommodation units shall be submitted to and approved in writing by the local planning authority. The windows shall achieve a sound reduction of at least 34dB Rw+Ctr as specified within the MAS Environmental "noise impact assessment for revised proposed residential development" report dated 8th November 2021 (ref: MAS 208CHR MAS211103F).

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity and living conditions of neighbouring occupiers and future occupiers in accordance with Policies 35, 50, 51 and 56 of the Cambridge Local Plan

- 5 No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

- 6 There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

- 7 No demolition or construction works shall commence on site until a contractors parking plan has been agreed in writing with the Planning Authority. The aim of the plan should be to demonstrate how the developer will control and regulate on street motor vehicle parking for the contractors and sub-contractors under taking the works.

Reason: in the interests of highway safety (Section 9 NPPF)

- 8 The bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.

Reason: To ensure appropriate provision for the secure storage of bicycles and refuse, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

- 9 The development, hereby permitted, shall not be occupied until the proposed second floor windows in the rear elevation of the development shall be fixed shut or have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.

Reason: To prevent overlooking of the adjoining properties (Cambridge Local Plan 2018 policies 55, 57/58).

- 10 No construction of the biodiverse (green) roof(s) shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority.

- a) The means of access for maintenance
- b) Plans and sections showing the make-up of the sub-base to be used which may vary in depth from between 80-150mm
- c) Planting/seeding with an agreed mix of species (the seed mix shall be focused on wildflower planting indigenous to the local area and shall contain no more than a maximum of 25% sedum)
- d) Where solar panels are proposed, biosolar roofs should be incorporated under and in-between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation
- e) A management/maintenance plan for the roof(s)

The roof(s) shall be constructed and laid out in accordance with the approved details and planting/seeding shall be carried out within the first planting season following the practical completion of the roof. The roof(s) shall be maintained as such in accordance with the approved management/maintenance plan.

The roof(s) shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance/repair or escape in case of emergency.

Reason: To help mitigate and respond to climate change and to enhance ecological interests. (Cambridge Local Plan 2018 policies 28 and 57).

- 11 No dwelling shall be occupied until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include SAP calculations which demonstrate that all dwelling units will achieve carbon reductions as required by the 2021 edition of Part L of the Building Regulations. Where on-site renewable or low carbon technologies are proposed, the Statement shall include:

a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and

b) Details of any mitigation measures required to maintain amenity and prevent nuisance.

The proposed renewable or low carbon energy technologies and associated mitigation shall be fully implemented in accordance with the measures set out in the Statement prior to the occupation of any approved dwelling(s).

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 12 No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

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### **Informative**

Fire Service vehicle access should be provided in accordance with Approved Document B Volume 1 of the Building Regulations. There should be vehicle access for a pump appliance to within 45m of all points within the dwelling-house in accordance with paragraph 11.2 of Approved Document B Volume 1. Where the proposed new dwelling cannot meet access requirements for fire appliances, compensatory feature(s) should be provided.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

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# Agenda Item 8



<b>Planning Committee Date</b>	11 <sup>th</sup> January 2023
<b>Report to Lead Officer</b>	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
<b>Reference</b>	22/01971/FUL
<b>Site</b>	346 Milton Road, Cambridge
<b>Ward / Parish</b>	Kings Hedges
<b>Proposal</b>	Demolition of existing double garage and shed, and erection of a detached single storey dwelling to the rear
<b>Applicant</b>	Mr Evangelos Giannoudis
<b>Presenting Officer</b>	Tom Chenery
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1.Parking/Highways Issues 2.Impact on the Character of the Area 3. Neighbour Amenity
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks to demolish the existing double garage in the rear garden space of the application site and erect a bungalow style dwelling in its place.
- 1.2 The proposal is not considered to cause harm to the character and appearance of the area and is designed appropriately.
- 1.3 The proposal is not considered to cause undue harm to the amenity or living conditions of neighbouring occupiers and would provide an acceptable level of amenity for future occupiers.
- 1.4 The proposal would not have any significant adverse effect upon the Public Highway and would not result in any undue highways safety implications.
- 1.5 Officers recommend that the Planning Committee APPROVE the proposal.

## 2.0 Site Description and Context

None-relevant	X	Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1	X
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

- 2.1 346 Milton Road comprises a two storey detached dwellinghouse which benefits from a long rear garden and two bay garage and associated parking to the rear. There is a shingle access track along the rear of the neighbouring properties which provides access to a number of garages and off street parking.
- 2.2 To the north and south of the site, the prevailing character is semi-detached dwellings set back from Milton Road with large outbuildings and gardens to the rear.
- 2.3 Opposite the access track are a number of residential allotments to which gain access from a gate directly opposite the application site. The Church



of St George is also located to the south east of the site which is a Grade II Listed Building.

### **3.0 The Proposal**

- 3.1 Demolition of existing double garage and shed, and erection of a detached single storey dwelling to the rear.
- 3.2 The development seeks to demolish the existing pre fabricated double bay garage which is located towards the rear boundary of No.346 Milton Way. In its place would be a two bedroom bungalow style dwelling with a floorspace of 110m<sup>2</sup>. The proposal would benefit from a 55m<sup>2</sup> rear garden and two allocated parking spaces. Access would be gained from the shingle access track to the rear/south which adjoins Kendal Way to the north east of the site.
- 3.3 The original planning application was submitted with an acceptable red line which included the access track but an incorrect ownership certificate. This has since been amended to Certificate D and a full re-consultation has commenced after the amended certificate was received.
- 3.4 A similar proposal was brought to Planning Committee on 4<sup>th</sup> September 2019. The application was for the erection of a single storey dwelling to the rear of 348 Milton Road (planning reference 19/0400/FUL).

### **4.0 Relevant Site History**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/96/0885	Erection of two storey rear extension	Approved
C/00/171	Erection of single storey front and rear extensions to existing dwelling	Approved
19/0400/FUL	Erection of a single storey dwelling to the rear of 348 Milton Road	Approved

- 4.1 The dwelling has been extended previously in the form of extensions to the front and rear. A dwelling in the rear garden similar to this scheme was approved at the neighbouring property. The application was determined at planning committee on September 4<sup>th</sup> 2019 to which the proposal was resolved to grant planning permission in line with the Officers' recommendation.
- 4.2 Within the discussion it was noted concerns were raised for access for emergency vehicles. An informative relating to fire access was added to the decision notice.

### **5.0 Policy**

#### **5.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

## **5.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 52: Protecting garden land and subdivision of dwelling plots

Policy 53: Flat conversions

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

## **5.3 Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

## **6.0 Consultations**

### **6.1 Local Highways Authority**

6.2 No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

### **6.3 Environmental Health**

6.4 The development is acceptable subject to the imposition of conditions

### **6.5 Sustainable Drainage Officer**

6.6 No Response

## **7.0 Third Party Representations**

7.1 5 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Construction impacts
- Highway safety
- Car parking and parking stress
- Impact on and loss of hedgerow

7.3 One comment neither objecting to nor supporting the application.

## **8.0 Member Representations**

8.1 Not applicable

## **9.0 Local Groups / Petition**

9.1 Milton Road Residents' Association has made a representation objecting to the application on the following grounds:

- Poor Access
- Car and Parking Issues
- Poor living accommodation
- Sets a precedent
- Issues with boundary location

9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

## **10.0 Assessment**

### **10.1 Principle of Development**

10.2 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need. The proposal would contribute to housing supply and thus would be compliant with policy 3.

10.3 Policy 52 requires proposals for the subdivision of existing residential curtilages to be of a form, height and layout appropriate to the surrounding pattern of development and character of the area whilst retaining sufficient garden space and balancing protecting the amenity and privacy of neighbours with creating high quality functional environments for future occupiers.

10.4 The principle of development is considered to be acceptable provided the proposal complies with the above criteria which will be assessed below.

### **10.5 Design, Layout, Scale and Landscaping**

10.6 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

10.7 The application proposes to demolish the existing double garage in the rear garden and rear boundary of the site and erect a bungalow style dwelling in its place.

10.8 Milton Road is characterised by two storey semi detached dwellings with large rear gardens. Many rear gardens benefit from large outbuildings and garages which bound the rear boundary. These dwellings are set back from Milton Road with car parking/gardens to the front.

10.9 To the rear of dwellings is an unsealed access track which is wide enough for one way traffic and allows for access to the rear garage, outbuildings and parking spaces for dwelling along Milton Road.

10.10 While there is a strong linear pattern of development along Milton Road, there is also a strong character of single storey outbuildings and double garage backland development directly to the north east of the site. To the south east of the site there is a row of bungalow style dwellings which are

considered to be backland development. These dwellings are situated behind dwellings on Milton Road and form part of the character of the area.

10.11 To the north east of the site and directly adjacent to the application site is a single storey bungalow style dwelling, similar to that within this application which gained planning permission under application reference 19/0400/FUL.

10.12 The dwelling would not be dissimilar to the height and appearance of existing garages or dwellings located along the private drive or in close proximity to the site and as a result, would be in keeping with this pattern of development. A materials condition is recommended to ensure the proposal would be of a high quality finish.

10.13 Overall, due to the scale, siting and design of the proposed development, it is appropriate to the surrounding pattern of development and the character of the area and would not constitute overdevelopment.

10.14 Overall, the proposed development would contribute positively to its surroundings and would relate acceptably to the host dwelling. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 and the NPPF.

#### **10.15 Amenity**

10.16 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and/or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

#### **10.17 Neighbouring Properties**

10.18 The proposal would be accessed via the private unsealed access track to the rear of the site which adjoins Kendal Way to the north east. The principal dwellings to be impacted by the development are No's 344, 346 and 348 Milton Road. The proposal would also impact upon the recently approved and constructed dwelling within the rear garden of No.348 Milton Road. For the purposes of this report, it will be known as 348a Milton Road.

10.19 The proposed dwelling will be in the rear garden space of the host dwelling No.346 Milton Road. The proposal would subdivide the plot with a 1.8m high close boarded fence situated 12.5m from the rear building line of No.346. The proposed dwelling itself would be located some 18m from the rear building line of No.346. Due to the scale of the proposal which would be single storey in height as well as the separation distance between the two dwellings, the proposal is not considered to cause any

undue loss of light, privacy, outlook, or appear overbearing to No.346 Milton Road.

- 10.20 The proposal would be located on the shared boundary with No's. 344. The shared boundary treatment to the south with No.344 consists of a mature hedgerow and 1.8m high boundary fence. The mature hedgerow measures approximately 3m in height.
- 10.21 The proposed dwelling would have an eaves height of approx. 2.75m and a ridge height of 3.7m. The proposal would also be situated 21m from the built form of the adjacent dwelling (No.344). Due to the modest scale of the proposal, the separation distance between the two properties and the mature boundary treatment that exists between the two dwellings, the proposal is not considered to cause any undue loss of light, privacy, outlook, or appear overbearing to No.344 Milton Road.
- 10.22 No.348 Milton Road is located some 20m from the proposal. As a result of the modest scale of the proposal and this separation distance, the development will not cause any undue harm to the amenity or living conditions of this neighbouring property.
- 10.23 The recently approved bungalow to the north east is located on the boundary with the application site. There would be a 1m separation between these two dwellings as a result of the side access to the rear garden within this development. The proposal would be of a similar scale to the adjacent bungalow but would protrude some 1.2m from No.348a's rear building line. As a result, the proposal would not cause any undue harm to the amenity or living conditions of this adjacent neighbour (No.348a).
- 10.24 All other neighbours are far enough removed from the proposal that it would not cause harm to their amenity or living conditions.
- 10.25 Overall, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 56, 58 and 35.
- 10.26 Amenity of Future Occupiers
- 10.27 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).
- 10.28 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	4	1	70	110	+40

10.29 Garden Size(s)

10.30 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers. A garden area of 55sqm would be provided which is sufficient for the size of the property and would allow a space to sit, hang out washing, kick a football etc.

10.31 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings. The Design and Access Statement submitted states the proposal would comply with these standards and therefore, Officers consider that the layout and configuration enables inclusive access and future proofing.

10.32 Construction and Environmental Impacts

10.33 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.

10.34 The Council's Environmental Health team have assessed the application and recommended that they have no objections to the development subject to the imposition of a condition regarding construction hours and piling as well as an Electrical Vehicle Charging point. These conditions are considered to be acceptable in order to limit the impact the proposal would have on adjacent occupiers given their proximity to the site.

10.35 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 52, 53, 57 and 58.

**10.36 Highway Safety and Transport Impacts**

- 10.37 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 10.38 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.39 Access to the site would be from Kendal Way to the North via the unsealed private access track.
- 10.40 Third party representations have raised concern over the impact of the development on the existing private drive, its ongoing maintenance responsibility and Highways safety concerns as a result of the development. However, as the maintenance of the private drive is not a planning concern, and the Highways Authority have raised no objection to the proposal, it is considered that the proposal will not result in adverse access impacts.
- 10.41 The addition of at most, two vehicles, would not be an intensification of the use, particularly as there is currently access and parking for more than two vehicles at the moment.
- 10.42 A concern has also been raised regarding access to the allotments and the turning area and parking being reduced as a result of the development. The land is private and as a result any issues with loss of parking or turning areas is a civil matter which cannot be considered within this application.
- 10.43 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

#### **10.44 Cycle and Car Parking Provision**

##### 10.45 Cycle Parking

- 10.46 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.



- 10.47 Cycle Parking is located at the front of the dwelling in a covered bike store which would provide 2 cycle spaces. The proposal would comply with the cycle parking guidance set out in appendix L of the Local Plan.
- 10.48 Car parking
- 10.49 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.
- 10.50 The proposal would provide an adequate amount of car parking in line with Appendix L of the Local Plan.
- 10.51 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.
- 10.52 The plans do not indicate the location of the EV Charge point and it is therefore necessary to add a condition to any permission given to ensure the proposal complies with the SPD.
- 10.53 The proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.
- 10.54 Trees**
- 10.55 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 10.56 An objection has been raised regarding the location of the proposed dwelling and its proximity to the hedgerow on the shared boundary with No.344 Milton Road. The objection is noted, however, the hedgerow is a boundary hedge located within the back garden of the residential properties. It does not form part of the local landscape character and it is not protected by virtue of any tree protection orders or a defined Conservation Area.

10.57 The applicant has not indicated that any hedgerow would be removed. The removal of any hedgerow by the applicant would be a civil matter and can not be considered within this planning application.

10.58 The proposal would accord with policies 59 and 71 of the Local Plan.

### **10.59 Biodiversity**

10.60 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

10.61 Given that the development is in the rear garden of the application site and in line with the guidance within the Cambridge Biodiversity SPD, it is necessary to add a condition that requires the development to deliver biodiversity net gain.

10.62 Subject to this appropriate condition, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

### **10.63 Third Party Representations**

10.64 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

<b>Third Party Comment</b>	<b>Officer Response</b>
Party walls	This is a civil matter between different landowners in which the local planning authority has no role. The Party Wall Act 1996 governs the process by which party walls and associated disputes are handled.
Ownership	The applicant(s) have confirmed that the correct certificate of ownership has been served.

## **10.65 Planning Balance**

- 10.66 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).
- 10.67 The proposal would not cause harm to the character and appearance of the area or to neighbouring or future occupiers. The proposal would also not have any highways safety implications and would comply with the parking and cycle parking guidance set out within Appendix L of the Local Plan.
- 10.68 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Approval

## **10.69 Recommendation**

- 10.70 **Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

## **11.0 Planning Conditions**

- 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 91 of the Town and Country Planning Act 1990 (as amended by 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 No development shall take place above ground level, other than demolition, until details of the external surfaces to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55 and 57 (for new buildings)).

- 4 Notwithstanding the approved plans, the building hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

- 5 No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments (including gaps for hedgehogs) to be erected. The boundary treatment for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved details and retained as approved thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and privacy (Cambridge Local Plan 2018 policies 55, 57 and 59).

6. No dwelling, hereby permitted, shall be occupied until the curtilage of that dwelling has been fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 52, 55 and 56).

7. No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a minimum net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include: i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site; ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the appropriate DEFRA metric in force at the time of application for discharge; iii) Identification of the existing habitats and their condition on-site and within receptor site(s); iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the appropriate DEFRA metric in force at the time of application for discharge; v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate. The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate to criterion v) shall be submitted to the local planning authority in accordance with DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

8. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwelling house(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions)).

9. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no fences, gates, walls or other means of enclosure forward of the principal elevation shall be erected within the curtilage of the dwellinghouse(s) without the granting of specific planning permission.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions)).

10. No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

11. In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall be assessed in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites.

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

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

12. No permanent connection to the electricity distribution network shall be established until a dedicated electric vehicle charge point scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that at least one active electric vehicle charge point will be designed and installed with a minimum power rating output of 7kW to serve the approved allocated on-plot parking space for the proposed residential unit. The approved scheme shall be fully installed before the development is occupied and retained as such.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality (Cambridge Local Plan 2018 policies 36 and 82 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

13. The bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.

Reason: To ensure appropriate provision for the secure storage of bicycles and refuse, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82)

- 14 No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

15 No dwelling shall be occupied until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include SAP calculations which demonstrate that all dwelling units will achieve carbon reductions as required by the 2021 edition of Part L of the Building Regulations. Where on-site renewable or low carbon technologies are proposed, the Statement shall include:

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a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and

b) Details of any mitigation measures required to maintain amenity and prevent nuisance.

The proposed renewable or low carbon energy technologies and associated mitigation shall be fully implemented in accordance with the measures set out in the Statement prior to the occupation of any approved dwelling(s).

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

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### **Informative**

Fire Service vehicle access should be provided in accordance with Approved Document B Volume 1 of the Building Regulations. There should be vehicle access for a pump appliance to within 45m of all points within the dwelling-house in accordance with paragraph 11.2 of Approved Document B Volume 1. Where the proposed new dwelling cannot meet access requirements for fire appliances, compensatory feature(s) should be provided.

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### Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

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