



Cambridge City Council Planning

Date: Wednesday, 7 February 2024

Time: 10.00 am

Venue: Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ [access the building via Peashill entrance]

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

Agenda

1 Order of Agenda

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

- **Part One**
Major Planning Applications
- **Part Two**
Minor/Other Planning Applications
- **Part Three**
General and Enforcement Items

There will be a forty-five minute lunch break sometime 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 whether or not the meeting will be adjourned.

2 Apologies

3 Declarations of Interest

4 Minutes

(Pages 5 - 14)

Part 1: Major Planning Applications

5 23/02685/FUL Grafton Centre

(Pages 15 -

120)

6 23/03653/S73 Aylesborough Close (Pages 121 - 140)

Part 2: Minor/Other Planning Applications

7 22/05352/FUL Land rear of 18 Adams Road (Pages 141 - 186)

8 23/03389/FUL 54 and 54A Cherry Hinton Road (Pages 187 - 204)

9 23/03980/S73 Silver Street Public Toilets (Pages 205 - 220)

10 23/03902/S19LB Silver Street Public Toilets (Pages 221 - 228)

11 23/03759/FUL 42 Birdwood Road, Cambridge (Pages 229 - 254)

12 23/03317/S73 50 Burleigh Street (Pages 255 - 266)

13 23/04342/S73 45 Leete Road, Cambridge (Pages 267 - 278)

Part 3: General and Enforcement Items

14 CCC Appeals Report (24.01.2024) (Pages 279 - 282)

Planning Members: Smart (Chair), Baigent (Vice-Chair), Bennett, Carling, Dryden, Levien, Porrer and Thornburrow

Alternates: Flaubert, Gilderdale, Howard, Nestor and Nethsingha

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- Website: <http://democracy.cambridge.gov.uk>
- Email: democratic.services@cambridge.gov.uk
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PLANNING

10 January 2024

10.15 am - 6.30 pm

Present:

Planning Committee Members: Councillors Smart (Chair), Baigent (Vice-Chair), Bennett, Carling, Levien, Porrer and Thornburrow

Officers:

Delivery Manager: Toby Williams

Area Manager (East): Jane Rodens

Area Team Leader: Michael Hammond

Senior Planner: Tom Chenery

Senior Planner: Charlotte Spencer

Environmental Health Officer: Ben Walther

Arboricultural Officer: Joanna Davies

Legal Adviser: Keith Barber

Committee Manager: James Goddard

Meeting Producer: Chris Connor

FOR THE INFORMATION OF THE COUNCIL**24/1/Plan Apologies**

Apologies were received from Councillor Dryden.

24/2/Plan Declarations of Interest

Name	Item	Interest
Councillor Baigent	All	Personal: Member of Cambridge Cycling Campaign.
Councillor Baigent	24/5/Plan	Personal and Prejudicial: This was a Romsey specific application so would speak as Ward Councillor. Withdrew from discussion and did not vote.

24/3/Plan Minutes

The minutes of the meeting held on 6 December 2023 were approved as a correct record and signed by the Chair.

24/4/Plan 23-02952-S73 Land South of Wilberforce Road

The Committee received an S73 application to vary condition 2 (drawings), 18 (tree removal compliance), 19 (Arboricultural Method Statement), Tree Protection Plan, 20 (pre-commencement site meeting) 26 (hard and soft landscaping), condition 40 (bin stores), of ref: 21/02052/FUL (Demolition of existing buildings/structures and the erection of college accommodation, new access and landscaping) to include alterations to Blocks E-F, changes to trees and compliance requirements, changes to landscaping scheme and refuse storage.

The Senior Planner updated her report by referring to the amendment sheet:

- i. Amendments to text.
- ii. Change to list of approved documents in Condition 25.

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

Councillors Smart and Bennett proposed an amendment to the Officer's recommendation to be mindful of Design Out Crime Officer comments referring to the bike store and bin store (in the Officer report) when discharging those particular conditions.

This amendment was **carried unanimously**.

Councillor Porrer proposed amendments to the Officer's recommendation:

- i. to add a criteria (i) to Condition 32 regarding the need to replace any biodiversity lost from the removal of trees;
- ii. amend Condition 21 to extend the tree protection period from 5 to 10 years;
- iii. an informative to seek 10% biodiversity net gain within remit of s73 application as 21/02052/FUL had already been approved.

The amendments were **carried unanimously**.

Councillor Thornburrow proposed amendments to the Officer's recommendation:

- i. keep apple tree in its current location and move services around it if possible;
- ii. when building be mindful of the need to ensure foundations were more substantial than normal standard so they would not be damaged by nearby trees roots.

The amendments were **carried unanimously**.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report (with delegated authority to Officers to make minor amendments to the conditions as drafted), subject to:

- i. the planning conditions set out in the Officer's report and amendment sheet;
- ii. delegated authority to Officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following amendment to condition 32:
 - a. add criteria (i) to Condition 32 for biodiversity lost through the removal of trees to be replaced;
- iii. delegated authority to Officers to amend Condition 21 to extend the tree protection period from 5 to 10 years;
- iv. delegated authority to Officers to add a foundation design condition and how this impacts on trees (when building need to ensure foundations were more substantial than normal standard so they would not be damaged by nearby trees roots), Officers to be mindful of trigger point in condition wording;
- v. informatives included on the planning permission in respect of:
 - a. criteria for Condition 32(i);
 - b. 10% biodiversity net gain;
 - c. keep apple tree in its current location and move services around it if possible;
 - d. be mindful of Design Out Crime Officer comments referring to the bike store and bin store (in the planning report) when discharging conditions.

24/5/Plan 23-03068-FUL 163-167 Mill Road

Councillor Baigent withdrew from the meeting for this item and did not participate in the discussion or decision making.

The Committee received an application for full planning permission.

The application sought approval for refurbishment of the building including internal slab openings with steel framing, roof replacement and raising the flat roof finish height, parapet works, new plant, substation, external alterations and temporary removal of shopfront to facilitate MRI installation (first phase).

The Senior Planner updated his report by referring to paragraph 10.6 in the Officer's report. There was no official fallback position, contrary to report details, but this was not a material consideration for this application.

The Committee received a representation in objection to the application from a resident of Sedgwick St:

- i. An MRI facility was a good thing, but Mill Road was the wrong location.
- ii. Raised the following noise concerns:
 - a. Levels of noise.
 - b. Type of noise.
 - c. Enforcement.
 - d. There was no baseline to measure noise against, so it was hard to hold the Applicant against conditions.
- iii. Requested the following conditions:
 - a. A noise management condition to control:
 - i. Noise level.
 - ii. Maximum amount, not average amount.
 - b. To avoid additional plant.
 - c. To avoid increasing operating hours.
 - d. To stop the Applicant lighting up (illuminating) the back of the site.

The Committee received a representation in objection to the application from a second resident of Sedgwick St:

- i. Expressed concern about noise levels.
- ii. Suggested there were inaccurate noise base line details in the Officer's report.
- iii. There was more background noise than listed in the Officer's report.
- iv. Took issue with proposed noise mitigation measures. Noise pollution from the site was expected to be higher than measures could cope with.

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

Councillor Baigent, Cambridge City Councillor (Ward Member), addressed the Committee speaking in objection of the application and concluded by asking the Committee to refuse the application.

Councillor Thornburrow proposed an amendment to the Officer's recommendation to include a condition limiting operating hours. Details could be drafted by Officers, in consultation with the Chair, Vice Chair and Spokes.

This amendment was **carried unanimously**.

Councillor Bennett proposed an amendment to the Officer's recommendation to include a condition to control general operating noise and vibration, with clear links to the Local Plan.

This amendment was **carried unanimously**.

Councilor Porrer proposed, seconded by Councillor Thornburrow, to defer the determination of the application seeking information on:

- i. Opening hours.
- ii. Chiller function on ground floor.
- iii. A clear statement about the noise baseline and how residents could raise concerns about noise levels.

The Committee:

Resolved (by 4 votes to 2) to defer the application pending receipt of clarification and information on matters i-iii above.

24/6/Plan 22-01971-FUL 346 Milton Road

The Committee received an application for full planning permission.

The application sought approval for demolition of existing double garage and shed, and erection of a detached single storey dwelling to the rear.

Councillor Gawthrope Wood, Cambridge City Councillor, addressed the Committee speaking in objection of the application (written statement read by Committee Manager).

Councillor Bennett proposed an amendment to the Officer's recommendation requesting a condition with details of paving with porous materials.

This amendment was **carried unanimously**.

Councillor Thornburrow proposed amendments to the Officer's recommendation:

- i. Letterbox condition to comply with Policy 57(g) of the Local Plan.

This amendment was **carried by 5 votes to 0 with 2 abstentions**.

- ii. Foundation design condition (when building need to ensure foundations were more substantial than normal standard so they would not be damaged by nearby trees roots).

The amendment was **carried by 5 votes to 1 with 1 abstention**.

Councillor Porrer proposed amendments to the Officer's recommendation:

- i. Construction and Traffic Management Plan condition.
- ii. Informative for suitable lighting of the premises access.

The amendments were **carried unanimously**.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report (with delegated authority to Officers to make minor amendments to the conditions as drafted), subject to:

- i. the planning conditions set out in the Officer's report;
- ii. delegated authority to Officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following additional conditions:
 - a. Construction and Traffic Management Plan condition;
 - b. details of a paving with porous materials condition;
 - c. letterbox condition to comply with Policy 57(g) of the Local Plan;
 - d. foundation design condition;

- iii. an informative included on the planning permission in respect of suitable lighting of access.

24/7/Plan 23-04248-FUL 122 Union Lane

The Committee received an application for full planning permission.

The application sought approval for ground floor rear extension and change of use from C4 (6-Bed HMO) to Sui Generis (7-Bed HMO) Resubmission of 23/03520/FUL.

Mr Malings (Applicant) addressed the Committee in support of the application.

Councillor Porrer proposed an amendment to the Officer's recommendation to include an informative recommending low water usage.

This amendment was **carried unanimously**.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, and subject to the conditions recommended by the Officer (with delegated authority to Officers to make minor amendments to the conditions as drafted) and an informative recommending low water usage.

24/8/Plan 23-02622-FUL 4 Cavendish Avenue

The Committee received an application for full planning permission.

The application sought approval for erection of dwelling following demolition of existing triple garage block, new vehicular access from the highway to serve existing dwelling.

The Committee received a representation in objection to the application from a resident of Hills Avenue:

- i. Objected to the garden in-fill property proposed at the back of 4 Cavendish Avenue for the following reasons:
 - a. Neighbour at 4 Cavendish Avenue sought to build a house for commercial purposes, to make money. In order to maintain the commercial value of her house, the proposed building was situated as far as possible away from her house, but very close to the Objector's home.

Objector's coach house (a separate building and residence) was 290 cm away from the boundary where permission was sought to build a new house.

- b. This would result in a very crowded corner at the back and to the side of Objector's property (1 Hills Avenue) and with 3 Hills Avenue as well. There would be four houses in this corner which was not typical of this part of Cambridge. The design of the house detracted from the separate 1840's coach house/stable and the adjacent house of the same period at 3 Hills Avenue.
- c. Was concerned that the proposed building would have a damaging effect on:
 1. a Victorian Brick wall which was on the boundary and;
 2. the Victorian coach house (circa 1840), neither of which had modern day standard foundations.
- d. If the Council was minded to give permission to this application:
 1. Asked for conditions to protect trees and the hedge. Sought special consideration to be given to Objector's two large historic apple trees, which were marked individually on historic maps. Two of these trees were on the boundary with the proposed development.
 2. The Council should include special protection to avoid damage to the building and wall on Objector's property which had limited building foundations.

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

Councillor Thornburrow proposed amendments to the Officer's recommendation:

- i. for the inclusion of a cycle and bin storage condition;
- ii. check Cavendish Avenue boundary line on plan and amend after Committee if required.

The amendments were **carried unanimously**.

Councillor Smart proposed an amendment to the Officer's recommendation for a condition to ensure foundations were more substantial than normal standard so they would not be damaged by nearby tree roots.

This amendment was **carried unanimously**.

Councillor Baigent proposed and Councillor Smart seconded deferring in favour of the need for a site visit.

Resolved 5 votes to 2 not to defer the application.

The Committee:

Resolved (by 6 votes to 1) to reject the Officer recommendation to approve the application for planning permission in accordance with the Officer recommendation (as amended in debate).

Councillors suggested 'minded to refuse' reasons linked to:

- i. Policy 34b;
- ii. Policy 57a, b, d, h;
- iii. Policy 52a, b, c;
- iv. There being no reference to the details of the offsite biodiversity net gain;
- v. materials not in keeping with character of the area.

Resolved (by 6 votes to 1) to refuse the application contrary to the Officer recommendation with delegated authority to Officers, in consultation with the Chair, Vice Chair and Spokes, to draft full reason text based on the reasons listed above.

24/9/Plan Appeals Information

The Committee noted the appeals list from December 2023.

24/10/Plan 22-02066-FUL Owlstone Croft Planning Process Overview Report

The Planning Committee resolved to exclude members of the public from the meeting on the grounds that, if they were present, there would be disclosure to them of information defined as exempt from publication by virtue of paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

The Committee received a report regarding the process and engagement regarding application number 22/02066/FUL for Owlstone Croft, Owlstone Road. An appeal was heard by a Planning Inspector against this Committee's decision 15 November 2023.

The Committee:

Unanimously resolved to note the officer report.

The meeting ended at 6.30 pm

CHAIR

Agenda Item 5



Planning Committee Date	7 February 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/02685/FUL
Site	Grafton Centre
Ward / Parish	Market
Proposal	i) Demolition of 11-12 Burleigh Street and Abbeygate House, ii) Part demolition and alterations to the Grafton Centre, removal of existing facades, erection of new floorspace for life science use, new and replacement façades and shopfronts, provision of terraces at fourth floor level, installation of plant and enclosures, iii) Redevelopment of existing bus turning head and redundant service area to provide new hotel and leisure quarter, iv) New pedestrian access route from Christchurch Street to Burleigh Street, provision of cycle parking spaces, public realm and landscape improvements, v) Highway works to East Road providing new bus stops, pedestrian and cycle routes and other associated works.
Applicant	Pioneer Group Ltd
Presenting Officer	Michael Hammond
Reason Reported to Committee	Third party representations Application raises special planning policy or other considerations
Member Site Visit Date	N/A
Key Issues	1. Design & Landscape 2. Townscape, Visual Amenity and Heritage 3. Transport, Highways and Parking 4. Sustainable Design
Recommendation	APPROVE subject to conditions, informatives & S106

1.0 Executive Summary

- 1.1 The application seeks planning permission for the repurposing of the Grafton Centre for the following:
- i) Demolition of 11-12 Burleigh Street and Abbeygate House;
 - ii) Part demolition and alterations to the Grafton Centre, removal of existing facades, erection of new floorspace for life science use, new and replacement façades and shopfronts, provision of terraces at fourth floor level, installation of plant and enclosures;
 - iii) Redevelopment of existing bus turning head and redundant service area to provide new hotel and leisure quarter;
 - iv) New pedestrian access route from Christchurch Street to Burleigh Street, provision of cycle parking spaces, public realm and landscape improvements; and
 - v) Highway works to East Road providing new bus stops, pedestrian and cycle routes and other associated works.
- 1.2 The application has been the subject of two Design Review Panels, a Disability Consultative Panel and extensive pre-application discussions with officers.
- 1.3 The applicant is not seeking planning permission for a change of use of existing retail floorspace to the life science use and this has not been included in the description of proposed development. As such, subject to assessment of the amenity impacts later in this report, this element of change is not a material planning consideration and as such there is no in principle objection to the proposed life science use or the loss of existing retail. The proposed new retail units onto East Road and new hotel are acceptable in principle given the City Centre site location. Planning permission was granted on 1 September 2020 for a hotel on this part of the site.
- 1.4 In terms of townscape views in and around the site, the proposed works are considered to enhance the character and appearance of the area. The proposal would introduce contemporary designs and active frontages that are considered to uplift the architectural quality and public realm of this part of the city. Urban Design and Landscape officers are supportive of the proposals in this respect.
- 1.5 With respect to the Council's tall buildings, conservation and extending buildings policies (58, 60 and 61) and long-distance views from Castle Mound, Historic England, Conservation, Landscape and Urban Design Officers have all identified the proposed works as causing less than substantial harm to the setting of adjacent heritage assets. This harm would be to the Central Conservation Area, the Grade I Listed Jesus College Chapel and more generally to the character and appearance of the area. No other heritage harm has been identified. Officers share this assessment.

- 1.6 Technical consultees have raised no objection to the proposal subject to conditions in terms of impacts on the amenity of nearby occupiers and environmental impacts such as on water resources, flood risk/ drainage, climate and air quality.
- 1.7 The scheme would deliver a number of public benefits including: bringing into active employment use a declining retail destination in a key part of the City; the provision of approximately 2,652 jobs (1,944 skilled, 707 non skilled), 1,868 jobs more than the existing site, in a highly sustainable location; the provision of a leisure quarter including hotel with gym and retained cinema; the provision of reconfigured and improved retail space frontage including a public square; the retrofitting of existing building infrastructure into an energy and water efficient end use; the provision of significant public realm and highways improvements including to East Road, around the perimeter of the site, to Burleigh Street and Fitzroy Lane; a strong commitment from the applicants to a life science focused community outreach programme for young people, including the provision of physical space; and continued public access through the site.
- 1.8 When balancing the less than substantial harm to heritage assets and harm to the character and appearance of the area generally against other material planning considerations and the public benefits that the scheme would deliver, it is considered that the benefits would be substantial and outweigh the harm identified.
- 1.9 Overall, the application facilitates the on-going viable use of the Grafton Centre which is declining as a retail destination. Unlike many other dated shopping centres nationally, being located within Cambridge, the site is uniquely placed to help meet the high demand of lab and life sciences uses that are currently coming forward in Cambridge. The proposal is thus viewed by officers as a significant opportunity, which complies with relevant national and local planning policy.
- 1.10 Officers recommend that the Planning Committee approve the application subject to conditions, informatives and a Section 106 Agreement.

2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area	X (adjacent)	Local Nature Reserve	
Listed Building	X (adjacent)	Surface Water Flood Zone (low, medium and high)	X
Building of Local Interest	X (adjacent)	Primary Shopping Area	X
Area of Major Change	X	City Centre	X

Scheduled Ancient Monument		Controlled Parking Zone	X
Local Neighbourhood and District Centre		Air Quality Management Area	X

*X indicates relevance

- 2.1 The application site (4.07ha) consists of the Grafton Centre, Abbeygate House, the bus turning area immediately to the south-east, Crispin Place, Burleigh Place and sections of Fitzroy Lane, James Street, Christchurch Street, Napier Street, Wellington Street and Nelson Close adjacent to the Grafton Centre. The retail units of nos. 11 – 12 Burleigh Street are also included within the application site boundary.
- 2.2 The Grafton Centre is a retail shopping centre which was opened in 1983, extended in 1995 (including the cinema) and then refurbished in 2017. The ground and first floors are made up of retail and leisure uses with a range of small, medium and large units. At the second-floor there is a gym and a large proportion of the space consists of the Grafton East multi-storey car park.
- 2.3 To the north of the site there are the historic terrace rows of Fitzroy Lane, James Street, Christchurch Street and Napier Street, with more modern properties at Wellington Street, Wellington Close and Severn Place to the north-east. The Grade II listed Church of Christ Church, wall, railings and parish room and the Grade II* Arts Theatre Workshop and Store are situated to the north of the site, both of which are within the Kite Conservation Area.
- 2.4 Immediately to the east and outside the site is the Working Mens Club. Beyond that lies the arterial road of East Road, the Crown Court and the residential properties between St Matthews Street and Norfolk Street where the western most edge of the Mill Road Conservation Area is situated. The Church of St Matthew is located within the Mill Road Conservation Area and is Grade II Listed.
- 2.5 To the south and south-west is Burleigh Street which is a busy pedestrian thoroughfare predominantly made up of retail and city centre uses
- 2.6 To the west of the site is Fitzroy Street which connects to Emmanuel Road and Christ's Pieces. The southern half of Fitzroy Street is in the Kite Conservation Area and on the opposite side (northern) is no.17 Fitzroy Street which is a Grade II Listed Building.
- 2.7 There are a variety of other listed buildings, locally listed buildings and other heritage assets within the wider area. Of note is the Riverside Conservation Area to the north and north-west, the historic park and garden of the Mill Road Cemetery to the south-east and the Scheduled Ancient Monument of Castle Mound further to the north-west which is in the Castle and Victoria Road Conservation Area.

2.8 The site lies within a Strategic District Heating Area, an Area of Major Change (Policy 12), Primary Shopping Area, City Centre, Controlled Parking Zone and Air Quality Management Area. There are small areas of low, medium and high surface water flood risk.

3.0 The Proposal

3.1 Full planning permission is sought for:

1. Demolition of 11-12 Burleigh Street and Abbeygate House;
2. Part demolition and alterations to the Grafton Centre, removal of existing façades, erection of new floorspace for life science use, new and replacement façades and shopfronts, provision of terraces at fourth floor level, installation of plant and enclosures;
3. Redevelopment of existing bus turning head and redundant service area to provide new hotel and leisure quarter;
4. New pedestrian access route from Christchurch Street to Burleigh Street, provision of cycle parking spaces, public realm and landscape improvements; and
5. Highway works to East Road providing new bus stops, pedestrian and cycle routes and other associated works.

3.2 The proposal seeks to repurpose the Grafton Centre for life science use. The existing use of the Grafton Centre is retail and falls under Use Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended). The proposed life science use also falls within Use Class E of the Use Classes Order. Therefore, the proposal does not seek nor does it need permission to alter the use from retail to life sciences.

3.3 In order to facilitate the repurposing, the proposal would require a host of external and internal alterations. This includes inserting additional mass at the upper levels, increasing the total height of the building from circa 20m to 27.75m at its highest point.

3.4 The mix of existing and proposed uses within the application is broken down in the table below:

Use	Existing Gross Internal Area (GIA) (sqm)	Proposed GIA (sqm)	Difference
Retail	42,640	10,446	-32,194
Leisure (gym)	1,644	1,644	0
Leisure (cinema)	3,391	3,391	0

Car Park	15,110	11,377	-3,733
Residential	1,720	1,720	0
Life Sciences	N/A	47,321	+47,321
Hotel	N/A	4,602	+4,602
Total	64,630	80,501	+15,871

3.5 The proposal also seeks permission for the demolition of Abbeygate House which consists of 782sqm of retail and 1,386sqm of office floorspace. In addition, 11 – 12 Burleigh Street would be demolished which consists of 138sqm of retail and 122sqm of residential (C3) floorspace comprising a three-bedroom flat and a four-bedroom flat.

Life Sciences

3.6 The proposed life science element of the development would occupy the central and eastern area of the existing Grafton Centre. It would have a floor area of 47,321sqm GIA spread across five floors with a basement level below and a rooftop plant area above.

3.7 To facilitate the increase in floor area, the proposal seeks to extend the built form of the Grafton Centre out from the existing cinema to the south and south-west over part of Abbey Gate House (to be demolished) and Crispin Place. In addition, the central section of the Grafton East car park would be developed over and extended above with the upper-most level consisting of storage for roof top plant. The proposed life science element of the scheme seeks to take a contemporary appearance, for example through the use of bronze aluminium cladding, stone cladding and double height windows.

3.8 The life science layout would consist of a mix of write up spaces and laboratories.

3.9 At the ground-floor level, the main entrance and reception atrium would be positioned along the western edge of the life science element where it meets the newly formed retail loop/ square (see below). Adjacent to this area, there would also be a community space with the intention for this space to be a hub for educational use, events and exhibitions. Running through the centre of the site west-east would be the central atrium and collaboration space with the ability to host exhibitions. In the south-east corner, an entrance from East Road and the newly formed hotel and leisure quarter (see below) would be included. The proposal includes an area in the eastern portion of the development for incubator and starter laboratory space at ground-floor level, with “grow on” floorspace at first-floor level above this.

- 3.10 The upper floor levels would consist of laboratory and write up space. At the fourth-floor level there would be a series of external terraces accessed from within the Life Science uses. The exception to this is the northern-most terrace which also has public access from the main central stair core.

Retail Square/ Loop

- 3.11 The retained retail would be situated on the western side of the application site. It would consist of re-designed external facades in a mixture of brick styles. Double height rounded windows would be a common feature on the new facades.
- 3.12 Following the demolition of 11-12 Burleigh Street, the proposal would introduce a new north-south pedestrian connection between Burleigh Street to Christchurch Street known as Gold Lane. A new external square would be introduced at the intersection between the existing pedestrian route through from Fitzroy Street to the west, the new north-south connection and the main entrance to the life science use.

Fitzroy Lane – Severn Lane cycle/ footpath

- 3.13 At the northern edge of the site, the proposal seeks to establish an improved pedestrian and cycling environment between Fitzroy Lane in the north-west corner to Severn Place in the north-east corner. This would include the introduction of a stretch of pavement on Fitzroy Lane where there currently is not one.

Hotel and Leisure Quarter

- 3.14 On the eastern edge of the site adjacent to East Road, a new hotel and leisure quarter would be introduced. This would include the retained cinema which would have fenestration changes.
- 3.15 An eight storey hotel measuring circa 27.12m in overall height with retail over part of the ground-floor is proposed in a similar location to a previously permitted hotel on the site (19/0512/FUL). The proposed hotel would have 120 bedrooms and would also accommodate the existing gym on the site at second-floor level. It would be contemporary in appearance with a mix of brickwork and cladding.
- 3.16 A new landscaped pedestrianised area would be created along the western side of East Road, connecting Burleigh Place to the cinema, hotel and life science entrance where there would be an area of open space. Retail units would be introduced along the East Road elevation, immediately south of the cinema.

Car and Cycle Parking

- 3.17 The proposal would result in the redevelopment over part of the existing Grafton East car park. The level of car parking would reduce from 874no. spaces as existing to 488no. spaces as proposed.
- 3.18 The proposal would include 358no. (176 stands) on-street (public) cycle parking spaces spread across the site. 828 no. internal cycle parking spaces, 518no. of which would be situated within the basement, would be provided for the life science use. 69no. folding bike lockers would also be provided for the life science element. The total number of cycle parking would be 1,188no. spaces, plus 69no. folding spaces.

Tree Planting

- 3.19 The proposal seeks to remove two category B ash trees (T12 & T13) adjacent to Abbeygate House and a Category U group of 3no. broadleaf thorns adjacent to the bus turning head.
- 3.20 The proposal includes 25no. new trees to be planted within the site.
- 3.21 The application has been amended to address representations and further consultations have been carried out as appropriate.

4.0 Community Engagement

- 4.1 The proposed development has been the subject of consultation prior to being submitted as a planning application. A summary of the community consultation undertaken by the applicant is provided in Appendix 2.
- 4.2 A pre-application Member Briefing took place on 11 May 2023. This included the applicant, agent, officers, ward members and Planning Committee members.
- 4.3 Officers hosted a Member Briefing on the full application on 17 January 2024. This included officers, ward members and Planning Committee members.

5.0 Relevant Site History

Reference	Description	Outcome
17/0676/FUL	Change of use, extension and associated works to the existing second floor storage area (839 sq.m) located above the former BHS unit to create a new health and fitness gym facility (Use Class D2).	Permitted 25.09.2017
19/0512/FUL	Redevelopment of existing bus turning head and redundant service area to provide new hotel and ancillary restaurant (Use Class C1),	Permitted 01.09.2020 (not implemented)

21/01136/FUL	<p>new public realm (urban park) and landscape improvements together with associated highway works to East Road providing new bus stops, pedestrian and cycle routes.</p> <p>Demolition of existing building and redevelopment of the site to provide a new building containing retail and office floorspace (Use Class E).</p>	<p>Resolution to grant permission at 3.11.2021 Planning Committee – pending decision (S106 negotiations)</p>
23/01143/SCRE	<p>EIA Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for the: i) Demolition of 11-12 Burleigh Street and Abbeygate House, ii) part demolition and alterations to the Grafton Centre, removal of existing facades, erection of new floorspace for life science use, new and replacement façades and shopfronts, provision of terraces at fourth floor level, installation of plant and enclosures, iii) redevelopment of existing bus turning head and redundant service area to provide new hotel and leisure quarter, iv) new pedestrian access route from Christchurch Street to Burleigh Street, provision of cycle parking spaces, public realm and landscape improvements, v) highway works to East Road providing new bus stops, pedestrian and cycle routes and vi) other associated works.</p>	<p>EIA Not Required 01.09.2023)</p>

5.1 The adjacent permission (14/1905/FUL) for 84 dwellings at Severn Place to the north-east of the application site was not implemented.

6.0 Policy

6.1 National

National Planning Policy Framework 2023
National Planning Practice Guidance

National Design Guide 2021
Environment Act 2021
Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
Conservation of Habitats and Species Regulations 2017
Equalities Act 2010
Planning and Compulsory Purchase Act 2004
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
ODPM Circular 06/2005 – Protected Species
Circular 11/95 (Conditions, Annex A)
Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 Regulation 33

6.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development
Policy 2: Spatial strategy for the location of employment development
Policy 3: Spatial strategy for the location of residential development
Policy 5: Sustainable transport and infrastructure
Policy 6: Hierarchy of centres and retail capacity
Policy 10: The City Centre
Policy 11: Development in the City Centre Primary Shopping Area
Policy 12: Fitzroy/Burleigh Street/Grafton Area of Major Change
Policy 14: Areas of Major Change and Opportunity Areas
Policy 23: Eastern Gate Opportunity Area
Policy 28: Sustainable design and construction, and water use
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 37: Cambridge Airport Public Safety Zone and Air Safeguarding
Policy 40: Development and expansion of business space
Policy 42: Connecting new developments to digital infrastructure
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 60: Tall buildings and the skyline in Cambridge
Policy 61: Conservation and enhancement of historic environment
Policy 62: Local heritage assets
Policy 64: Shopfronts, signage and shop security measures
Policy 65: Visual pollution
Policy 70: Protection of priority species and habitats
Policy 71: Trees
Policy 73: Community, sports and leisure facilities
Policy 77: Development and expansion of visitor accommodation
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 Infrastructure Levy

6.3 Neighbourhood Plan

N/A

6.4 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
Landscape in New Developments SPD – Adopted March 2010
Public Art SPD – Adopted January 2009
Trees and Development Sites SPD – Adopted January 2009
Grafton Area Masterplan and Guidance SPD (2018)

6.5 Other Guidance

Castle and Victoria Road Conservation Area Appraisal (2012)
The Kite Conservation Area Appraisal (2014)
Mill Road Conservation Area Appraisal (2011)
Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide
Cambridge Air Quality Action Plan
Cambridgeshire Design Guide for Streets and Public Realm (2007)

7.0 Consultations

7.1 Anglian Water – No Objection

7.2 The foul drainage from this development is in the catchment of Cambridge Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water has applied to the Environment Agency for an interim new permit to address exceedance. Our long-term plans for Cambridge WRC are linked to the Cambridge relocation project and the Development Consent Order. The new Cambridge WRC will take all existing flows from current Cambridge WRC and all flows from future growth within the WRC catchment. We are working with Greater Cambridgeshire to understand the long-term growth figures, using the emerging local plan allocations and planning permissions. This allows us to design and deliver a new Cambridge WRC which can meet future demand.

7.3 Need to engage with the applicant regarding the used water network and request a condition requiring phasing plan and/or an on-site drainage strategy.

7.4 The surface water strategy/ flood risk assessment is unacceptable and request a condition regarding surface water drainage if permission is granted. Informatives also recommended.

7.5 Access Officer – No Objection

Original Comments (01/08/2023)

7.6 Shopmobility needs to be relocated into one of the existing commercial properties and a public changing places and standard toilet should be retained in retail element.

7.7 Insufficient information on hotel access and layout including the hotel design of the reception, the design of firefighting lift, the siting and layout of accessible rooms, other access features.

7.8 For the life sciences, specific door widths, room sizes, acoustics, glazing and fire evacuation procedures are recommended.

Comments on Additional Information (09/11/2023)

7.9 The inclusive access statement is good and if they build to this and the notes that were taken and are listed then supportive of this application.

7.10 Arts Development Officer – No Objection

7.11 Support the plans for expanding the art benches scheme to Burleigh Street.

7.12 Cadent Gas – No Objection

7.13 No objection subject to informative.

7.14 Cambridge City Airport – No Objection

7.15 No objection subject to the following conditions and informative:

- Bird Hazard Management Plan
- Lighting
- Instrument flight procedures assessment (cranes)
- Navigational aids impact assessment (cranes)
- Crane informative

7.16 Cambridgeshire Fire & Rescue Service

Original Comments (25/07/2023)

- 7.17 Request drawings showing the planned installations or current installation of Dry Risers in the buildings and the proposed lengths of these runs and any additional fire precaution details planned to be implemented.

Comments on Additional Information (09/01/2024)

- 7.18 No objections to not receiving the dry riser information at this stage in the development. Recommend a condition for the installation of fire hydrants.

7.19 Conservation Team – Objection

Original Comments (17/08/2023)

- 7.20 In summary the views from Castle Mound do not adhere to Local Plan policies 58, 60 and 61 due to their negative impact on the character of Cambridge by the introduction of the large horizontal bulk on the skyline. This bulk sits directly behind the Jesus College Chapel tower which is a distinctive feature in the strategic view. Therefore, there is less than substantial harm, towards the upper end, on the setting of both the grade I listed Jesus College Chapel and the Central Conservation Area.
- 7.21 It is considered that the proposal will adversely affect the character and/or setting of the Listed Building of Jesus College Chapel. The proposals will not meet the requirements of Local Plan policies 58, 60 and 61.
- 7.22 The proposal will not preserve or enhance the character or appearance of the Central conservation area. The proposals will not meet the requirements of Local Plan policies 58, 60 and 61.
- 7.23 With reference to the National Planning Policy Framework and the effect on the significance of the heritage asset, paragraphs 197, 199 and 202 would apply.

Comments on Additional Information (29/11/2023)

- 7.24 The main issue in terms of impact on the heritage assets of the city is still the view from Castle Mound, TVA View 19. It can be seen that the applicant's agents have endeavoured to address the concerns raised

previously. The rendering and changes to the elevations have softened the impact on views of Jesus College Chapel Tower to a small degree. However, it still has a negative impact on views of this building which have moved along the scale of less than substantial harm towards the more moderate side.

7.25 The impact on the Central Conservation Area and views out of Castle and Victoria Road Conservation Area are still compromised despite the changes. The horizontality is still very visible and continues to jar in a city that does not have that form along its skyline: within their own amended documentation, the applicant's agents agree that there is still less than substantial harm to the city's skyline. Therefore, it is considered that the changes have not altered the fact that the scheme is considered to be less than substantial harm, although the range would be from moderate towards the upper end of that scale rather than wholly at the upper end.

7.26 If the public benefit was considered to outweigh this level of harm, a condition has been recommended.

7.27 County Archaeology Team – No Objection

7.28 No objection subject to archaeology condition and informative.

7.29 County Highways Development Management – No Objection

Original Comments (08/08/2023)

7.30 Concerns regarding servicing of the hotel from the public highway which is unacceptable.

7.31 The trees proposed along Fitzroy Lane serve no highway function and should be fully maintained by the City Council.

7.32 Subject to the servicing of the hotel being addressed, no objection subject to the following conditions and informative:

- The public highways improvement be implemented prior to occupation of the development.
- Traffic Management Plan.
- Hours for demolition/ construction vehicles over 3.5 tonnes.
- Traffic Management Plan informative.

Comments on Additional Information (24/01/2024)

7.33 No objection subject to conditions as listed previously.

7.34 County Transport Team – No Objection

Original Comments (18/08/2023)

7.35 The application as submitted does not include sufficient information to properly determine the impact of the proposed development on the surrounding highway network or parking provisions. The car parking reduction needs reconsidering as the figure of 44% decrease is inaccurate. Also, the accident data does show there are cluster sites so that needs to be revisited and considered. Then finally separate travel plans will need to be submitted as currently the travel plans submitted are nearly identical.

7.36 The document shows that the removal of the Greater Manchester Hotel site in TRICS changed the trip rate for example the total PM peak excluding the Greater Manchester site is 0.672 and including the site is 0.658 for total person trips. Then for total person AM peak excluding Greater Manchester site is 0.868 and including the site is 1.147. The TRICS data therefore is noted, however the Highway Authority require the full latest TRICS output data for the development as it now excludes Greater Manchester so it can be thoroughly reviewed. Once this data is given to the Highway Authority then the TRICS Assessment can be assessed sufficiently.

Comments on Additional Information (25/01/2024)

7.37 Following the submission of the amended and additional information and after verifying the data, we can conclude that there will not be a significant impact on trip rates. Therefore, no further mitigation will be required.

7.38 Developer Contributions Monitoring Unit – No Objection

7.39 No objection subject to Section 106 Agreement contributions of £597,610.00 (plus indexation) towards the provision of and / or improvement to and enhancement of the Public Realm setting at Burleigh Street and Fitzroy Street. £2,200 (plus indexation) required towards the monitoring and administration of the Section 106 Agreement and further additional fees of £500 (if applicable) where the Council is required to provide written confirmation of an obligation.

7.40 Ecology Team

Original Comments (25/08/2023)

- 7.41 No DEFRA Metric 4.0 has been submitted in support of the application. Calculations should be submitted for scrutiny.

Comments on Additional Information (09/01/2024)

- 7.42 Content with Biodiversity Net Gain (BNG) metric and the Applied Ecology report that details in excess of 500% BNG on this largely pre-developed site. Fully support the ambition of securing 60% of the proposed green roofs to be Biodiverse roofs, maintained in good condition, as this seeks to maximise biodiversity value, not simply meet the minimum mandatory 10% BNG.

7.43 Environment Agency – No Objection

- 7.44 Evidence in the emerging Integrated Water Management Study for the Greater Cambridge Local Plan indicates that groundwater abstraction is placing significant pressures on water bodies (including chalk streams) that are sensitive to abstraction, and there is a risk of causing deterioration in the ecology if groundwater abstraction increases with licenced headroom. The area hosts several chalk streams which are internationally recognised habitats, sensitive to the availability of groundwater baseflow and vulnerable to low flows. This development has the potential to increase abstraction from groundwater sources.
- 7.45 You should consider whether the water resource needs of the proposed development alone, and in-combination with other proposed development that the relevant water company is being asked to supply, can be supplied sustainably without adverse impact to WFD waterbodies and chalk streams. At the present time we are unable to advise with confidence that further development will not harm the water environment, until it can be shown sustainable water supplies can be provided. We are working with the water companies and reviewing their draft Water Resources Management Plan to address this issue.
- 7.46 The Local Planning Authority must have regard to River Basin Management Plans and be satisfied that adequate water supply exists to serve development, in accordance with the policies of the Local Plan. Any surplus in water companies' current WRMP is subject to further consideration of whether it can be taken into account without causing environmental deterioration.

7.47 Should the development be permitted, we would expect you to ensure that the new buildings meet the highest levels of water efficiency standards, as per the policies in the adopted local plan.

7.48 Environmental Health Team – No Objection

Original Comments (08/08/2023)

7.49 We require further detail on air quality impacts and potential noise impacts from the delivery / service yard areas.

Comments on Additional Information (26/01/2024)

7.50 Following the submission of additional information, no objection subject to the following conditions:

- Contaminated land conditions;
- Demolition/ Construction Environmental Management Plan;
- Plant / Equipment Noise Assessment and Insulation Scheme;
- Noise Insulation Scheme (Hotel);
- External Music – All terraces (except southern events terrace);
- External Music – Southern terrace;
- External Rooftop Terraces – Restricted Hours of Use;
- Service Yard noise mitigation;
- Site wide deliveries/ collections;
- Fumes and Emissions to Air;
- Electric Vehicle charge point passive provision;
- Odour Control (labs and kitchens);
- Site wide artificial lighting;
- Food safety informative;
- DCEMP informative;
- Licensing informative; and
- Commercial kitchen odour informative.

7.51 Health and Safety Executive – No Objection

7.52 This application does not fall within the Consultation Distance Zones of either a Major Hazard Site, Major Accident Hazard Pipeline or Explosive Site.

7.53 Historic England – Objection

7.54 Concerned regarding the impact that the development would have in View 19 of the Townscape and Visual Appraisal, from Castle Mound towards Jesus College Chapel. The assessment of the viewpoint identified that there would be an adverse effect associated with the introduction of a new group of tall buildings which would compete with Jesus College Chapel and distract from other landmarks in the historic core. We consider the level of harm caused to the view from Castle Mound would be at a moderate level of less than substantial.

7.55 We therefore urge your authority to seek amendments to the scheme, to ensure that the level of harm caused to that wide skyline view would be reduced from a moderate level of less than substantial to that of a low level of less than substantial harm in the context of Paragraph 202 of the NPPF.

7.56 Landscape Team – Objection

Original Comments (24/08/2023)

7.57 The height and mass of the new buildings and impact on strategic and local views and townscape were discussed during the pre-application process and the LVIA reflects the agreed viewpoints and includes a thorough assessment of the proposals. The most significant and negative impacts result from the five storey life sciences new build elements which rise above the height of the existing Grafton Centre and are visible from Castle Mound (viewpoint 19) and Midsummer Common (viewpoint 17). The profile and horizontal form of the new development is at odds with the existing, historic skyline. We support the Conservation Officer's comments on the impact of the proposal on the Cambridge Skyline Policy 60 and recommend that further work is required to mitigate the impact.

Comments on Additional Information (29/11/2023)

7.58 In response to previous comments the upper levels of the life sciences wing have been amended to reduce impact on the historic skyline, particularly the view from Castle Mound. The amendments include an increased set back away from Burleigh Place on the southwest roof terrace at 4th floor level, revisions to the materials of the plant enclosures at 5th floor level and revisions to the facades. The revisions reduce the impact of the building on the skyline but, due to the height, width, and overall mass of the building in relation to the surrounding, existing townscape the proposal still has a negative impact on the skyline and views of the city and is still contrary to Policy 60.

7.59 In the event that officers are minded to approve the application, the following conditions should be applied:

- Signage Condition
- Hard Landscape Sample Panels
- Hand and Soft Landscaping
- Green Roofs
- Tree Pits

7.60 Lead Local Flood Authority – No Objection

7.61 The documents submitted demonstrate that surface water from the proposed development can be managed through the use of green and blue roofs where possible and rainwater harvesting proposed at the site. Bioretention is proposed in the shape of tree pits and additional storage is provided in gravel subbase and tanked attenuation. Water will discharge into the Anglian Water surface water network at a rate of 36.4 l/s across the site, which is a 68% betterment from the existing unrestricted discharge from the site. No objection subject to the following conditions and informatives:

- Surface Water Drainage Strategy;
- Surface water drainage during constriction;
- Green roof informative; and
- Pollution Control informative.

7.62 Ministry of Defence – No Objection

7.63 The proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed in conjunction with the response from Cambridge Airport dated 13 November 2023.

7.64 Public Realm Team – No Objection

7.65 No objection subject to improvements to Fitzroy Street and Burleigh Street as outlined by the Developer Contributions Monitoring Unit Team.

7.66 Streets and Open Spaces Team – No Objection

7.67 No objection to proposed tree removals given extent of tree planting proposed. Conditions required to protect trees during and after construction:

- Arboricultural Method Statement and Tree Protection Plan.
- Site Meeting.
- Tree Protection Compliance.
- Tree replacement.

7.68 Sustainability Team – No Objection

7.69 A climate change risk assessment has been carried out to help identify and mitigate climate risks. Alongside mitigation measures already incorporated into the design, a further 13 medium risks have been identified to be prioritised during future RIBA stages to implement further risk mitigation measures. Mitigation measures already included and supported include:

- Increased tree cover on site, with tree planting primarily adjacent to the south façade. The Landscape and Public Realm Design Statement notes that this leads to a 2.17% increase in tree canopy cover for the site.
- Provision of green roofs and blue roofs
- Lighter colours selected for hard surfacing to provide a higher albedo
- Nature based solutions have been prioritised to reduce flood risk and reduce urban heat island. This includes rain gardens and tree-pit storage.
- Overheating analysis to be undertaken using future climate scenarios

7.70 Overall, the approach being taken to sustainable design and construction and working towards the targets for net zero operational emissions in the emerging Greater Cambridge Local Plan and the reuse of the existing building and the embodied carbon savings associated with this are supported. The proposed approach in relation to water efficiency is supported with condition wording to secure implementation. Compliance conditions recommended regarding sustainable measures and water efficiency standards.

7.71 Urban Design Team – Objection

Original Comments (21/08/2023)

- 7.72 The scheme has many attributes that make a positive contribution to the immediate locality. These include an improved public realm and a north-south route that connects Christchurch St and Burleigh St. The facades also present active frontages to surrounding streets and whilst amendments are suggested to some elevations the architecture is considered good.
- 7.73 The proposals do not, however, comply with policy 60 of the Local plan. The prominent massing and height of the proposal when seen from Castle Mound will have an adverse impact on the skyline of Cambridge.
- 7.74 In the event officers are minded to approve the application, the following conditions are recommended:
- Materials Samples
 - Brick sample panel
 - Rooftop plant
 - Elevational treatment of cinema and hotel
 - Signage
 - Detailed design (windows, doors, eaves, soffits, balconies, railings etc)
 - Gold Land and Central Square design.

Comments on Additional Information (21/11/2023)

- 7.75 The amendments to the scheme have improved the overall design proposals. The height and massing of the building and its plant prevents a recommendation for approval as the proposals have an adverse impact on the skyline and do not comply with policy 60 of the Local Plan.
- 7.76 Design Review Panel Meeting of 22 September 2022 (pre-application)**
- 7.77 The City Council's guidance focuses on improving permeability as set out in the Grafton Area Masterplan SPD has not been adhered to through the proposed privatising of the route through. The Panel does not accept that the site's former routes and connections are sufficiently restored in the current proposal.
- 7.78 While the principle of development and climate benefits are noted, the scheme requires a great deal of reconsideration with regard to its urban design.
- 7.79 Design Review Panel Meeting of 13 April 2023 (pre-application)**

- 7.80 The Panel welcomes the extent of design work that has been undertaken in the past six months. There are nonetheless likely to be areas that require further consideration, that ought to lead to some redesign. It is not yet clear to the Panel that the depth of analysis that is said to have been undertaken has entirely come through into the scheme's design. If all of the necessary research has in fact been undertaken, the application submission needs to demonstrate fully how it has been thought about carefully, and reflected in the project. In particular, there is a need to clearly show how community engagement, sustainability assessments, the Townscape and Visual Impact Assessment (TVIA), a landscape analysis and heritage impact have all informed the design. There is a need to list out all the options considered and changes that have resulted clearly in the planning application's Design and Access Statement (DAS).
- 7.81 Specifically, with regard to climate and sustainability, the project is moving in the right direction. Working with Officers is recommended, to make this an exemplar project for the applicant and for future tenants. Researching, visiting and referencing Entopia in central Cambridge and West Hub in West Cambridge is highly recommended, as these are recently completed, exemplar sustainable developments. The more that business resilience is built into the proposal through every aspect of sustainability, the longer the project will remain valid and viable.
- 7.82 The proposals require development and refinement and could be an exemplary scheme.
- 7.83 A copy of the review letter is attached in full at appendix 1.
- 7.84 **Disability Consultative Panel of 25 October 2022 (pre-application)**
- 7.85 The following comments and queries were raised by the Panel:
- A query was raised about the implications on the proposals for Shopmobility, which currently has an office located in the Grafton shopping centre and provides a fleet of mobility equipment free of charge. In response, it was suggested that the development could host Shopmobility and it was mentioned that the retail proposition is intended to provide good value rather than a high end environment.
 - There has not been a Park & Ride service from Madingley for several years, which has limited the number of disabled people who can access the Grafton Centre. It was noted that it is important that the new proposals do not sever links with Park & Ride.
 - The pavements outside the shopping centre are in some disrepair and the surface is uneven. In response, it was commented that the client has aspirations, subject to the Council's support, to make improvements around Burleigh Street and Fitzroy Street.

- It was strongly suggested that, in discussions with the County transport team, the first parking spaces to be negotiated should be those for blue badge parking.
- In response to a query, it was noted that segregated walking/cycling routes are preferred in order to keep vulnerable people apart.

8.0 Third Party Representations

8.1 54no. representations have been received.

8.2 Those in objection have raised the following issues:

Existing and Proposed Uses

- Oversupply of hotels;
- Oversupply of lab space;
- Lab space in this location would be too expensive and would not attract enough users.
- Life Science is an inappropriate use in this location.
- Better off re-locating this use to science parks. Location inappropriate.
- The existing centre should be offered to smaller retailers by lowering rents;
- Proposal will make existing retail environment in area even worse;
- Still a demand/ need for retail;
- Proposal should include new housing, including affordable housing;
- Loss of facilities for local people;
- The ping pong parlour should be retained in the evenings;
- Would Primark shut under these plans?
- The existing gym needs to be enlarged to cater for the new workers that this would introduce.
- Strict rental conditions on the remaining shopping units must be introduced to prevent the domino effect of closures. E.g. whenever two shops close down in a 12 month period, rent is instantly reduced for all units for the following 12 months.
- In seven years will we see empty science buildings instead of empty shops due to rents being too high to pay for the renovation?

Transport

- Car parking pressure due to loss of part of Grafton East car park.
- No bus routes serve the Grafton.
- Transport needs of the 2,000+ workers has not been well-accounted for. The site is too far (nearly 2km) from the train station.
- Object to demolition of wall and outbuildings at end of Christchurch Street and subsequent north-south connection proposed.

- Christchurch Street likely to be used as a drop-off point.
- Cycling should be prohibited in pedestrianised areas.
- Essential that Severn Place is considered so that Fire and Emergency vehicles are not blocked by commuter/ visitor parking caused by the Life Science/ Hotel elements. Request a condition that residents parking only is introduced to Severn Place.
- A pavement for pedestrian access should be introduced to the mouth of Severn Place.
- Increased highway safety risk due to increase in delivery traffic.
- Negative impact on permeability for cyclists from Petersfield trying to reach City Centre or River.
- Blocking off of life sciences from the public not supported. East-West route should be retained.
- The existing cycle lane along the north of the Grafton Centre should be improved.

Amenity

- Anti-social behaviour/ lack of management of spaces;
- Concerns about management of the public square. Will it be gated? Will access be restricted?
- Increase in litter.
- Anti-social behaviour due to potential use of hotel by migrants;
- Construction traffic/ disturbance concerns.
- Overlooking/ Loss of privacy.
- Overshadowing/ Loss of light.
- Noise pollution from use, including late hours, and increased traffic on Christchurch Street.
- The cumulative impacts of this with the Severn Place development (14/1905/FUL) on residents of Roman House and Florian House would be significant.
- Loss of bin store for existing flats above Grafton Centre not replaced.
- Loss of amenity garden.

Environment

- Risk of litigation and lack of due diligence due to potential harm to the public and the environment from radioactive tracers and other toxic material or biological material.
- In Primavera Associates Ltd v Hertsmere Borough Council EWHC [2022] 2685 (Ch), Mr. Justice Leech noted that a duty of care can arise in a case where the local planning authority had created a danger of harm which would not otherwise have existed. The judgement confirmed that local authorities owe a duty of care to the public.
- Concerns regarding mixing labs and housing so closely due to air quality and environmental public health impacts.
- Urban heat island effect will result which will harm the environment and the health and wellbeing of local residents.

- Harm to pupils of Brunswick Nursery using outside space by way of increased risk of heat stress, heat exhaustion and heat stroke caused by urban heat island effect.
- No modelling of the urban heat island effect has been done and is required.
- Cumulative impact of this proposal and the Beehive Centre in terms of urban heat island effect.
- Contrary to Section 4 of the Local Plan and the Sustainable Design and Construction SPD.
- Detrimental impact on local water resources from both construction and use, contrary to Local Plan Policies 28 and 71.
- Increased flood risk, contrary to Local Plan Policy 32.
- Disruption to wind and airflow patterns.
- Harm to public health and air quality, including Brunswick Nursery staff and pupils, contrary to Local Plan Policy 36.
- Harm to local trees and ecosystems.
- The 'instant hedging' is likely to reduce the local diversity of plants and be used as a rubbish receptacle. Diverse and bee/ insect friendly planting is needed.
- Harm to Midsummer Common Community Orchard due to increased water pressure and potential harm from air pollutants.

Design/ Character/ Heritage

- Development is completely out of scale and character with the Conservation Area environment.
- Poor bland design.
- Dominates the skyline.
- Harm to the setting and character of the Mill Road and Kite Conservation Areas, as well as open spaces such as Midsummer Common.
- Contrary to Local Plan policies 14, 55, 56, 57, 58, 59, 60, 61 and 67.
- Proposals do not show the flues and vents that would be needed.

Other

- Suggest minor change to drawing which states "Christchurch Street" should instead state "Christchurch Lane".
- There has not been a public consultation and residents of the Mill Road Conservation Area not consulted.
- More money should be spent on NHS, schools etc rather than this.
- Many of the improvements (e.g. tree planting) could be done without redeveloping the Grafton Centre.
- Inaccuracies in distances quoted in applicant documents.

8.3 Those in support have raised cited the following reasons:

- Support the efficient use of the land space available in a location that is well connected to the city's walking, cycling and public transport networks.
- For environmental reasons would much rather a dense site is provided here than a sprawling car dependent campus beyond the greenbelt.
- Objections to height and massing not agreed with.
- Support new walking and cycling links proposed.
- Best practice carbon reduction by reusing building structure.
- Improvement in range of places to eat/ drink in leisure quarter.
- Cambridge needs new science research space.
- Over 2,000 more jobs.
- Support environmental sustainability.
- Inclusion of community outreach, classroom and exhibitions is supported.

9.0 Member Representations

9.1 None.

10.0 Local Interest Groups and Organisations

10.1 CamCycle initially made a representation on 9 August 2023 (objecting to) the application.

10.2 Following the submission of amendments by the applicant, CamCycle made a further representation on 22 January 2024 supporting the application on the grounds that the amendments address concerns previously raised and the improvements to the cycling network and connectivity benefit the wider city.

10.3 Friends of St Matthew's Piece has made a representation (objecting to) the application on the following grounds:

- Excessive Scale and Massing.
- Heights on plans/ documents incorrect.
- Harm to the setting, character and appearance of the Mill Road Conservation Area.
- Harm to the setting, character and appearance of the Kite Conservation Area.
- Negatively impact on public open spaces nearby.
- Contrary to Local Plan Policies 46, 55, 56, 57, 58, 60 and 61.
- Harm to water resources.
- Inadequate Air Quality Assessment.
- Concerns regarding leaks/ spillages of hazardous materials.
- No containment/ evacuation plan in the event of a major hazard.
- Primavera Associates Ltd v Hertsmere Borough Council EWHC [2022] confirms local planning authorities owe a duty of care to the public and the significant ecological, economic and human consequences of the

life science use causing an accidental serious release need to be considered.

- Breaches Local Plan Policies 14, 36, 58, 59, 60, 61, 67 & 71 as well as numerous provisions of the 2020 Sustainable Design and Construction SPD. Also contrary to Cambridge Local Plan section four.
- Harm caused by urban heat island effect due to both this application and the nearby Beehive application (23/03204/OUT).
- The requirement for development to integrate the principles of sustainable design and construction into the design of proposals through Policy 28 of the Local Plan has not been met.
- Policy 29 and the requirements for proposal to demonstrate that any adverse impacts on the environment... have been minimised as far as possible have not been met for example through the urban heat island effect.
- The cumulative impacts of both this application and the nearby Beehive application must be considered.
- Fails to meet NPPF (2021) Paragraphs 149 and 150.

10.4 Cambridge, Past, Present and Future has made a representation (objecting to) the application on the following grounds:

- Object on the grounds of its detrimental impact on heritage, specifically on the Cambridge skyline, and on distant views of significant heritage assets.
- The proposals will have a particularly adverse impact on views from Castle Hill, Red Meadow Hill and Midsummer Common.
- Contrary to Policy 60 of the Local Plan.
- In the view from Castle Mound, it can be seen how the towers of Christ Church will be lost against the new development (LVA Appendix 5A page 29). Heritage Statement does not address how the development will impact views of Christ Church from a distance such as from the Castle Mound.
- In the views from Red Meadow Hill, it can be seen how the roofline of King's College Chapel will be lost against the new development (LVA Appendix 5B page 35). The Heritage Statement groups Great St Mary's Church, King's College Chapel and the University Library. It recognises that the Chapel holds a very high level of significance. Disagree however that the proposal only makes a neutral contribution to the setting of this group of buildings. The outline of King's College Chapel will be lost against the outline of the proposed Grafton Centre and it will significantly diminish the distinctive skyline of Cambridge.
- Disagree with the conclusions of the Heritage Statement as to the impact on the Conservation Areas.
- This proposal would introduce another bulky intrusion.
- It is important to strictly apply the tall buildings policy in each individual application or otherwise the cumulative impacts of development such as this will result in the skyline becoming dominated by large bulky buildings rather than the slim and elegant towers and turrets of the churches and chapels.

- Supportive of proposals where they improve the public realm. The site contains a number of existing trees which are well established. It is important that these are retained as they will provide a 'head start' to the greening and softening of the development.
- 10.5 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.
- 11.0 Assessment**
- 11.1 Principle of Development**
- Retail and Life sciences
- 11.2 Policy 10 of the Cambridge Local Plan 2018 states that the City Centre will be the primary focus for developments attracting a large number of people and meeting retail, leisure, cultural and other needs appropriate to its role as a multi-functional regional centre. Policy 11 states that within Primary Shopping Areas (PSA) in the City Centre non centre uses including residential and business use would not be supported at ground floor level. Policy 12 states that the Grafton AoMC is the primary focus for providing additional comparison retail in the city centre.
- 11.3 The proposal seeks to extend and alter the existing Grafton Centre building to introduce accommodation for life science development. This would result in the loss of 32,194sqm of retail floorspace.
- 11.4 Officers note that the loss of retail at ground floor level is contrary to Policies 11 and 12 of the Local Plan. However, since the adoption of the Local Plan in 2018, the Government changed the planning use classes. As of 1 September 2020 retail now falls under Class E. There were no restrictions to the uses imposed by way of condition when the Grafton Centre was originally developed or in any permissions since. The existing building comprises retail and other centre uses. As such, officers are of the opinion that the building currently falls under Class E.
- 11.5 Offices and laboratories to carry out any operation or administrative functions, research and development of products or processes and industrial processes now also fall within Class E. As such, the intended use of the existing retail space does not require planning permission. Class E(g) specifically states that they are uses which can be carried out in a residential area without detriment to its amenity.
- 11.6 The applicant is therefore not seeking planning permission for a change of use of retail to life science use and this has not been included in the description of proposed development. As such, there is no in principle objection to the proposed life science use or the loss of existing retail.

- 11.7 The proposal also seeks to introduce some new retail units at the ground-floor level facing towards East Road as part of the new “leisure quarter” element. The principle of new retail uses in this City Centre location is entirely acceptable and accords with planning policy.

Hotel

- 11.8 Planning permission (19/0512/FUL) was granted for a hotel on this site on 1 September 2020 and the principle of a hotel use was deemed acceptable. While this permission is no longer extant, there has been no policy change or other material consideration since this permission was granted to warrant coming to a different view.
- 11.9 A hotel use on this site remains in accordance with Policies 10 and 77 (visitor accommodation) of the Local Plan and the Grafton Area Masterplan and the SPD identifies the site as a location for a hotel.

Residential

- 11.10 There are 27 existing residential units on site, comprising nos.20 to 41 Christchurch Street, 1 to 4 Burleigh Street and 11-12 Burleigh Street. The existing residential units at nos.20 to 41 Christchurch Street and 1 to 4 Burleigh Street will be retained as part of the scheme.
- 11.11 In order to facilitate the proposed north-south pedestrian connection from Christchurch Street to Burleigh Street through the Central Square, nos.11-12 Burleigh Street are proposed to be demolished. No.11 Burleigh Street consists of a four-bedroom flat at the upper level and no.12 Burleigh Street is a three-bedroom flat at the upper level.
- 11.12 The loss of these two residential dwellings could be considered contrary to policy 3 of the Local Plan which resists the loss of land in housing use, except in exceptional circumstances.
- 11.13 The exceptional circumstances in this case, in light of the harm caused through the loss of residential uses, must be considered on a proportionate basis to the scale of the scheme coming forward for permission and the wide range of substantial public benefits likely to arise (set out later in the report).
- 11.14 More specifically, however, one of those public benefits arises through the Grafton Area Masterplan SPD itself. This has a clear aspiration to improve north-south connections through the Grafton Area. For example, paragraph 4.2.4 of the SPD states that:

“Extensions to the existing north-south streets (James Street, Christchurch Street, Napier Street and Wellington Street) connecting from Maid’s

Causeway / Newmarket Road to Fitzroy Street and beyond to Burleigh Street will form vital secondary connections which could play a major role in stitching the area back into the wider neighbourhood.”

- 11.15 The demolition of nos. 11 and 12 would facilitate the SPD’s aspiration for improved north – south connections.
- 11.16 A further material planning consideration in favour of allowing the demolition of the flats is also the fact that they do not meet space standards and are considered to be relatively poor-quality housing. No.11 is 46.56sqm which is significantly below the space standard for a four bedroom flat (90sqm). No.12 is 48.42sqm which is also far below the space standard for a three bedroom flat (74sqm). Neither of the flats have living rooms and there is no lift access to them. No.11 has been vacant for 12 months and no.12 has been vacant for 15 months.
- 11.17 It is therefore considered by officers that there are mitigating and exceptional circumstances regarding the loss of the two residential flats in the consideration of policy 3 of the LP. This potential conflict needs to be considered in the planning balance in light of the overall substantial public benefits brought about through the scheme. This includes but is not limited to the fact that their specific removal would improve pedestrian accessibility and increase and direct footfall to the retail high street of Burleigh Street and help enhance the retail environment more generally in line with the SPD. The residential loss and therefore harm arising is also diminished because of the poor quality of the housing that would be removed.
- 11.18 Design, Layout, Scale and Landscaping**
- 11.19 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.
- 11.20 An assessment of the proposed works and the impact on designated and non-designated heritage assets is covered in the next section of this report. This ‘Design, Layout, Scale and Landscaping’ section will assess the various components of the proposal independent of this.
- 11.21 The application has been the subject of two Design Review Panels, a Disability Consultative Panel and extensive pre-application discussions with officers.

Fitzroy Square & Gold Lane

- 11.22 To facilitate a retail loop, the proposal seeks to introduce a new north-south connection known as Gold Lane that connects the existing northern

pavement/ cycle path running along the northern perimeter through to Burleigh Street. This would introduce a new outdoor square and pedestrian environment.

- 11.23 The quality of this outdoor space is high and would be predominantly hard landscaped with public furniture and tree planting in an environment that would have natural surveillance due to the extensive active frontages surrounding it.
- 11.24 The proposed retail frontages would be two-storeys in height and take inspiration from elements of the existing internal mall such as the former Eden Chapel that is now “Gail’s” through the use of high quality brickwork and rhythmic arched window/ door designs.
- 11.25 At the point where Gold Lane meets Burleigh Place and Burleigh Street to the south, the scale of development would lower down from two-storeys to facilitate a more gradual transition between the busy pedestrian nodes/ junctions at these points to the new north-south connection. A small kiosk with a green roof would be introduced and a mix of plant beds, outdoor seating and cycle parking.
- 11.26 The provision of this north-south connection, its architectural treatment and layout are supported by the Landscape and Urban Design Officers. Specific conditions are recommended regarding aspects such as public art, the treatment of the hard landscaping and other details and these have been recommended accordingly. A condition is also recommended to ensure there are measures to discourage cyclists and e-scooters from using this space and that they dismount for reasons of pedestrian safety and this will be integrated into the management plan condition.

Northern Edge

- 11.27 The proposal introduces a new pedestrian pavement with tree planting along the eastern side of Fitzroy Lane. This is a positive intervention that will encourage and allow for safe pedestrian movements from Maids Causeway to the Grafton Centre that do not currently exist.
- 11.28 The existing pedestrian/ cyclist environment along the northern edge of the site is of poor quality. There are various pinch points and obstacles along the route which lack accessibility and safety. In addition, the environment around this space feels very “back of house” and is not inviting to be used as a route through due to the lack of active frontages.
- 11.29 The proposal addresses this by:
- enhancing the paving surface and bringing this flush to building frontages;

- creating delineated cycle routes with a 25mm Cambridge kerb to signify this;
 - demolition of certain building edges to widen existing pinch points and allow greater space and visibility for pedestrians;
 - Activating frontages; and
 - Landscape and tree planting.
- 11.30 This achieves a key goal of the Grafton Area Masterplan SPD and aligns with the aims of the Grafton AOMC Policy 12. The Urban Design and Landscape Officers are supportive of the improvements to the public realm along this northern route subject to conditions regarding detailed design, including signage.
- 11.31 The scale and massing of the northern end of the site would not be increased noticeably as this is where the fixed existing elements of the Grafton Centre (the existing residential upper-floor flats and the retained part of the Grafton East car park) would be. The proposal includes various fenestration and roof form rationalisations to replace the cluttered and inactive frontage with an engaging and appealing contemporary form. There would be glazed elements at the ground-floor and high-quality brickwork and new panelling above near to the Wellington Street end which is a significant improvement on the current situation.

East Road Square (hotel, cinema and new square)

- 11.32 Planning permission was previously granted for a nine storey hotel on the East Road elevation that would have accommodated 153no. bedrooms. The proposed hotel under this application would be eight storeys at its highest point but stagger down to seven and five storeys respectively. It would have a colonnade with retail/ food and beverage units behind at ground-floor level. The hotel would be designed in a mix of brick types and cladding which gives it a sleek, contemporary appearance.
- 11.33 The existing cinema would be re-clad with a curved perforated metal screen finished in bronze aluminium cladding. The proposed fenestration of the cinema is considered to enhance the existing appearance of the building and enable it to not appear at odds with the new development going on around it.
- 11.34 Sandwiched between the end of the cinema and the start of the hotel, a new four-storey height entrance to the Life Sciences from East Road would be introduced. The proposed entrance would be fully glazed with a stone frame surround. The entrance would be double height with two additional floors above. This aspect of the proposal is considered to introduce a successful gateway to the development and a successful termination of the three distinct uses.

- 11.35 The introduction of a large pedestrianised square in this location is supported as the space naturally lends itself to a meeting area due to the mix of different uses that would meet along this part of East Road. It would also enhance the level of greenery and public realm beyond what is there at present. The proposed bus stop and new pedestrian crossing point that would be delivered through the Section 278 highways works would again place demands on this type of space to serve the increased footfall and therefore this square is supported.

East Road/ Burleigh Place

- 11.36 Immediately to the south and west of the existing cinema, the proposal seeks to extend out towards East Road and Burleigh Place at five storeys with rooftop plant above this recessed into the centre of the site. The fifth storey would be set back from the edge of the building line along Burleigh Place and part of East Road. The northern-most section adjacent to East Road would be five storeys against the building line.
- 11.37 Notwithstanding the concerns raised in the heritage section about the scale and massing and its impact on long distance views, in the context of the townscape of this part of East Road, the scale appears appropriate. The Grafton Area Masterplan SPD makes clear at figure 38 that this part of East Road is capable of accommodating five to six storeys in terms of building heights. The proposal complies with this. When viewed from the immediate surrounding streets, a large contemporary intervention such as this does not appear harmfully at odds with the surrounding character and provides a successful contrast.
- 11.38 The architectural treatment of this proposed extension is bold, exemplified through the use of various material styles such as bronze panels of different shade, stone cladding and brickwork. A double height corner space is proposed at the juncture of Burleigh Place and East Road to help animate the building. A series of vertical stone clad frames give the impression of a solid appearance while also allowing for large amounts of double height glazing behind this. The frontage onto Burleigh Place is considered to enhance the appearance of this street which is currently lacking any active frontage or features of architectural interest.
- 11.39 Along East Road where it meets Burleigh Place there would be a tree boulevard that leads to the East Road square further north that is proposed.
- 11.40 The proposed development of this additional floorspace is considered to successfully integrate into its immediate surroundings within this part of East Road. Wider townscape impacts arising from the scale and massing are assessed in the heritage section of this report.

Demolitions

- 11.41 In order to facilitate the proposed works, nos. 11 – 12 Burleigh Street and Abbeygate house would need to be demolished. A resolution to grant planning permission (21/01136/FUL) for the demolition of Abbeygate House was given at the Planning Committee meeting of 3 November 2021. No objection has been raised by any consultees to the demolition of this building and the loss of this building would not harm the character or appearance of the area.
- 11.42 Nos. 11 – 12 Burleigh Street are not of any particular architectural merit and the demolition of these buildings would not harm the character or appearance of the area.

Summary

- 11.43 Overall, the proposed development is a high-quality design that would contribute positively to its immediate surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 58 and 59 and the NPPF subject to conditions as recommended by Urban Design and Landscape Officers.

11.44 Heritage Assets & Wider Landscape and Townscape Views

Heritage Context

- 11.45 To the north of the site there are the historic terrace rows of Fitzroy Lane, James Street, Christchurch Street and Napier Street, with more modern properties at Wellington Street, Wellington Close and Severn Place to the north-east. The Grade II listed Church of Christ Church, wall, railings and parish room and the Grade II* Arts Theatre Workshop and Store are situated to the north of the site, both of which are within the Kite Conservation Area.
- 11.46 Immediately to the east and outside the site is the Working Mens Club. Beyond that lies the arterial road of East Road, the Crown Court and the residential properties between St Matthews Street and Norfolk Street where the western most edge of the Mill Road Conservation Area is situated. The Church of St Matthew is located within the Mill Road Conservation Area and is Grade II Listed.
- 11.47 To the west of the site is Fitzroy Street which connects to Emmanuel Road and Christ's Pieces. The southern half of Fitzroy Street is in the Kite Conservation Area and on the opposite side (northern) is no.17 Fitzroy Street which is a Grade II listed building.
- 11.48 There are a variety of other listed buildings, locally listed buildings and other heritage assets within the wider area. Of note is the Riverside Conservation Area to the north and north-west, the historic park and

garden of the Mill Road Cemetery to the south-east and the Scheduled Ancient Monument of Castle Mound further to the north-west which is in the Castle and Victoria Road Conservation Area.

Policy Context

- 11.49 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 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 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 11.50 Paragraph 205 of the NPPF set out 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. Any harm to, or loss of, the significance of a heritage asset should require clear and convincing justification.
- 11.51 Paragraph 208 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 11.52 Policy 60 of the Cambridge Local Plan (2018) states that any proposal for a structure that breaks the existing skyline and/or is significantly taller than the surrounding built form will be considered against certain criteria. These include the need to demonstrate how the proposals fit within the existing landscape and townscape (criteria a), and, the impact on the historic environment (criteria b).
- 11.53 Policy 61 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.

Consultation Responses

- 11.54 As set out in chapter 6 of this committee report, objections have been received from Historic England, the Conservation Team, the Urban Design Team and the Landscape Team in terms of heritage impacts and wider landscape and townscape impacts. There is also a third-party objection from Cambridge Past, Present and Future.

- 11.55 Historic England have raised concern regarding the impact on the views from Castle Mound towards Jesus College Chapel. They consider that there would be an adverse effect associated with the introduction of a new group of tall buildings which would compete with Jesus College Chapel and distract from other landmarks in the historic core. They consider the level of harm caused to the view from Castle Mound would be at a moderate level of less than substantial harm.
- 11.56 The Conservation Team shares the same concern as Historic England above. They do however consider the proposal to also harm the setting of Jesus College Chapel, as well as the Central Conservation Area. They consider the level of less than substantial harm to be on the range between moderate and the upper end of the scale of harm. They therefore consider the level of harm to be more severe than Historic England have judged it to be.
- 11.57 The Urban Design Team has considered that the height and horizontal massing of the proposals will detract from the view of the city and its skyline as seen from Castle Mound and the proposal is contrary to policy 60 of the Local plan. The Landscape Team has stated that due to the height, width, and overall mass of the building in relation to the surrounding, existing townscape, the proposal has a negative impact on the skyline and views of the city and is contrary to Policy 60.

Officer Assessment of Harm

- 11.58 It is noted that some third parties, including Cambridge Past, Present and Future, have raised concerns regarding other views and the perceived detrimental impact the proposal would have on these. The consultees listed above did not however identify any harm arising to these other views. The Conservation Team has stated in relation to these other views that:

“other views as detailed in the TVA, apart from than those specifically referred to, are considered to be acceptable. Where the views are changing, they are not to the detriment of the conservation area or setting of the listed buildings, they nestle into the existing modern built forms in the East Road area.”

- 11.59 While the proposal would be visible from other views, such as Midsummer Common and Parkers Piece, officers do not consider the proposal would appear unduly bulky or harm the setting, character or appearance of any heritage assets in these views. The extent and significance of perceived harm brought about by the proposal is a matter of judgement for the decision maker, however, having assessed the wider array of modelled views it is officers' view that harm to heritage setting only arises in respect of views from Castle Mound. The modelled views of the proposal can be found in the applicant's Townscape Visual Assessment (TVA).

- 11.60 In respect of views from Castle Mound, the concerns of the consultees listed above are shared by officers. The upper levels of the proposed development, including its horizontality, would clash with the existing roofscape when viewed from Castle Mound. This is considered to cause less than substantial harm to the setting of the Central Conservation Area and Jesus College Chapel. While it is agreed with the Conservation Team that this is less than substantial harm, officers consider that the degree of harm is moderate rather than moderate-to-upper levels. This is due to the amendments to the application that took place to try and address heritage concerns, including the setting back of the upper floor further and use of translucent cladding to roof top plant.
- 11.61 The applicant's heritage statement also confirms that the proposal would cause less than substantial harm from this viewpoint.
- 11.62 In accordance with local and national policies, namely Paragraph 208 of the NPPF (2023) and Sections 66 and 72 of the Listed Buildings and Conservation Areas Act which requires that special regard must be given to the heritage assets, the moderate level of less than substantial harm needs to be weighed against any public benefits that are considered to accrue from the proposal. The public benefits go to the planning balance and are considered as part of the conclusion to this report.
- 11.63 Carbon Reduction and Sustainable Design**
- 11.64 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.
- 11.65 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.
- 11.66 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.
- 11.67 As part of the pre-application discussions for the scheme, it was agreed with the Council's Sustainability Officer, that a bespoke approach to sustainability would be taken, as opposed to utilising the BREEAM assessment methodology. This was in recognition of the extent of reuse proposed. The focus has been to work towards the emerging Greater Cambridge Local Plan policies around net zero carbon targets as opposed

to a focus on BREEAM certification, albeit the BREEAM methodology is to be used for certain elements, notably water efficiency. This moves things on from the current BREEAM methodology especially in relation to issues such as embodied carbon and metrics for net zero carbon, with a focus on energy use intensity (EUI) and space heating demand.

11.68 The submitted Sustainability Statement sets out the key sustainability targets for the proposals, which include:

- Upfront embodied carbon (A1-A5) of 557 kgCO₂/m² for the development as a whole. In terms of industry guidance on upfront embodied carbon, this represents an improvement on the LETI 2020 target of <600 Kg/CO₂/m², which is considered current best practice. Consideration of embodied carbon is provided below.
- Energy use intensity of 48 kWh/m² for the hotel (against the emerging Greater Cambridge Local Plan target of 55 kWh/m²), and 232 kWh/m² for the life sciences element (against the emerging Greater Cambridge Local Plan target of 150). It is considered that this represents good progress towards the targets in the emerging Greater Cambridge Local Plan, with the scheme representing an improvement for the hotel element.
- The scheme will be fossil fuel free. Air source heat pumps are to be used for heating and cooling for the life sciences element. The energy strategy achieves the following levels of carbon reduction:
Life sciences = 25.96% over Part L (2021) compliant baseline
Hotel = 15.43% reduction over Part L (2021) compliant baseline
- Space heating demand of 21.6 kWh/m² for hotel and 25 kWh/m² for life sciences (against the emerging Greater Cambridge Local Plan target of 15-20 kWh/m²)
- 1400m² of photovoltaic panels are to be provided.
- For water efficiency, 5 Wat01 credits are being targeted with an additional target of a maximum potable water consumption of 15 litres/person/day for the office areas. The water cycle study estimates water use in life sciences of 1.21 litres /m²/day, not considering reduction from rainwater and greywater systems.
- 10% of materials are from re-used sources and 30% of materials are able to be re-used at end of life as part of a Circular Economy approach which has been informed by a Circular Economy Strategy.

11.69 In addition to the above, a climate change risk assessment has been undertaken which includes mitigation measures such as:

- Increase tree cover on site, with tree planting primarily adjacent to the south façade. The Landscape and Public Realm Design Statement notes that this leads to a 2.17% increase in tree canopy cover for the site.
- Provision of green roofs and blue roofs

- Lighter colours selected for hard surfacing to provide a higher albedo
- Nature based solutions have been prioritised to reduce flood risk and reduce the urban heat island effect. This includes rain gardens and tree-pit storage.
- Overheating analysis to be undertaken using future climate scenarios

11.70 The application has been subject to consultation with the Council's Sustainability Officer. The Sustainability Officer has stated that the overall approach being taken to sustainable design and construction and working towards the targets for net zero operational emissions in the emerging Greater Cambridge Local Plan and the reuse of the existing building and the embodied carbon savings associated with this application are supported.

11.71 The impact of the urban heat island effect has been considered by the Sustainability Officer who has raised no objection to the proposals. The site is an existing brownfield site and the proposal has introduced means of mitigation such as 25no. proposed trees on the site, off-site tree planting, 3,930sqm of green roofs and 637sqm of roof terraces. The use of cool materials in terms of colour and features such as curtain walling can help mitigate this impact. A materials condition has been recommended which includes the need for material selection to consider the impact on the urban heat island effect.

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

11.73 Water Management and Environmental Impacts

11.74 Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 Regulation 33 places a statutory duty on public bodies, including district councils, to have regard to the river basin management plan for that district.

11.75 Paragraph 20 of the NPPF sets out that that strategic policies should, amongst other things, set out a strategy for and make sufficient provision of infrastructure for water supply, for the conservation and enhancement of the natural environment, and climate change mitigation and adaptation.

11.76 Paragraph 159 of the NPPF sets out that plans should take a proactive approach to climate change mitigation and adaptation, accounting for long-term implications to, amongst other things, water supply and biodiversity.

- 11.77 Paragraph 180 of the NPPF sets out that policies and decisions should contribute to and enhance the natural and local environment and that “development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.”
- 11.78 The Planning Practice Guidance (PPG) also contains a section on water supply, wastewater, and water quality. This highlights that the Water Environment Regulations 2017 set out requirements to, amongst other things, protect, enhance and restore water bodies to ‘good’ status (NPPG, 34-001-20161116).
- 11.79 The PPG goes on to describe how water supply should be considered through the planning application process, setting out that water supply should normally be addressed through strategic policies, but that there are exceptions that may require water supply to be considered through the planning application process, including whether a plan requires enhanced water efficiency in new developments (NPPG, 34-016- 20140306). Cambridge LP 2018 policies 28 and 31 provide for the water efficiency related exception allowing for water supply to be considered.
- 11.80 The EA set out that reductions in water use and increases in supply are required to mitigate the risk to water bodies and ensure abstraction is at a sustainable level. Cambridge Water’s draft Water Resource Management Plan (dWRMP24) is intended to ensure there is a sustainable supply of potable water to meet existing and planned demand, however the EA have significant unresolved concerns about the ability of Cambridge Water to achieve this. These set out that the risk of deterioration to water bodies is most acute in the period 2025-2032, where Cambridge Water rely on demand management options.
- 11.81 Noting the Governments recent establishment of a Water Scarcity Group, the EA’s response to the revised dWRMP24 makes clear that although there is now a significant focus at a national level to resolve Cambridge’s water scarcity issues and the associated risk of deterioration, at this point in time, a satisfactory suite of measures required to overcome the EA’s and Natural England objections to the dWRMP24 have not been confirmed.
- 11.82 In this case, and given the scale of development (net increase of 15,871sqm), the applicant has provided supporting information which demonstrates that the increased pressure on water resources would be

very low. The impacts can be minimised with planning conditions which are based upon a water strategy / water cycle study. It is notable that the EA have not objected to the application.

- 11.83 Considering estimated operational usage alongside demand savings measures, the applicant's water cycle study shows that an additional demand of 6,380 l/day is forecast, an increase of +7%. From a water resource planning perspective, this equates to 0.006 Ml/d which, viewed individually, is not considered to give rise to a significant impact to water resources across the Cambridge Water Resource Zone.
- 11.84 Cambridge Water's dWRMP24 accounts for a growth in non-household demand, particularly through development of life science facilities, as part of its demand forecast from AMP8 (2025-30). However, as the dWRMP24 is subject to objection from the EA, it cannot be relied upon to fully justify non-domestic development proposals, even if they are claimed as being accounted for, because of the environmental impacts highlighted by the EA and others.
- 11.85 The Councils Sustainability Officer has raised no objection to the application subject to a suite of compliance conditions ensuring the water efficiency measures are implemented. These include adherence to all 5 BREEAM credits under Wat 01, including detailed schemes for grey water and rainwater harvesting, demonstration of their delivery through the water calculator and a compliance condition certifying achievement of the intended standards.
- 11.86 This application is not EIA development and does not attract an explicit objection from the EA unlike other large-scale schemes before the Council being tested at appeal (Darwin Green / Brookgate). That notwithstanding, the applicants have demonstrated a sustainable approach to water efficiency, in minimising demand and thus its associated environmental impacts.
- 11.87 The application will result in a very small increase in water demand which will cumulatively add to the strain on water resources and the environment more generally, however, officers are of the view that the applicants have, within their control, appropriately addressed the issue of water demand and sought to minimise the environmental impacts of their scheme. Overall, accepting that there will be some very limited harm arising from additional strain on water resources, this matter is for Committee in exercising their planning judgement when weighing in the balance the planning benefits of the scheme that would arise. Officers' view is that the planning balance in this regard is favourable, in consideration of the requirements and the extent of the scheme's compliance with policies 28, 31 and 70, the Greater Cambridge Sustainable Design and Construction SPD 2020 and NPPF and NPPG advice as set out above.

11.88 Trees

- 11.89 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. Paragraph 136 of the NPPF seeks for existing trees to be retained wherever possible.
- 11.90 The application is accompanied by an Arboricultural Impact Assessment. The proposal seeks to remove two category B ash trees (T12 & T13) adjacent to Abbeygate House and a Category U group of 3no. broadleaf thorns adjacent to the bus turning head.
- 11.91 The proposal includes 25no. new trees to be planted within the site. These would be spread across the East Road elevation, the new central square and parts of the northern route from Fitzroy Lane to Wellington Street. Off-site tree planting has also been put forward as an obligation in the Section 106 discussions to date and this would be secured through the Section 106 Agreement.
- 11.92 The Council's Tree Officer has been consulted and has raised no objection to the proposed tree removals and replacement planting subject to conditions.
- 11.93 In terms of tree canopy cover, after 25 years, there is a total tree cover on the site of 6.92%. This is a 2.17% increase in tree canopy cover compared to the existing situation. Cambridge City Council has targeted a tree canopy cover increase of 2% across the city, which the proposals accord with.
- 11.94 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

11.95 Biodiversity

- 11.96 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.
- 11.97 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal and a biodiversity metric calculator. This sets out that through the proposed biodiverse green roofs, rain gardens, shrub planting

and tree planting, the proposal would result in an 538.09% increase in biodiversity (+2.18 habitat units).

- 11.98 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends conditions to ensure the protection of species and the estimated biodiversity net gain is delivered.
- 11.99 In consultation with the Council's Ecology Officer, subject to appropriate conditions, 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).

11.100 Water Management and Flood Risk

- 11.101 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paragraphs 159 – 169 of the NPPF are relevant.
- 11.102 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. There are small areas of low, medium and high surface water flood risk.
- 11.103 The applicants have submitted a Flood Risk and Drainage Assessment. It is proposed that Sustainable Urban Drainage Systems will be integrated in the form of green roofs, blue roofs, permeable sub-bases, rainwater harvesting and rain gardens will be incorporated within the proposals to provide water quantity, water quality, amenity and biodiversity benefits. Bioretention is proposed in the shape of tree pits and additional storage is provided in gravel subbase and tanked attenuation.
- 11.104 The Local Lead Flood Authority has advised they have no objection to the proposal given the above measures. Water will discharge into the Anglian Water surface water network at a rate of 36.4 l/s across the site, which is a 68% betterment from the existing unrestricted discharge from the site. Conditions and informatives are recommended regarding surface water drainage and impacts during construction which have been applied accordingly.
- 11.105 Anglian Water has raised no objection subject to conditions regarding phasing and surface water drainage which have both been applied accordingly. The phasing plan condition will ensure that the development avoids an adverse impact on drainage infrastructure. They have stated that the applicant will need to provide evidence of the existing surface water connections such as the flow data to demonstrate that the site drainage arrangements had no flow restrictions systems in the sewer, this can be done by a CCTV survey. An informative is recommended that this

be provided when applying to discharge the surface water drainage condition.

11.106 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.

11.107 Highway Safety and Transport Impacts

11.108 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.

11.109 Paragraph 115 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.

11.110 The application is supported by a Transport Assessment. The proposal includes significant works to the highway for vehicles and non-vehicles.

11.111 Firstly, there would be works to the East Road/ Nelson Close/ St. Matthews junction and Wellington Street. This junction will primarily be used for access and egress to and from Grafton East Multi-Storey Car Park (MSCP). To facilitate pedestrian and cycle improvements to Wellington Street from East Road it is proposed that the southern section of Wellington Street and the layout to Grafton East MSCP entry and exit is proposed to be changed. Grafton East MSCP entry lane is being reduced from two to one. The exit lanes are being reduced from three to two.

11.112 Secondly, East Road would be redeveloped to deliver the Section 278 works that were originally approved under the hotel permission (19/0512/FUL). It is proposed to redevelop the existing bus turning head area located to the southeast of the Grafton Centre. This application included extensive works to the highway alignment of East Road, including on carriageway bus stops to replace those in the existing bus turning head, and the reallocation of public highway space to enhance the pedestrian and cycle environment of East Road.

11.113 Thirdly, it is proposed that Abbeygate House will be demolished and Burleigh Place will be extended to form a priority T-Junction with East Road. This newly formed junction will provide access from East Road to Burleigh Place and will form the route to the Grafton servicing area located off Burleigh Place and the existing private accesses to the rear of Burleigh Street. It is proposed that the access point of Crispin Place and section of road connecting Crispin Place to Burleigh Place will be stopped up.

- 11.114 Fourthly, Fitzroy Lane provides vehicular access to the existing Grafton West MSCP, for waste collection and to the servicing area located adjacent to the south-east of James Street. It is proposed to accommodate pedestrian provision on Fitzroy Lane through the reduction of road lanes from three to two and changes to the existing pedestrian layout.
- 11.115 Fifthly, it is proposed to improve the pedestrian provision from Nelson Close to Wellington Street by removing on-street car parking bays and rationalising the entry / exit facilities to the Grafton East MSCP. These changes will provide significant additional space to allow for a 3.5m (minimum) wide continuous shared footway and cycleway provision connecting to the existing provision on Napier Street, Christchurch Street and James Street to the north and west with the proposed improved pedestrian and cycle provision on East Road via Seven Place.
- 11.116 Sixthly, facilitated by the demolition of 11-12 Burleigh Street, Abbeygate House and the 'stopping up' of Crispin Place, it is proposed Burleigh Place will be extended to form a priority T-Junction with East Road. It is proposed to provide a 2.2m wide footway provision on both sides of Burleigh Place with dropped kerbs and tactile paving either side of the junction bell mouth with East Road. Improvements to the existing provision on Burleigh Place including localised carriageway narrowing and resurfacing are also proposed to facilitate pedestrian movements. The existing road between Burleigh Place and Burleigh Street will become a key desire line for pedestrians accessing the new public realm on East Road and the Retail areas of Burleigh Street. A priority pedestrian crossing is proposed on Burleigh Place to provide a safe crossing point for pedestrians. Vehicular access to Burleigh Place will be restricted to the small number of properties adjacent to the road, with access via Burleigh Street only.
- 11.117 Finally, it is proposed to provide a pedestrian walkway located approximately 145m north-west of the junction with Burleigh Street and East Road, from Burleigh Street (through the demolished 11- 12 Burleigh Street) to a newly created public square located within the Grafton Centre via a pedestrian crossing on Burleigh Place. It is then proposed that this walkway will route north and connect with the proposed improved footway/cycleway on Wellington Street to the south of Christchurch Street.
- 11.118 Servicing of the uses would take place from three designated service areas. One would be the existing service located to the south-west of the Grafton Centre and accessed from Burleigh Place. Another would be to utilise the existing loading area as reconfigured and accessed from Fitzroy Lane via Maids Causeway. The final servicing area would be a proposed loading bay accessed from Wellington Street via Newmarket Road. The Local Highway Authority has raised no objection to these arrangements. It is however recommended that servicing conditions are imposed to ensure

that a plan can be approved for servicing and that the development is carried out in accordance with the approved plans.

11.119 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal subject to conditions and S106 mitigation. These include financial contributions towards the East Road improvements which would be secured by way of Section 106 Agreement.

11.120 Subject to conditions and S106 mitigation as applicable, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

11.121 Cycle and Car Parking Provision

11.122 Cycle Parking

11.123 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 office development should be 2 spaces for every 5 members of staff or 1 per 30sqm gross floor area (whichever is greater). To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

11.124 The proposed life science element of the development is forecast to generate 2,204 jobs and would have a gross floor area of 47,321sqm. The applicant has engaged with the Cambridgeshire County Council Transport Assessment Team and a bespoke methodology has been agreed to calculate cycle parking requirements for the life science use. This is based on the anticipated bicycle trips to and from the life science use using travel survey data and a target that the Travel Plan should aim for 44% (971) of all employees to travel by bicycle. The results identify that to reach this target, the maximum number of bicycles on site at any one time would need to be 822.

11.125 In addition, for the hotel use, the Cambridge Local Plan (2018) cycle parking standards state that 2 spaces for every 5 members of staff should be provided. The Hotel has been forecast as having 32 employees. As a result, it has been calculated that six cycle spaces should be provided for Hotel staff. This results in a total need of 828 long stay cycle spaces for both the Life Science and Hotel uses.

11.126 The proposal includes 828no. internal cycle spaces across four locations on the site. The breakdown of integrated cycle parking spaces is set out in turn below:

- 11.127 Firstly, in the basement accessed from Burleigh Place, 518no. cycle parking spaces would be provided, of which 370no. would be two-tier and 148no. via Sheffield stands. There would also be locker provision for 12no. folding cycles. Lift and cycle ramp provision would be included.
- 11.128 Secondly, at ground-floor level in the north-east corner accessed from near Wellington Street, 136no. cycle parking spaces would be provided, of which 96no. would be two-tier and 40no. via Sheffield stands. 16no. of the Sheffield stand spaces would be reserved for cargo/ mobility users and there would be locker provision for 12no. folding cycles.
- 11.129 Thirdly, at ground-floor level and access from East Road, 120no. cycle spaces would be provided, of which 92no. would be two-tier and 28no. in the form of Sheffield stands. All 28no. of the Sheffield stands would be for cargo/ mobility users. Provision for 21no. folding bicycle spaces would also be available.
- 11.130 Finally, in the north-west corner of the Life Sciences near Fitzroy Street, 54no. cycle spaces would be provided, of which 40no. would be two-tier and 14no. in the form of Sheffield stands. All 14no. would be for cargo/ mobility users.
- 11.131 Overall, 828no. internal cycle spaces would be provided for the life science and hotel uses of which 598no. (72%) would be two-tier and 230no. (28%) would be Sheffield stands. 216no. locker spaces would be included and 21no. showers, spread across each of the four locations above. The four areas would have external and internal security access which would be managed by way of fobs although the details would need to be agreed through condition to ensure a safe means of access is provided.
- 11.132 In addition to the life science and hotel use spaces, 352no. public cycle parking spaces in the form of 176no. Sheffield stands would be provided across the site. This is an increase of 86no. spaces on the existing public cycle parking provision at the Grafton Centre.
- 11.133 The overall approach to cycle parking is considered to be acceptable.
- 11.134 Car parking
- 11.135 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. 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.

- 11.136 The proposal does not include any additional car parking for the proposed uses and is a car free development with no reserved car parking spaces in the Grafton East MSCP. It is proposed to reduce the quantum of public car parking at the Grafton East MSCP from 874no. spaces to 488no. spaces which is a 44% reduction.
- 11.137 There are currently 64no. Blue Badge car parking bays on-site, with 46no. located at Grafton East MSCP, six located at Grafton West and two located adjacent to the Wellington Street service yard. It is proposed to provide an additional two disabled car parking bays on Burleigh Place. Two taxi drop off bays would be located on Burleigh Place.
- 11.138 The Transport Assessment Team has assessed the applicants TA and agree with their methodology and sensitivity testing in terms of network impact. Their sought mitigation is set out below and in the Heads of Terms. No objection is raised.
- 11.139 The TA work suggests the greatest impact would be to the Fitzroy Lane / Grafton West Junction where there would be an anticipated increase of 30no. trips in the morning and 30no. trips in the afternoon, which represents a 3% percentage impact increase. This is not considered to be a material increase in vehicle trips.
- 11.140 A survey of the Grafton East MSCP has been undertaken which demonstrated that the number of used car parking spaces in the existing MSCP only exceeded 488no. on 87 days out of 614 days surveyed. This equates to 14% of the days. The hours where the exceedance occurred were during 12pm – 4pm which indicates these were associated with retail visitor usage. Given the reduction in retail floorspace, it is considered that there would still be sufficient capacity for public car parking.
- 11.141 The Transport Assessment Team seeks a travel plan condition and the associated S278 highway works being secured through the Section 106 Agreement. No objection is raised to the reduction in the amount of car parking at the Grafton East MSCP.
- 11.142 The site is located in a highly sustainable location being within the City Centre and within walking and cycling distance of local amenities. The proposal would also contribute towards improving the accessibility of public transport through the delivery of the Section 278 highway works on East Road which includes improved bus stops.
- 11.143 Subject to conditions and S106 provisions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

11.144 Amenity

- 11.145 Policy 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.
- 11.146 Neighbouring Properties
- 11.147 The proposal would introduce a significant quantum of new development and it is therefore important that the impact on surrounding properties is considered in terms of loss of light and visual enclosure, noise and odour.
- 11.148 In terms of plant noise, the noise assessment has identified that the noise from the air source heat pumps and the heating and cooling units adjacent to Fitzroy Lane and the roof level air source heat pumps, fumes, flues, heating and cooling units and substation above the life sciences and hotel are the principal plant areas to consider. There is also likely to be plant associated with the new retail units that requires consideration. The Environmental Health Team has assessed the noise assessment and considers that subject to a bespoke plant noise condition, adverse noise impacts from newly introduced plant can be either avoided or minimised to an acceptable level by provision of adequate mitigation.
- 11.149 In terms of the service/ delivery yards, the noise assessment demonstrates that the use of the service yard at the north-eastern end adjacent to Wellington Street would not exceed the existing background noise levels experienced from nearby residential receptors at Wellington Street and Napier Street. The noise associated with the delivery of liquid nitrogen, specifically the pumping of nitrogen from the tanker into the building, would exceed the background sound levels. However, this delivery is only anticipated to take place once per week and during standard working hours. The Environmental Health Team has raised no objection to this subject to a condition which would ensure deliveries/ collection are managed and adhered to.
- 11.150 The service yard adjacent to James Street and Christchurch Street in the north-west corner which would be used for deliveries and the waste compactor. The movement of vehicles and use of the waste compactor collectively is anticipated to be around 43dB (LAR, 1 hours) which is 7dB higher than the existing background sound level of 47dB. It should be noted however that this area is already used as a service yard for the existing Grafton Centre and the vehicle types proposed and intensity of use are considered to be similar to the existing. All deliveries will be carried out during standard working hours. The Environmental Health Team has raised no objection to the noise associated with this service yard subject to condition.

- 11.151 The Burleigh Place service yard would include general waste, hazardous waste, bottled gas and liquid nitrogen storage. The waste compactor would be within the main building. The noise assessment identifies that the general waste collection activities and liquid nitrogen delivery would exceed the background noise levels from the dwellings opposite on Burleigh Street by approximately 11dB. Each of these deliveries is anticipated to only take place once per week and would be carried out during standard working hours. The Environmental Health Team has raised no objection to these exceedances subject to conditions regarding the use of the service yard which are recommended accordingly.
- 11.152 With respect to potential odour/ air quality impacts, a dedicated fume exhaust system will be installed to serve laboratory containment devices, such as fume cupboards. This will then discharge approximately 3m above roof level. Two hydrotreated vegetable oil fuel backup generators are proposed which include flues and there will be new commercial kitchen ventilation systems, designed to be discharged above upper roof levels. The Council's Air Quality Officer, as part of the Environmental Health Team response, has assessed the proposals and have raised no objection with respect to potential impacts on surrounding receptors, subject to condition.
- 11.153 The Council's Environmental Health team have assessed the application and recommended conditions regarding any external plant noise and the means of mitigation. Conditions are also recommended in terms of the management and control of noise from external spaces, as well as the service/ delivery yards to ensure that the delivery and collections in this area do not harm neighbour amenity from noise. Further information is also requested in respect of external lighting. The Environmental Health Team has also recommended a condition regarding odour control. A condition is recommended regarding the noise insulation of the hotel too.
- 11.154 Overshadowing/ Loss of Light & Visual Enclosure
- 11.155 The application is accompanied by a Daylight and Sunlight Report which considers the daylight and sunlight impacts that would be caused to any surrounding properties. The properties that are found to potentially be impacted are; nos. 4 – 10 Christchurch Street, nos. 1 – 33 Stanton House Christchurch street, nos.10 and 44-45 Burleigh Street, the flat above the Snug 170 East Road, 80 – 84 Paradise Street. Flat no.1 Hilderstone House Staffordshire Street, land and buildings on the east of East Road, and land and buildings lying to the south of Norfolk Street.
- 11.156 In respect of Vertical Sky Component (VSC) (a measure of daylight from the sky reaching windows), the results show that 67 out of 71 windows tested meet BRE Guidance, which is a 94% compliance. The affected windows are located at 10 Burleigh Street, Flat 1, Hilderstone House and

Land and buildings on the east site of East Road & land and buildings lying to the south of Norfolk Street, Cambridge.

- 11.157 For 10 Burleigh Street, 75% of windows assessed fully pass the BRE criteria and the remaining 25% (1 window) experiences a minor reduction in daylight. To Flat 1, Hilderstone House, 86% of windows assessed (i.e. windows that could be affected by the development) fully pass and the remaining 14% experience a moderate reduction in daylight. To Land and buildings on the east site of East Road & land and buildings lying to the south of Norfolk Street, Cambridge, 80% of windows assessed fully pass the BRE criteria and the remaining 20% (1 window) experiences a minor reduction in light.
- 11.158 In respect of No-Sky Line (the measure of how daylight (VSC) is then distributed around a room), the results against the BRE criteria demonstrate 88% overall compliance. 80 – 84 Paradise Street only experienced a minor reduction in light distribution.
- 11.159 For Flat 1, Hilderstone House, 75% of rooms assessed fully pass the BRE criteria and a further 8% experience a minor, and 17% a major reduction in light distribution.
- 11.160 For land and buildings on the east side of East Road and land and buildings lying to the south of Norfolk Street, 67% of windows assessed fully pass the BRE criteria and the remaining 33% experience a moderate reduction in light distribution.
- 11.161 In respect of Annual Probable Sunlight Hours (a measure of direct sunlight from the sky reaching windows), the results against the BRE criteria demonstrate 100% compliance in summer and winter for all buildings.
- 11.162 Taking the above into consideration, while the proposed works would inevitably have a degree of impact on surrounding properties in terms of the levels of light and the perception of feeling enclosed, it is not considered based on the proposals that the impact would be significant enough as to pose any harm to neighbour amenity.
- 11.163 Overlooking/ Loss of privacy
- 11.164 The proposed upper-floor windows would be used by the life sciences and it is not considered that given the commercial use of these there would be any impairment of neighbouring privacy in terms of overlooking. The proposed hotel windows would look out onto East Road and are in the same positions as the previously approved hotel.

- 11.165 The proposal does seek to introduce a series of terraces at the roof top level. The total worst case noise level associated with patron activity on the southern roof terrace area which is the roof terrace closest to the nearest residential receptors (Burleigh Street) is expected to be in the region of 42dBA. British Standard 8233 suggests that it is desirable for noise levels in external residential amenity spaces such as gardens and patios, to not exceed 50 dB LAeq,16h, with an upper guideline value of 55 dB LAeq,16h, which would be acceptable in noisier environments. Based on this, it is not considered the use of the terraces in principle would be unacceptable in this location.
- 11.166 As part of a management plan condition, information regarding the hours of use of the terrace and its management to prevent use of amplified music for example will be required. A condition is also recommended that the details of any privacy measures such as obscure glazing of the terrace screens and buffer planting are provided. Subject to these, the use of the terraces is compatible with the existing environment around the site.
- 11.167 Construction and Environmental Impacts
- 11.168 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, collection hours, dust and contaminated land to protect the amenity of future occupiers. A construction phasing plan is also recommended. These conditions are considered reasonable and necessary to impose.
- 11.169 The Health and Safety Executive (HSE) have been consulted and have raised no objection to the application. The management of potentially hazardous material to health is controlled through the Control of Substances Hazardous to Health (COSHH) regulations that is administered by the HSE outside of planning regulations. The collection and disposal of waste, including chemical and hazardous waste, requires registration with the Environment Agency. The environmental impacts as they relate to planning regulations have been fully assessed. The responsibility of emergency planning falls under the remit of the Cambridge and Peterborough Local Resilience Forum (CPLRF). These will be highlighted by way of informatives.
- 11.170 The site lies within the air quality management area. An air quality assessment has been submitted which has stated that the proposal is not anticipated to have an adverse effect on the AQMA. The Environmental Health Team has assessed this and has raised no objection subject to condition. The Environmental Health Team has also requested a condition for the installation of passive electric vehicle charging of the Grafton East MSCP spaces to have electric vehicle charging spaces. The retained car park is not subject to development and it would be unreasonable to seek to extend control asking for an EV retro-fit in this circumstance given that the Council's Local Plan policies do not cover this scenario. The Council

more generally has sought to undertake EV charging provision of its own accord in any event across its owned car parks and there is no reason to suggest, as part of its decarbonising agenda, that it would not continue to do so in light of the changing proportion of electric cars on the roads.

11.171 Summary

11.172 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 and 58.

11.173 Third Party Representations

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

Third Party Comment	Officer Response
Use	
Oversupply of hotels	The Cambridge Hotel Futures Study by Hotel Solutions identifies a need for hotels to 2031. Policy 77 of the Local Plan does not place a cap on the overall no. of hotel spaces to be delivered.
The existing centre should be offered to smaller retailers by lowering rents; Still a demand/ need for retail;	The proposal does not seek planning permission for a change of use and this can therefore not be considered.
Proposal should include new housing, including affordable housing;	There is no policy basis to require the delivery of housing on this site.
The ping pong parlour should be retained in the evenings.	This use falls within Use Class E and therefore could be accommodated in the relocated retail if the owner chooses to do so. In addition, the heads of terms proposed under the Section 106 Agreement include provision for temporary pop up spaces which could include the ping pong parlour.
Would Primark shut under these plans?	The Primark on Burleigh Street is outside the red line of the application and is not part of the proposals.
The existing gym needs to be enlarged to cater for the new workers that this would introduce.	There is no policy basis in which to require a larger gym. A gym falls within Use Class E and therefore if there was demand, additional gym provision could be provided in the other retail units if needed.

<p>Strict rental conditions on the remaining shopping units must be introduced to prevent the domino effect of closures. E.g. whenever two shops close down in a 12 month period, rent is instantly reduced for all units for the following 12 months. In seven years will we see empty science buildings instead of empty shops due to rents being too high to pay for the renovation?</p>	<p>The rental conditions of units are not a planning consideration.</p>
<p>Transport</p>	
<p>Car parking pressure due to loss of part of Grafton East car park.</p>	<p>Local planning policy supports car free development and imposes maximum car parking standards. The Local Highway Authority and Transport Assessment Team have raised no objection to the removal of part of the Grafton East MSCP.</p>
<p>No bus routes serve the Grafton.</p>	<p>Bus stops would be provided along East Road. The provision of bus routes is a matter for the bus operator.</p>
<p>Object to demolition of wall and outbuildings at end of Christchurch Street and subsequent north-south connection proposed. Loss of bin store for existing flats above Grafton Centre not replaced. Loss of amenity garden.</p>	<p>The plans have been amended to reinstate the wall and outbuildings at the end of Christchurch Street.</p>
<p>Christchurch Street likely to be used as a drop-off point.</p>	<p>The potential use of Christchurch Street for dropping people off is on the public highway and outside the red line plan. Given its tight geometry it is unlikely to be used in this way.</p>
<p>Cycling should be prohibited in pedestrianised areas.</p>	<p>It is agreed that cyclists and scooters should not ride on Gold Lane where it is pedestrianised. The management plan condition will require details for managing</p>

	against this and the adherence to these measures.
Essential that Severn Place is considered so that Fire and Emergency vehicles are not blocked by commuter/ visitor parking caused by the Life Science/ Hotel elements. Request a condition that residents parking only is introduced to Severn Place.	Cambridgeshire Fire & Rescue have raised no objection to the proposals. The blocking of the highway is a police matter. It has not been recommended by the Local Highway Authority and Transport Assessment Team that a residents' parking scheme is introduced to Severn place.
A pavement for pedestrian access should be introduced to the mouth of Severn Place.	The proposal includes a pavement.
Negative impact on permeability for cyclists from Petersfield trying to reach City Centre or River.	The works to the northern cycle route are considered to enhance permeability.
Blocking off of life sciences from the public not supported. East-West route should be retained.	The proposed route through east-west will remain accessible to the public and this will be secured through the Section 106 Agreement.
Amenity	
Anti-social behaviour/ lack of management of spaces. Concerns about management of the public square. Will it be gated? Will access be restricted? Increase in litter.	A management plan condition has been recommended for the details of this to be secured.
Anti-social behaviour due to potential use of hotel by migrants.	The end users of the hotel is not a planning consideration.
Environment	
Risk of litigation and lack of due diligence due to potential harm to the public and the environment from	The Health and Safety Executive (HSE) have been consulted and have raised no objection to the application. The management of potentially hazardous material to health is controlled through the Control of Substances

<p>radioactive tracers and other toxic material or biological material.</p> <p>Primavera Associates Ltd v Hertsmere Borough Council EWHC [2022] 2685 (Ch), noted local authorities owe a duty of care to the public. Concerns regarding mixing labs and housing so closely due to air quality and environmental public health impacts. No containment/evacuation plan in the event of a major hazard.</p>	<p>Hazardous to Health (COSHH) regulations that is administered by the HSE outside of planning regulations. The collection and disposal of waste, including chemical and hazardous waste, requires registration with the Environment Agency. The environmental impacts as they relate to planning regulations have been fully assessed. The responsibility of emergency planning falls under the remit of the Cambridge and Peterborough Local Resilience Forum (CPLRF). These will be highlighted by way of informatives.</p>
<p>Cumulative impact of this proposal and the Beehive Centre in terms of urban heat island effect.</p>	<p>The application for the Beehive Centre has not been determined at this time. Therefore this application for the Grafton Centre must be considered on its own merits and any potential cumulative effects cannot be assessed under this application.</p>
<p>Harm to air quality</p>	<p>The Council's Air Quality Officer has been consulted as part of the Environmental Health Team response and has raised no objection subject to conditions.</p>
<p>Harm to local trees and ecosystems. The 'instant hedging' is likely to reduce the local diversity of plants and be used as a rubbish receptacle. Diverse and bee/ insect friendly planting is needed.</p>	<p>The Ecology Officer has raised no objection to the proposed works. The Tree Officer has raised no objection.</p> <p>The comments about the 'instant hedging' are noted and the fine detail about the precise hedge planting will be controlled through the hard and soft landscaping condition recommended.</p>
<p>Harm to the setting and character of the Mill Road and Kite Conservation Areas, as well as open spaces such as Midsummer Common.</p>	<p>Historic England and the Council's Conservation Officer have raised no objection to the proposal in terms of harm to the setting and character of these heritage assets. While the proposal would be visible from these heritage assets, it is not considered that the additional scale, mass or contemporary design has a harmful impact on views within these</p>

	Conservation Areas or views from Midsummer Common generally in terms of their setting.
Proposals do not show the flues and vents that would be needed.	The Urban Design Team has recommended a condition for these details to be provided. It is not unusual for these details to be provided at the condition stage when the demands of the final user are known.
Suggest minor change to drawing which states "Christchurch Street" should instead state "Christchurch Lane".	This is noted but does not affect the accuracy of the drawings.
There has not been a public consultation and residents of the Mill Road Conservation Area not consulted.	A public consultation including press and site notices has been carried out in accordance with the requirements of Article 15 of the Development Management Procedure Order and the Council's Statement of Community Involvement.
Inaccuracies in distances quoted in applicant documents.	The specific inaccuracies referred to are distances from other locations such as Cambridge Train Station. These are noted. Officers are aware of the correct site and its surroundings and these distances do not need to be corrected.
Many of the improvements (e.g. tree planting) could be done without redeveloping the Grafton Centre. More money should be spent on NHS, schools etc rather than this.	Officers must assess the proposals as submitted in the application.
CamCycle	
Opportunity to reinstate historic route through site and provide alternative to cycling on Burleigh Street	The proposals are considered to provide sufficient connectivity through the site in accordance with the aspirations of the Grafton Area Masterplan SPD and Policy 12 of the Local Plan.
The existing gym could be relocated to rediscover the lost former section of Fitzroy Street.	Officers must assess the proposals as submitted in the application.

<p>Improvements to Maids Causeway should be sought. A small section of East Road near the pedestrian crossing could be used to create cycle bypasses.</p> <p>The existing two-stage crossing at the St Matthews Street junction could be upgraded to single stage and allow for cyclists.</p> <p>The East Road improvements are not proportionate in scale to the proposal. They are left over from the previous scheme which was smaller.</p>	<p>These are highway design considerations that are beyond the scope of this application. The Highway Authority is supportive of the East Road improvements and other localised works as set out. The mitigation is proportionate, officers have sought for various improvements, including to Burleigh Street which has a far greater footfall and where the environmental improvements would be more greatly felt. Any additional mitigation is likely to generate viability issues for the applicant given the uplift in floorspace is only circa 15,000sqm. The mitigation is therefore reasonably related in scale to the proposal and the mitigation proposed more directly related to the development than other suggestions.</p>
Cambridge Past, Present and Future	
<p>Due to Red Meadow Hill impact, the outline of King's College Chapel will be lost against the outline of the proposed Grafton Centre and it will significantly diminish the distinctive skyline of Cambridge.</p>	<p>Historic England and the Conservation Officer have raised no objection as to the impacts from this view. In assessing this viewpoint, given the significant distance and minimal visibility of the proposed works, it is not considered the proposal would harm the skyline of Cambridge or the setting of Kings College Chapel.</p>

11.175 Planning Obligations (S106)

11.176 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.

11.177 The applicant has indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Council's Local Plan and the NPPF.

11.178 Policy 85 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.

11.179 Heads of Terms

11.180 The Heads of Terms (HoT's) as identified are to be secured within the S106 and are set out in the summary below:

Obligation	Contribution / Term	Trigger
Transport	To deliver the Section 278 works to East Road. The changes include on road bus stops on both northbound and southbound carriages, a pedestrian crossing, segregated off-road cycle lane on both sides of the road and removal of the central reservation. An additional Toucan crossing is proposed on East Road between the existing signalised crossing points at St. Matthews Street junction and Norfolk Street junction.	Prior to occupation
Tree Works	Off-site tree planting of 6 trees on East Road	Prior to occupation
Public realm	Contribution of £600,000 towards a Burleigh Street Environmental Improvement Project	Staged payments prior to development and occupation
Public realm access	Provisions to ensure that the public realm areas remain open.	Prior to occupation
Internal public access and connectivity	Provisions to ensure that the east-west internal route through the Life Sciences is publicly accessible.	Prior to occupation

Life Science Incubator and Grow On Spaces	<p>To deliver and retain no less than 1,175sq.m (GIA) of “incubator floorspace”</p> <p>To deliver and retain no less than 1,540sq.m (GIA) of “grow-on floorspace”</p> <p>To market and rent such spaces to qualifying start-up businesses</p>	Prior to occupation
Community Outreach	To deliver a Community Outreach Plan (COP) to agreed social value targets which includes; a nominated employee allocated to coordinate the Community Outreach Plan, programme of engagement to reach educational institutions and hosting public exhibitions. Includes commitment for any lessees as part of rental contract to partake in the implementation of the COP.	Prior to occupation
Community Classroom	To deliver and maintain the Community Classroom as shown on the approved drawings. Provision of affordable and free to access community outreach provision.	Prior to occupation
Pop Up Community Spaces	To enable pop up community spaces such as the ‘Cambridge Room’.	Prior to occupation
Employment	Jobs for All Plan associated with the life science floorspace. This includes commitment towards apprenticeships.	Prior to occupation
S106 Administration, Monitoring and Compliance	£2,200 towards the monitoring and administration of the	

	S106. Additional further fee of £500 for each instance where the Council is required to provide written confirmation of an obligation.	
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11.181 Transport

11.182 The East Road highway improvements have been requested by the County Council. They are deemed necessary to ensure the site is served effectively by public transport and that sustainable transport modes are prioritised.

11.183 Tree Works

11.184 The off-site planting of six trees on East Road are requested by planning officers. The additional tree planting outside the red line boundary is necessary to ensure that the scheme delivers environmental benefits for the local community and help contribute towards meeting the Council's tree canopy and climate change goals.

11.185 Public Realm

11.186 The contribution of £600,000 towards improvements to the public realm of Burleigh Street have been recommended by the Council's public realm team and planning officers. The re-direction of retail related footfall through Burleigh Street as a result of this development will put additional pressure on this area of public realm. The development needs to contribute towards a project that the City Council will deliver to enhance and rationalise the use of this space for the benefit of public realm users in accordance with the aspirations and requirements of the Grafton Area Masterplan SPD and Policy 12 of the Local Plan.

11.187 Public Realm Access & Internal public access and connectivity

11.188 The provisions to ensure there is a means of access in the public realm areas, namely Gold Lane and the north-south connection, and that a public route is maintained through the Life Science element has been recommended by planning officers. It is necessary to ensure that the north-south connection and existing east-west route is not closed off and that the aspirations and requirements of the Grafton Area Masterplan SPD and Policy 12 of the Local Plan are delivered with respect to permeability and connectivity.

- 11.189 Life Science Incubator and Grown On Spaces, Community Outreach, Community Classroom and Employment
- 11.190 These provisions are recommended by Planning Officers. They are necessary to ensure that the proposal delivers social benefits for the wider community that form part of the material planning considerations and public benefits that the scheme has put forward.
- 11.191 Pop Up Spaces
- 11.192 In discussions with Cambridge University, it has been agreed by all parties for a retail unit to be provided on the site to host pop up/ temporary spaces such as an Urban Room. An Urban Room is a place for the community, the university, local authorities, industry, practice and other organisations to come together to discuss – and do research on – the future of their city and the built environment. This would deliver a social benefit to the local community and is considered necessary.
- 11.193 The planning obligations are necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010 in are in accordance with policy 85 of the Cambridge Local Plan (2018).

11.194 Other Matters

- 11.195 Archaeology
- 11.196 The County Council Historic Environment Team has raised no objection and recommended a condition and an informative with respect to archaeology which have been applied accordingly.

11.197 Planning Conditions

- 11.198 Members attention is drawn to following key conditions that form part of the recommendation:

Condition no.	Detail
1	Start date
13 & 14	Phasing Plan
16 & 18	Landscape and Tree Planting
17	Biodiverse Roofs
20	Arboricultural Method Statement
21	Material samples
23	Surface water drainage
24	Rooftop Plant details
26 – 29, 57 and 58	Water Efficiency

33	Cycle parking
34	Site Wide Management Plan
35	Travel Plans
36 & 43	Odour Control/ fumes
38 – 40	Management/ Servicing Plans for each use
44	Noise from plant
48 – 50	Noise restrictions on external terraces
51 – 52	Noise/ servicing hours from service yards
55	Biodiversity Net Gain compliance
59	Permitted Development restrictions on change of use

11.199 Planning Balance

11.200 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).

Harm

11.201 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 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 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

11.202 The upper levels of the proposed development, including its horizontality, would clash with the existing roofscape when viewed from Castle Mound. This is considered to cause less than substantial harm to the setting of the Central Conservation Area and Jesus College Chapel. While it is agreed with the Conservation Team that this is less than substantial harm, officers consider that the degree of harm is moderate rather than moderate-to-upper levels. This is due to the amendments to the application that took place to try and address heritage concerns, including the setting back of the upper floor further and use of translucent cladding to roof top plant.

11.203 Environmental harm would also arise in terms of the estimated increased operational demand on water supply of 6,380 l/day. From a water resource planning perspective, this equates to 0.006 Ml/d across the Cambridge Water Resource Zone. The EA has raised concerns over the sustainable supply of water, and the risk of deterioration to water bodies. As additional demand would arise from this development, it is foreseeable that some very limited harm to water bodies, as evidenced by the EA, would arise. Without strategic mitigation, this risk of harm of deterioration will continue, at least until strategic supply options are available.

- 11.204 Minor conflict with the local plan through the loss of the two flats on Burleigh Street would also arise.
- 11.205 Temporary harm in terms of associated construction impacts would occur.

Benefits

- 11.206 Officers have assessed the public benefits that they consider would accrue from the proposed development. The benefits are broken down into economic, social and environmental themes.

Economic

- 11.207 In terms of the economic benefits, it is considered that significant public benefits would arise if this development were to occur. There is a significant need for this type of life sciences development in the Greater Cambridge area, as well as nationally.
- 11.208 The NPPF at Paragraph 85 states that significant weight should be placed on the need to support economic growth and productivity taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation (industrial strategy), and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.
- 11.209 Paragraph 87 of the NPPF states that planning decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries. The Government's Industrial Strategy (2018) and 'Build Back Better' plan for growth (2021) both place significant emphasis on the importance of Life Sciences to the economy and the need to expand this sector.
- 11.210 The Greater Cambridge Employment Land and Economic Development Evidence Study 2020 acknowledges that there are some local challenges to keeping up with demand for both wet and dry lab space.
- 11.211 The proposed development would result in an uplift of 47,321sqm of research and development floorspace. Across the wider site this would result in the provision of approximately 2,652 jobs (1,944 skilled, 707 non skilled), 1,868 jobs more than the existing Grafton Centre. This would bring with it a net additional value output of £89.28m into the Greater Cambridge economy. The demand and need to expand research and

development opportunities in and around Cambridge is clearly significant and as such it is considered that there are clear public economic benefits.

- 11.212 The improved retail environment and influx of jobs on the site is considered to enhance the type of retail offering available and is expected to result in a net increase in locally generated retail expenditure of just under £4m per annum. However, this must be judged against the fact that there would be a significant reduction in retail floorspace (32,194sqm). This is nevertheless a moderate public benefit.
- 11.213 The delivery of the hotel and the 120 bedrooms would also boost Cambridge's visitor economy and encourage people into this part of the city where they are anticipated to contribute approximately £2.78m to the local economy. This should be afforded moderate public benefit.

Social

- 11.214 The proposal includes a 90sqm community classroom which would provide a space to educate and inform children and young people about the scientific activities taking place within the development, and science (STEM) more generally. As part of the heads of terms on the Section 106 Agreement, officers would require a Community Outreach Plan and include a commitment within any tenant lease for the provision of free to access and affordable Community Classroom activities, aligning with the social value and inclusivity targets agreed through the Community Outreach Plan.
- 11.215 The Community Outreach Plan includes a comprehensive programme of wider outreach to local school and educational institutions, apprenticeship/ work experience opportunities and the provision of temporary pop up spaces within the development. The proposed layout of the development would allow for the central atrium to be used for lectures. The Section 106 Agreement would seek to secure at least three science related public exhibitions annually within the atrium.
- 11.216 1,175sqm of 'incubator floorspace' and 1,540sqm of 'grow-on floorspace' would be provided as part of the proposals. 'Incubator floorspace' is specifically targeted for new start up companies and the 'grown-on floorspace' is additional space for these new companies to expand. The Section 106 Agreement would safeguard this provision and ensure the amount is retained.
- 11.217 Collectively, these social benefits are considered to amount to moderate public benefits.

Environmental

- 11.218 The proposed development would facilitate the Section 278 highway improvements to East Road. This includes new on-road bus stops both north-bound and south-bound to replace the existing bus turning area, an additional toucan pedestrian crossing, segregated off-road cycle lanes on both sides of the road and the removal of the central reservation. These proposed works to the highway would align with the objectives of the Grafton Area Masterplan SPD and would hold significant public benefit by improving the public realm and transport connectivity.
- 11.219 The proposed northern route improvements between Fitzroy Lane to Severn Place that this development would facilitate would enhance pedestrian and cycling connectivity and safety. The new pedestrian pavement on Fitzroy Lane would significantly improve pedestrian safety for people accessing the site from Maids Causeway. The segregated cycle route, removal of clutter and introduction of active frontages on the northern edge of the Grafton Centre would improve the usability of the existing cycle route. The proposed changes are supported by Urban Design and Landscape Officers, as well as Camcycle.
- 11.220 The proposal would also provide a financial contribution of £600,000 towards improvements to Burleigh Street that would improve the pedestrian environment noticeably. The Council has agreed that it would consult on and lead this specific environmental improvement project. In addition, the insertion of "Gold Lane" through the centre of the site would introduce a north-south connection that aligns with the aspirations of the Grafton Area Masterplan SPD.
- 11.221 The environmental standards sought, which would see a significant improvement in the fabric and performance of the existing buildings and high standards for new buildings would be obtained if the development were to proceed which include:
- Use of air source heat pumps and photovoltaic panels for energy demands (no fossil fuels) to achieve 25.96% (life sciences) and 15.43% carbon reduction over Part L (2021) baseline;
 - Achieving five Wat01 credits for water efficiency (15 litres/person/day for the office areas);
 - 10% materials from re-used sources and 30% materials able to be re-used at end of life as part of a Circular Economy approach; and
 - Measures to address urban heat island effect such as increasing tree canopy cover on site by 2.17% through planting of 25no. new trees, green and blue roofs, rain gardens and use of lighter colours for hard surfacing.

- 11.222 The re-use of previously developed land should be afforded significant weight as it is a key part of the strategy for the Local Plan and is afforded significant weight by the NPPF. In addition, the delivery of research and development floorspace on brownfield sites such as this reduces the dependency and pressure on greenfield land outside of the city. It is a highly sustainable location.
- 11.223 The reuse of a considerable portion of the original building also helps to lower the embodied carbon associated with the development. The proposal seeks to adopt an ambitious sustainability strategy and is car free, reducing the numbers of cars present on the site from 874no. spaces to 488no. The proposal would deliver a biodiversity net gain of 538.09% which should be factored in as a public benefit too.

Overall Consideration

- 11.224 In accordance with local and national policies, namely Paragraph 208 of the NPPF (2023) and Sections 66 and 72 of the Listed Buildings and Conservation Areas Act, special regard must be given to the heritage assets. The moderate level of less than substantial harm needs to be weighed against any public benefits that are considered to accrue from the proposal.
- 11.225 Overall, the economic, environmental and social benefits above are considered to amount to very substantial public benefits in favour of the proposal. As such, in applying the test of Paragraph 208 of the NPPF, the very substantial public benefits identified are considered to outweigh the moderate level of less than substantial harm to heritage assets.
- 11.226 Technical consultees have raised no objection to the proposal subject to conditions in terms of impacts on the amenity of any nearby occupiers or any environmental effects such as flood risk and drainage, climate impacts and air quality impacts.
- 11.227 In relation to water usage, officers acknowledge that the emerging Integrated Water Management Study for the Greater Cambridge Local Plan indicates that groundwater abstraction is placing significant pressure on water bodies (including chalk streams) that are sensitive to abstraction, and there is a risk of causing deterioration in the ecology if groundwater abstraction increases. In this case and given the scale of development (net increase of 15,871sqm), the applicant has provided supporting information which demonstrates that the increased pressure on water resources would be very low. Impacts can be minimised through the use of planning conditions.
- 11.228 The loss of the two residential flats on Burleigh Street presents a very minor conflict with the development plan and is more than outweighed by the benefits brought about through the opening of the new route into the newly formed retail square.

11.229 The proposal would bring about strong benefits economically, socially and environmentally to the Grafton Centre and more generally to this part of town. In light of the changing retail sector and increasing retail vacancy rates in the Grafton Centre, a scheme which seeks to re-purpose a large proportion of it to an alternative and viable employment use should be strongly supported. Cambridge is fortunate that its economy provides demand for re-purposing such a site and this is thus an opportunity in planning terms which officers recommend strongly for support.

11.230 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 Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 Regulation 33, and the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

12.0 Recommendation

12.1 **Approve** subject to:

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

-Satisfactory completion of a Section 106 Agreement which includes the Heads of Terms (HoT's) as set out in the report with minor amendments to the Heads of Terms as set out delegated to officers.

13.0 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. Unless an alternative trigger is otherwise agreed in writing by the local planning authority, no demolition/development shall commence until the

applicant, or their agents or successors in title, has implemented a programme of archaeological work 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; and
- 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, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2023).

4. No development (or phase of) shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:
 - (a) A Phase 2 Intrusive Site Investigation Report based upon the findings of the Preliminary Contamination Risk Assessment (by Mosaic, ref: 15638-EW-00-XX-PRA-R-004, issue 5, dated 27th June 2023).
 - (b) A Phase 3 Remediation Strategy based upon the findings of the approved Phase 2 Intrusive Site Investigation Report.

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)

5. 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 in accordance with (Cambridge Local Plan 2018 Policy 33)

6. Prior to the commencement of development, or phase of, a Demolition / Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority. The DCEMP shall include the following aspects of demolition and construction:
 - a) Demolition, construction and phasing programme.
 - b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
 - c) Construction/Demolition hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation.
 - d) Delivery times for construction/demolition purposes shall be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, Bank or Public Holidays, unless otherwise agreed in writing by the local planning authority in advance.
 - e) Prior notice and agreement procedures for works outside agreed limits and hours. Variations are required to be submitted to the local authority for consideration at least 10 working days before the event. Neighbouring properties are required to be notified by the applicant of the variation 5 working days in advance of the works.
 - f) Soil Management Strategy.
 - g) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – noise.
 - h) Vibration impact assessment methodology, mitigation measures, vibration monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – vibration.
 - i) Dust management and wheel washing measures in accordance with the provisions of:
 - Guidance on the assessment of dust from demolition and construction, version 1.1 (IAQM, 2016).
 - Guidance on Monitoring in the Vicinity of Demolition and Construction Sites, version 1.1 (IAQM, 2018).
 - j) Use of concrete crushers.
 - k) Prohibition of the burning of waste on site during demolition/construction.
 - l) Site artificial lighting during construction and demolition including hours of operation, position and impact on neighbouring properties.
 - m) Screening and hoarding details.
 - n) Consideration of sensitive receptors.
 - o) Complaints procedures, including complaints response procedures.

- p) Membership of the Considerate Contractors Scheme.
- q) Details of water use during construction/ demolition

Development (or phase of) shall be carried out in accordance with the approved DCEMP (for that phase).

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

7. No demolition or construction works shall commence until a traffic management plan has been submitted to and approved in writing by the Local Planning Authority. The principal areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway where practical);
 - ii. Contractor parking; provide details and quantum of the proposed car parking and methods of preventing on-street car parking;
 - iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway where practical);
 - iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.

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

Reason: in the interests of highway safety in accordance with Cambridge Local Plan (2018) Policy 81.

8. No development, 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 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) Policies 28, 31 and 32.

9. No above ground development shall commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of: management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The

management plan shall comply with Advice Note 3 'Wildlife Hazards Around Aerodromes' - physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste - signs deterring people from feeding the birds. The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Cambridge Airport in accordance with Cambridge Local Plan (2018) Policy 37.

10. Notwithstanding the details of the DCEMP, no tower cranes shall be erected on site until a study determining the impact of proposed cranes on the instrument flight procedures (IFPs) associated to Cambridge Airport has been submitted to and approved in writing by the Local Planning Authority. The study shall be completed by an Approved Procedure Design Organisation (APDO) and shall determine the level of impact and include any measures necessary to mitigate any identified impacts. The development shall be carried out in accordance with the approved details.

Reason: To avoid the cranes on site endangering the safe movement of aircraft and the operation of Cambridge Airport in accordance with Cambridge Local Plan (2018) Policy 37.

11. Unless an alternative trigger is otherwise agreed in writing by the local planning authority, no development above ground level, other than demolition, shall commence until a navigational aids impact assessment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter operated in accordance with the approved navigational aids impact assessment scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of Cambridge Airport through interference with communication, navigational aids and surveillance equipment in accordance with Cambridge Local Plan (2018) Policy 37.

12. Further to the requirements of Condition 20, prior to the commencement of development, 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 written record of this meeting will be submitted to and approved by the LPA.

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.

13. Prior to any demolition / enabling works, a Demolition and Enabling Works Phasing Plan setting out the details of the phasing of these works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason To ensure the development is phased to avoid an adverse impact on drainage infrastructure in accordance with Cambridge Local Plan (2018) Policy 85.

14. Prior to the commencement of development (excluding demolition / enabling works), a Construction Phasing Plan setting out the details of the phasing of the development shall be submitted to and approved in writing by the Local Planning Authority. The Construction Phasing Plan shall include but not be limited to the following proposed elements of the scheme:

- Decanting / cessation of existing retail and leisure users on the site;
- New build, extensions and alterations to buildings for the different use types, including employment space, hotel, gym, retail;
- On-site hard surfacing public realm provisions;
- On-site soft landscaping and BNG provisions;
- Plant and associated equipment and screening;
- Cycle parking provision;
- Servicing and public transport provisions; and
- Off site highways improvements

Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan, unless otherwise agreed in writing with the Local Planning Authority.

Reason To ensure the development is phased to avoid an adverse impact on drainage infrastructure in accordance with Cambridge Local Plan (2018) Policy 85.

15. Unless an alternative trigger is otherwise agreed in writing by the local planning authority, no development above ground level, other than demolition and enabling/ utility diversion works, 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 (Cambridge Local Plan (2018) Policy 85).

16. No development above ground level, other than demolition and enabling/ utility diversion works, shall commence until details of a hard and soft landscaping scheme has been 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. 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.

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, 58, 59 and 69).

17. Unless an alternative trigger is otherwise agreed in writing by the local planning authority, no development above ground level, other than demolition and enabling/ utility diversion works, shall commence until details of the biodiverse (green, blue or brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. Details of the green biodiverse roof(s) 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; and
- 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).

18. Unless an alternative trigger is otherwise agreed in writing by the local planning authority, no development above ground level, other than demolition and enabling/ utility diversion works, shall take place until full details of all tree pits, including those in planters, hard paving and soft landscaped areas 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, 58 and 59).

19. Unless an alternative trigger is otherwise agreed in writing by the local planning authority, no development above ground level, other than demolition and enabling/ utility diversion works, shall commence until a Public Art Delivery Plan (PADP) has been submitted to and approved in writing by the Local Planning Authority. The PADP shall include the following:

- a) Details of the public art and artist commission;
- b) Details of how the public art will be delivered, including a timetable for delivery;
- c) Details of the location of the proposed public art on the application site;
- d) The proposed consultation to be undertaken;

- e) Details of how the public art will be maintained;
- f) How the public art would be decommissioned if not permanent;
- g) How repairs would be carried out;
- h) How the public art would be replaced in the event that it is destroyed;

The approved PADP shall be fully implemented in accordance with the approved details and timetabling. Once in place, the public art shall not be moved or removed otherwise than in accordance with the approved maintenance arrangements.

Reason: To provide public art as a means of enhancing the development and (Cambridge Local Plan policies 55 and 56 and the Cambridge City Council Public Art SPD (2010)).

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

Reason: To satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

21. Prior to the use of any external materials, their full details shall be submitted to and approved in writing by the local planning authority. These shall include samples of proposed brick and stonework, non-masonry walling systems, cladding and decorative panels, balustrades, colours and surface finishes/textures and details of the photovoltaic panels. The details shall demonstrate that the impact of the materials on the Urban Heat Island Effect has been considered. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

Reason: To ensure that the appearance of the external surfaces is appropriate and to ensure that the impact on the Urban Heat Island Effect is mitigated. (Cambridge Local Plan 2018 policies 28, 55, 56 and 58)

22. Before starting any paving or hard surfacing work, a sample panel of the product material(s) to be used for that work shall be constructed on site to establish the detail of product including bonding, coursing and colour and type of jointing and 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 visual amenity and to ensure that suitable hard landscape is provided as part of the development. (Cambridge Local Plan 2018; Policies 55, 56 and 59).

23. With the exception of utility diversion works, no laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Drainage Strategy prepared by Logika Consultants (ref: 13926A-30-R01-02) dated June 2023 and shall also include:

- a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) 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;
- b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- d) 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;
- e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Permissions to connect to a receiving watercourse or sewer;
- h) Measures taken to prevent pollution of the receiving groundwater and/or surface water

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts in accordance with Cambridge Local Plan (2018) Policies 28, 31 and 32.

24. No rooftop plant shall be installed until such time as full details, to a large scale, of any rooftop plant screening systems to be installed, where relevant, has been submitted to and approved in writing by the Local Planning Authority. This may include the submission of samples of mesh/louvre types and translucent screen and the colour(s) of the components. Colour samples should be identified by the RAL or BS systems. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (Cambridge Local Plan 2018 policies 55 and 58).

25. Prior to the commencement of above ground works for the hotel hereby permitted a noise insulation scheme detailing the acoustic noise insulation performance/specification of the external building envelope to reduce the level of noise experienced in the guest rooms (having regard to the building fabric, glazing, ventilation and internal plant related noise) shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented and a completion report submitted prior to the occupation of the residential or other noise sensitive development. Thereafter, the approved scheme shall be retained as such.

Reason: To protect the amenity of hotel guests in accordance with Cambridge Local Plan 2018 policy 35.

26. No development above base course (other than demolition and enabling/utility diversion works) shall take place until a detailed scheme for the approved grey water harvesting and recycling strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include relevant drawings showing the location of the necessary infrastructure required to facilitate the water reuse. The development shall be carried out and thereafter maintained strictly in accordance with the approved details.

Reason: To respond to the serious water stress facing the area and ensure that 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)

27. No development above base course (other than demolition and enabling/utility diversion works) shall take place until a detailed scheme for the approved rainwater harvesting and recycling strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include relevant drawings showing the location of the necessary infrastructure required to facilitate the water reuse. The development shall be carried out and thereafter maintained strictly in accordance with the approved details.

Reason: To respond to the serious water stress facing the area and ensure that 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)

28. Prior to the occupation of the proposed development, or as soon as reasonably practicable after occupation, evidence in the form of the BREEAM Wat01 water efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority. Such evidence shall demonstrate the achievement of no less than 5 Wat01 credits. The development shall be carried out and thereafter maintained strictly in accordance with the agreed details set out within the BREEAM Wat01 water efficiency calculator.

Reason: To respond to the serious water stress facing the area and ensure that 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)

29. The development hereby approved shall not be occupied until a post construction statement confirming that the provisions as set out in the Grafton Centre Sustainability Statement (Cundall, 4 July 2023, Revision P05) have been fully implemented.

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

30. Prior to occupation of the development, details of the design for the food Kiosk and the public realm along Gold Lane and within Central Square shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (Cambridge Local Plan 2018 policies 56, 58 and 59).

31. No occupation shall commence until a plan has been submitted to and approved in writing by the Local Planning Authority detailing the proposed specification, number and locations of internal and / or external bird and bat

boxes on the new buildings. The bird and bat boxes shall be installed prior to the commencement of the proposed uses and subsequently maintained in accordance with the approved plans.

Reason: to provide ecological enhancements for protected species on the site (Cambridge Local Plan (2018) policy 70).

32. Prior to occupation of the development, full details of proposed signage, including any signage relating to cycles adjacent to Christchurch Street, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance and siting of signage is appropriate. (Cambridge Local Plan 2018 policies 56 and 59).

33. Notwithstanding the approved plans, no occupation of a building shall take place until details of the storage provision for all cycles and scooters for that building, including non-standard cycles, such as cargo bikes, and electric bikes, as well as details of the mechanism to raise the double tier cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking provision shall be installed and made available in accordance with the approved plans prior to the occupation of the relevant building. The cycle facilities shall thereafter be retained and shall not be used for any other purpose.

Reason - To ensure appropriate provision for the secure storage of bicycles in accordance with Policy 82 of the Cambridge Local Plan 2018.

34. Prior to occupation of the development, a Site Wide Management Plan including details of the site's management addressing matters such as: Car Park and Cycle Park Management, Servicing, and Security (including details of CCTV), hours of use and management of the roof terraces and the means of prohibiting and enforcing against the use of bicycles and e-scooters on Gold Lane shall be submitted to and approved in writing by the Local Planning Authority. The site shall be managed in accordance with the approved details thereafter.

Reason: In order to ensure that the use and access of the site does not give rise to significant amenity issues for nearby residents and that the development is safe, inclusive usable and enjoyable for all users in accordance with Cambridge Local Plan (2018) Policies 35 and 56.

35. No occupation of any new retail space, life science use or the hotel hereby permitted shall commence until a Travel Plan for the respective use 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 prior to the first occupation of the relevant use.

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

36. Prior to the installation of any ventilation / extract systems, and on a phased basis for each use as necessary, a ventilation / extract scheme to include details of equipment and systems for the purpose of extraction / discharge, filtration, abatement and control of odours and smoke / fumes, and a noise insulation / mitigation scheme as required for any associated plant / equipment, shall be submitted to and approved in writing by the local planning authority. The ventilation / extraction scheme details as approved shall be installed before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of nearby properties from odour and smoke / fumes (Cambridge Local Plan 2018, policy 36).

37. Prior to the installation of any artificial lighting an external and internal artificial lighting scheme with detailed impact assessment 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 (external and internal building lighting) and an artificial lighting impact assessment with predicted lighting levels at existing residential properties shall be undertaken (including horizontal / vertical isolux contour light levels and calculated glare levels). Artificial lighting on and off site shall meet the Obtrusive Light Limitations for Exterior Lighting Installations for the appropriate Environmental Zone in accordance with the Institute of Lighting Professionals - Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded) and any mitigation measures to reduce and contain potential artificial light spill and glare as appropriate shall be detailed. The artificial lighting 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 nearby properties in accordance with Cambridge Local Plan 2018 Policy 34.

38. Prior to the occupation of the hotel hereby permitted, a management plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include provisions relating to travel advice; check-in time slots in order to stage the impact of the check-in/out process; site security; crime reduction and reporting measures; the management of deliveries; and the external display of contact information

for on-site management and emergencies. The scheme shall be managed in accordance with the approved details thereafter.

Reason: In order to ensure the occupation of the hotel is well managed, does not give rise to significant amenity issues for nearby residents and does not impact highway safety (Cambridge Local Plan 2018 policies 35 and 56).

39. Prior to the first occupation of the Life Science units, a Life Science Delivery and Servicing Plan, including the management of refuse, shall be submitted to and approved in writing by the Local Planning Authority. Deliveries and servicing of the Life Science units shall be managed in accordance with the approved details thereafter.

Reason: In order to ensure the use of the Life Science Units is well managed, does not give rise to significant amenity issues for nearby residents and does not impact highway safety (Cambridge Local Plan 2018 policies 35, 56 and 81).

40. Prior to the first occupation of the new retail units hereby approved, a retail Delivery and Servicing Plan, including the management of refuse, shall be submitted to and approved in writing by the Local Planning Authority. Deliveries and servicing of the retail units shall be managed in accordance with the approved details thereafter.

Reason: In order to ensure the use of the retail Units is well managed, does not give rise to significant amenity issues for nearby residents and does not impact highway safety (Cambridge Local Plan 2018 policies 35, 56 and 81).

41. Prior to the occupation of the development, the detailed designs of the bus stop shelters shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and be fully installed no later than 6 months following first occupation, unless an alternative trigger is otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and accessibility. (Cambridge Local Plan 2018 policies 35 and 57).

42. Prior to first use of the external terraces hereby permitted, details of the means of privacy screens including levels of obscure glazing or other measures to protect neighbouring properties from being harmfully overlooked from these spaces shall be submitted to and approved in writing by the Local Planning Authority. The privacy measures shall be installed prior to first use of the terraces and remain in perpetuity for the lifetime of the development

Reason: In the interests of neighbour amenity (Cambridge Local Plan (2018) Policies 55 and 58).

43. Before each use hereby permitted is commenced and on a phased basis as necessary, details of all ventilation and exhaust systems associated with the use (including back-up generators and fume cupboards as detailed in the Preliminary Wind Consulting Report (CPP17331 Rev 04) produced by Wind Engineering Consultants and dated 22nd January 2024) shall be submitted to and agreed in writing by the Local Planning Authority. The details shall be provided in accordance with current UK guidance and standards where appropriate and identify the fuel source (where applicable), size and location of flue, height of flue, proximity to and impacts at residential receptors, hours of operation and any mitigation measures required. The systems as approved shall be installed, maintained and retained thereafter.

Reason: To protect local air quality and human health by ensuring that the production of air pollutants are kept to a minimum during the lifetime of the development (Cambridge Local Plan 2018 policy 36 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

44. Before each use hereby permitted is commenced and on a phased basis as necessary, a noise impact assessment of cumulative plant and equipment (including all mechanical and electrical services such as combustion appliances / flues and ventilation systems / louvres, plant rooms) and a noise insulation scheme as appropriate, in order to minimise the level of noise emanating from the said plant and equipment, shall be submitted to and approved in writing by the local planning authority. 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 nearby properties (Cambridge Local Plan 2018 policy 35).

45. The development (or each phase of the development where phased) shall not be occupied until the Phase 3 Remediation Strategy in accordance with details submitted and approved by the Local Planning Authority under condition 4 of this permission 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).

46. 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).

47. Unless an alternative trigger is otherwise agreed in writing by the local planning authority pursuant to Conditions 13 and 14, the development hereby permitted shall not be occupied until the works within the adopted public highway, as shown on drawing numbers MMD-380933-C-DR-05-XX-5011 Rev P4, MMD_380933_C-DR-05-XX_5015 Rev P1, MMD-380933-C-DR-05-XX-5022 Rev P4, MMD-380933-C-DR-05-XX-5031 Rev P4 and MMD-380933-C-DR-05-XX-5041 Rev P4, have been fully completed in accordance with the drawings.

Reason: for the safe and efficient operation of the highway in accordance with Cambridge Local Plan (2018) Policies 80 and 81.

48. Acoustic / unamplified music and the playing of amplified music / voice within the southern events terraces is prohibited subject to the submission of an acceptable noise impact assessment and noise insulation and management / control scheme for approval by the local planning authority. The scheme as approved shall be fully implemented before any acoustic unamplified music or amplified music / voice takes place.

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

49. Acoustic / unamplified music and the playing of amplified music / voice is prohibited within all roof terraces, except for the southern events terrace.

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

50. The external rooftop terraces shall only be used by patrons and staff between the hours of 07:00 – 22:00hrs Monday to Sunday and shall be clear of patrons and staff outside these hours. Any waste / glass removal required and the cleaning of these areas including the clearance and the movement of any tables and seating / chairs shall be undertaken during these times only.

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

51. The service yard noise mitigation measures as detailed in the 'GRAFTON CENTRE REDEVELOPMENT, CAMBRIDGE Acoustic Planning Report', Revision 4, reference 12194.RP03.003 (RBA Acoustics, 12th December 2023) shall be fully implemented, maintained and retained thereafter unless amendments to this are otherwise agreed in writing by the Local Planning Authority.

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

52. Operational deliveries to or dispatches from the site (including waste collections) shall not be made outside the hours of 07:00 – 19:00hrs on Monday to Friday, 08:00 – 13:00hrs on Saturday or at any time on Sundays or public holidays unless otherwise agreed in writing by the Local Planning Authority as an exceptional circumstance(s) relative to the nature and needs of the occupiers.

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

53. Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall service site only between the hours of 09.30hrs -15.30hrs, seven days a week.

Reason: in the interests of highway safety in accordance with Cambridge Local Plan (2018) Policy 81.

54. 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).

55. The development shall be carried out in accordance with the biodiversity net gain measures as outlined in the document titled 'Biodiversity Metric 4.0 Calculations' dated 25 October 2023 by Applied Ecology, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological enhancements in accordance with the NPPF 2023 para 180, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

56. 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.

57. Water efficiency standards for the scheme shall be carried out in accordance with the target to achieve 5 BREEAM Wat01 credits and wider water efficiency specification contained within the Grafton Centre Sustainability Statement (Cundall, 4 July 2023, Revision P05) and Grafton Centre Redevelopment Water Cycle Study (Outline Study) Arup, 28 July 2023 Version P02.

Reason: To respond to the serious water stress facing the area and ensure that 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)

58. The development hereby approved shall be carried out in line with the sustainability targets and commitments set out in the Grafton Centre Sustainability Statement (Cundall, 4 July 2023, Revision P05). The measures proposed to achieve these targets shall be fully installed prior to the occupation of the proposed development. Any amendments to the agreed Sustainability Statement shall be submitted to and agreed in writing by the local planning authority prior to their implementation.

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

59. Notwithstanding the provisions of the Town and Country Planning Use Classes Order (1987) as amended, the uses defined as “new retail unit” and “retail” on drawing no. 22388-0302 Rev P03 shall only be used within use classes E(a), E(b), E(c), E(d), E(e) and E(f).

Reason: To ensure that there is a broad mix of town centre uses and not an over concentration of employment uses in accordance with the vision of the Grafton Area Masterplan SPD (2018) and Policies 6, 10, 11 and 12 of the Cambridge Local Plan (2018).

60. Lighting schemes required during construction and for the completed development shall be of a flat glass, full cut off design, mounted horizontally, and shall ensure that there is no light spill above the horizontal unless otherwise agreed in writing with the Local Planning Authority.

Reason: To avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare in accordance with Cambridge Local Plan (2018) Policy 37.

Informatives:

1. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
2. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
3. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
4. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
5. The applicant should review Cadent Gas plans for the area and ensure they follow the key guidance document Specification for Safe Working in the Vicinity of Cadent Assets.
6. For further information regarding the control of lighting condition, please refer to Advice Note 2 'Lighting' (available at <http://www.aoa.org.uk/wp->

content/uploads/2016/09/Advice-Note-2-Lighting-2016.pdf). Your attention is drawn to the Air Navigation Order 2016, Article 225. which states “A person must not in the United Kingdom direct or shine any light at any aircraft in flight so as to dazzle or distract the pilot of the aircraft”, see link: The Air Navigation Order 2016 (legislation.gov.uk). Further information can be found Advice Note 2 ‘Lighting’ (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-2-Lighting-2016.pdf>)

7. Given the nature of the proposed development it is possible that a crane may be required during its construction. Cambridge Airport draw the applicant’s attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, ‘Cranes and Other Construction Issues’ (available at <http://www.aoa.org.uk/policy-campaigns/operators-safety/> and CAA CAP1096 Guidance to crane users on aviation lighting and notification (caa.co.uk). Please note that cranes with heights above 55m AOD may require further specialist assessments.
8. 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.
9. Partial discharge of the archaeology 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.
10. As part of the provision of temporary pop-up spaces under the Section 106 Agreement, it is encouraged that efforts are made to re-locate the Ping Pong Parlour within this.

11. Green Roofs: All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).
12. Pollution Control: Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.
13. Details submitted in support of commercial kitchen ventilation and extract systems shall be submitted giving consideration to / in accordance with Appendices 1 and 2 of EMAQ's "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (update to the 2004 report prepared by NETCEN for DEFRA, September 2018).
14. To satisfy and discharge Environmental Health recommended conditions (including those related to construction / demolition, operational artificial lighting, contaminated land, noise / sound, air quality (including Electric Vehicle Charging) and odours / fumes / smoke, any impact assessment and mitigation as required, should be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction Supplementary Planning Document, (2020). Due regard should also be given to relevant and current up to date Government / national and industry British Standards, Codes of Practice and best practice technical guidance.
15. Any future food outlets from the proposed retail units are advised to visit the Cambridge City Council food safety website:
<https://www.cambridge.gov.uk/food-safety/>

16. Any future outlets serving alcohol are advised to visit the Cambridge City Council licensing website: <https://www.cambridge.gov.uk/alcohol-and-entertainment-licensing>

17. TMP Informativ e: When writing a Traffic Management Plan (TMP) the applicant should consider the following elements and provide the information as requested. This will make discharging the condition much simpler, faster and more efficient. As will be seen from the details below a TMP need not be a lengthy document however, clarity is key.

1. Site Plan

i. The applicant should provide a site plan at a true scale of 1:200 for smaller sites and 1:500 for larger sites showing the following areas with written dimensions:

- a. Proposed material storage area;
- b. Proposed site offices;
- c. Proposed car parking area;
- d. Proposed manoeuvring space;
- e. Proposed access location;
- f. Proposed location of any gates;
- g. Proposed location of any wheel washing facility or similar;
- h. If the site is to be multi-phased then a plan for each phase should be provided.

2. Movement and control of muck away and delivery vehicles

- i. The proposed manoeuvring area for delivery/muck away vehicles, this should include a swept path analysis for the largest vehicle to deliver to the site to demonstrate that this can enter and leave in a forward gear;
- ii. If it is not possible to deliver on site or turn within the same, then details of how such deliveries will be controlled will need to be included, for example if delivering to the site while parked on the adopted public highway how will pedestrian, cycle and motor vehicle traffic be controlled?;
- iii. Delivery times. If the site is served off a main route though the county (and this does not necessarily need to be a A or B class road), or other areas of particular traffic sensitivity (a list of traffic sensitive streets can be requested from the Street Works Team at Streetworks@Cambridgeshire.gov.uk) then delivery and muck away times will need to be restricted to 09.30-16.00hrs Monday to Friday.
- iv. If the site is in the vicinity of a school then the applicant should ascertain from the school when their opening/closing times are and tailor the delivery/muck away movements to avoid these. The Highway Authority would suggest that allowing at least 30 minutes either side of the open/closing times will generally ensure that the conflicts between school traffic and site traffic are kept to the minimum;

- v. The Highway Authority would seek that any access used by vehicles associated with the site be paved with a bound material (for at least 15m for larger sites) into the site from the boundary of the adopted public highway (please note this is not generally the edge of carriageway), to reduce the likelihood of debris entering the public highway;
- vi. Any temporary gates used for site security must be set back at least 15m from the boundary of the adopted public highway to enable a delivery/muck away vehicle to wait wholly off the adopted public highway while the gates are opened and closed, or they must remain open throughout the entire working day;
- vii. Normally access to the site should be 5m in width for smaller sites and 6.5m for larger sites, though it is recognised that this may not be practical for small scale developments of one or two units.

3. Contractor parking:

- i. If possible all parking associated with the proposed development should be off the adopted public highway.
- ii. Within the area designated for contractor/staff parking each individual bay must be at least 2.5m x 5m, with a 6m reversing space. However, given the nature of the construction industry i.e. that staff tend to arrive and leave site at approximately the same time spaces may be doubled up, i.e. 10m in length, 2.5 wide with a reversing space. A list of number of operatives, staff and trades that will be on site at any one time should be provided to ascertain if the number of spaces being proposed will be acceptable.
- iii. If the site has no potential to provide off street car parking and or only limited numbers the applicant must provide details of how on street parking will be controlled.
- iv. If contractor parking is to be on street the applicant must maintain a daily register of contractor (and sub-contractor vehicles) that are parked on street, so if any such vehicle does create a problem, it can quickly be removed by the owner/controller. At a minimum the register should contain the following:
 - a. The name of the driver
 - b. The registration number of the vehicle
 - c. Make of vehicle
 - d. Arrival time
 - e. Departure time

4. Control of dust, mud and debris, in relationship to the operation of the adopted public highway

- i. If it is likely that debris may be dragged on to the adopted public highway the applicant should provide details of how this will be prevented. If a wheel wash or similar is proposed, the details of how the slurry generated by this will be dealt with must be provided, please note it will not be acceptable to drain such slurry onto or over the adopted public highway.
- ii. The Highway Authority would seek that the developer include the following words in any submitted document: The adopted public highway within the vicinity of the site will be swept within an agreed time frame as and when reasonably requested by any officer of the Highway Authority.

iii. It is recognised that construction traffic occasionally damage the adopted public highway and the developer should include a note stating that such damage will be repaired in a timely manner at no expense to the Highway Authority.

iv. Grass verges and other areas of soft landscaping within the adopted public highway are particularly susceptible to significant levels of damage, by construction traffic, and if such areas exist within the street where the development is taking place the developer should include a note stating that such damage will be repaired in a timely manner to the satisfaction of, and at no expense to, the Highway Authority.

The Traffic Management Plan must relate solely to how the operation of the site will affect the adopted public highway, other information for example noise levels is not a highway matter and should not be included within the plan.

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

The Greater Cambridge Design Review Panel



Pre-application re: PPA/22/0030

The Grafton Centre, Cambridge, Cambridgeshire, CB1 1PS

Thursday 13 April 2023, In-person meeting

Confidential

The [Cambridgeshire Quality Charter for Growth](#) sets out the core principles for the level of quality to be expected in new development across Cambridgeshire. The [Greater Cambridge Design Review Panel](#) provides independent, expert advice to developers and local planning authorities against the four core principles of the Charter: connectivity, character, climate, and community.

Attendees

Panel Members:

Maggie Baddeley (Chair) - Planner and Chartered Surveyor
Andrew Drummond (Character, Architecture) - Director, RH Partnership
Ben Coleman (Character, Connectivity) - Associate, PJA
Nicki Whetstone (Character, Conservation) - Associate at Donald Insall Associates
Fiona Heron (Character, Landscape) – Founder of Fiona Heron Limited
Paul Bourgeois (Character, Climate) - Industrial Lead at Anglia Ruskin University

Applicant & Design Team:

Subjit Jassy (WAPG)
Paul Turner (C&W)
Steven Frith (C&W)
Jonathan Bainbridge (Bidwells - Planning)
Amy Robinson (Bidwells - Planning)
Andrew Rawlings (Mott MacDonald)
Oliver Watts (Cundall)
Martina Sechi (Bidwells - Landscaping)
Kate Hannelly- Brown (Bidwells - Heritage)

LPA Officers:

Bonnie Kwok – Principal Urban Designer / Design Review Panel Manager
Michael Hammond – Principal Planner/Case Officer
Elizabeth Moon – Principal Urban Designer
Helen Sayers – Principal Landscape Architect
Susan Smith - Principal Conservation Officer
Tom Davies – Urban Designer/Design Review Panel Support

Observer(s):

Cuma Ahmet – Principal Planner (CPD opportunity)
Paul Hunt – Planning Officer (CPD opportunity)
Laurence Moore – Planning Officer (CPD opportunity)
Michelle Lewis – Communications Officer (CPD opportunity)

Declarations of Interest

None

Previous Panel Reviews

The scheme has been the subject of a previous Design Review Panel which took place on 22 September 2022.

Scheme Description

The key components comprising the mix of proposed uses are:

- 1) The retention and improvement of some of the existing retail spaces, with a new square, life sciences, providing employment in this location to make its spaces vibrant again (particularly at the start and end of the day, i.e. outside the hours of 10:00 and 15:00);
- 2) The reinforcement of the existing leisure quarter with new food and beverage (F&B) offers;
- 3) Improving transport connectivity in the context of the proximity of the Park & Ride and one of the major city centre car parks.

Site context

The site is made up of the Grafton Shopping Centre and land surrounding it on Fitzroy Street, Burleigh Street, Burleigh Place, Wellington Street and Fitzroy Lane.

Planning history

The site has an extensive planning history. However, of most relevance to this pre-application enquiry are the following two recent applications fronting onto East Road:

- 21/01136/FUL: Demolition of existing building (Abbeygate House) and redevelopment of the site to provide a new building containing retail and office floorspace (Use Class E) – Committee resolution to approve subject to S106.
- 19/0512/FUL: Redevelopment of existing bus turning head and redundant service area to provide new hotel and ancillary restaurant (Use Class C1), new public realm (urban park) and landscape improvements together with associated highway works to East Road providing new bus stops, pedestrian and cycle routes – Permitted.

Summary

Due to the stage of preparation of the project and the short timescale proposed for making a full application towards the end of May 2023, the Panel has sought to

direct its comments in ways that are intended to assist as much as possible in preparing the planning submission.

The Panel welcomes the extent of design work that has been undertaken in the past six months. There are nonetheless likely to be areas that require further consideration, that ought to lead to some redesign. It is not yet clear to the Panel that the depth of analysis that is said to have been undertaken has entirely come through into the scheme's design. If all of the necessary research has in fact been undertaken, the application submission needs to demonstrate fully how it has been thought about carefully, and reflected in the project. In particular, there is a need to clearly show how community engagement, sustainability assessments, the Townscape and Visual Impact Assessment (TVIA), a landscape analysis and heritage impact have all informed the design. There is a need to list out all the options considered and changes that have resulted clearly in the planning application's Design and Access Statement (DAS).

Specifically, with regard to climate and sustainability, the project is moving in the right direction. Working with Officers is recommended, to make this an exemplar project for the applicant and for future tenants. Researching, visiting and referencing Entopia in central Cambridge and West Hub in West Cambridge is highly recommended, as these are recently completed, exemplar sustainable developments. The more that business resilience is built into the proposal through every aspect of sustainability, the longer the project will remain valid and viable.

The proposals require development and refinement and could be an exemplary scheme. The Panel would be happy to review it again.

Detailed comments

Character

Built form

Praising the extent of design progress that has been made since the first review, the Panel remains concerned about the massing of the overall proposal, with particular regard to its scale and height. Although images derived from short and longer distance verified views were not included in the information provided to the Panel in advance of the review, the Case Officer had made reference to them therefore at the Panel's request, they were presented in the session by the applicant's design team. Acknowledging that TVIA is still being worked on – and its consequences are leading to redesign – the Panel has some issues with how the presented project would be viewed.

The Panel notes that in response to the Midsomer Common view, the roof has been remodelled to move away from the church (although plant has been added). Likewise, the height has been lowered to respond to a more distant view from the south. But the distant view from Castle Mound to the northwest that is of most concern to the Panel, despite the applicant team pointing out that there are wind turbines that already break the skyline. The view is clearly that of a single, flat and level mass that is of the whole of the northern side of the development (where one new storey is proposed), plus the new build for the former Debenhams' replacement where car parking above the store is being removed and an extra storey added. While accepting that the design team has worked hard on breaking down the profiles of the roof, this particular view still suffers and is a challenge to address. The Panel recommends looking at the Department of Chemistry building that has variety added to its distant views by the bank of chimneys that flies across its back. This may be an alternative approach to hiding rooftop plant currently.

The Panel also suggests liaising with Council Officers on options for 'pushing and pulling' the upper storeys of the proposal using VU.CITY or a physical block model, to test whether there are alternative roof forms. Otherwise, the indication is that the current increase in height from the existing ought to be cut back on the south-western corner. Recognising the obvious issue of viability, this could create an opportunity to start to address the loss of the historic grain when the Grafton Centre was built, and to begin to build at a smaller scale to respond to Burleigh Street.

The Panel agrees that the Grafton Centre when built had the effect of creating an inward-facing 'spaceship' that does not relate to the area's existing massing and the variety of buildings. It is also acknowledged how the design team has been trying to open up the site on its northern side and make it feel more part of the city, by trying to bring the historic grain back into the site. However, its massing is not yet responding to the spaces around it; for another mistake not to be made, the Panel considers that in the context of landscape and character, the design team needs to go back to the 'soul' of what they are trying to create. A clear understanding is needed of what each 'place' feels like, in terms of their individual characters and creating a cohesive identity.

The thinking behind the proposed use of the same - or different – high quality materials then needs to be combined with this greater understanding of massing, form and spaces. It should become possible to see how the single mass of the proposal when seen in more distant views could be broken up, with the different uses having different emphases, reinforced by the variety of materials used. The design team has referred to how the intention had been to use multi-tone bricks but in order to respond to the TVIA findings, brown brick had now been brought in, with the intention of balancing the TVIA with ground level views.

Where there are other opportunities to bring the development back to the scale of its surroundings, they should be taken – or at the very least, not prevented in the future. This comment is of particular relevance on the northern side of the proposal in the short term, and to considering providing easily convertible space on the western side. Although the Fitzroy Street commercial area is still operating, residential use in the longer-term future may become appropriate to bring into this historic area.

In terms of closer views, the Panel suggests further analysis would be merited, along the same lines as already undertaken from Napier Street through to the site. The interface between the development and the northern residential streets is particularly important. For example, it is unclear what the character of the space at the southern end of Wellington Street would be, as it is currently shown as a public place with some element of servicing provision - ideally, that would be removed/ relocated. If it remains, surfacing materials need to be carefully selected because of potential wear and tear; hot rolled asphalt (HRA) and coated chippings could be a suitable choice.

The applicant team's reconsideration of the approved hotel's design is welcomed by the Panel; it is generally agreed that it does not work as it should with the positive proportions of the façade treatments in the rest of the review project, nor with the surrounding existing buildings. While its design will necessarily be different to the life sciences element, it is also at odds with the historic grain. Its elevational treatment will be important, in part because it is the tallest element of the scheme and currently, the most grid-like.

Landscape

The Panel acknowledges that there is very little on-site public space within the proposal's tightly drawn boundaries. While the Panel endorses the proposed green roofs and the provision of/ planting on rooftop spaces for use by the building occupiers, they provide no public benefit. In relation to the distant views across the city, it will only be employees and their visitors who will see them.

This observation further underlines the need for the project to create an enhanced public realm. In doing so, there is scope for public realm within and outside the life sciences building to be used as elements for navigation through and around the development. In particular, the northern route requires more consideration, as at present the forms and functions of its various stretches and spaces are unclear – simply proposing to change edge treatments and use good quality materials will not be sufficient to create more than a through route with a series of undefined spaces.

The Panel suggests too that any existing green spaces around the existing building, e.g. as on the south side of East Road) should be linked into the development; new soft landscaping along the northern route should likewise be 'pulled' into the newly created square and the life sciences' building.

The principal entrance to the site from Burleigh Street also requires reconsideration, in that the long blank wall, the limited landscaping, the incorporation of cycle parking and inclusion of a coffee 'shack' all serve to give the impression that this is a leftover space. A row of trees may instead be a simpler and preferable solution.

Climate

Sustainability

The applicant team advises that the development is built around sustainability principles.

Acknowledging that a climate change risk assessment has been completed (not seen), the Panel endorses how the project team is trying to assess the scheme's challenges and set measurable outcomes, with the overall aim of the project being seen as a pilot. The Panel therefore suggests that the aims and approaches referred to in the review are fixed now, in line with the targets that the Council's Sustainability Officer has already provided.

An embodied carbon 'count' will be submitted with the planning application. The aim to retain as much of the existing building as possible and create change in the facades is noted by the Panel, while certain components of the building are proposed for demolition, to increase site capacity. The foundations of the former Debenhams store are being retained and reused, for example. Nonetheless, the Panel is of the view that more consideration needs to be given to other aspects of demolition; while the proposed recycling measures are applauded, the Panel would be surprised if a more ambitious target than 10% could not be met. If materials cannot be re-used on site, there are likely to be many local users who could re-use/repurpose them instead. The Panel also comments the design team's intention to use ground granulated blast-furnace slag (GGBS) in the basement concrete but should be more actively considering it for other elements and committing to its use as a sensible choice (if structurally feasible) that would help reduce embodied carbon.

Energy

The Panel advises that rooftop solar PV arrays should be maximised in the project; while no target has been defined as yet, this is the design team's stated intention. However, it is not accepted by the Panel that solar PVs cannot be added to the multi-storey car park roof (due to Council control), nor to the cinema, or the gym's rooftop (due to inadequate loading capability.) While the intention is that panels would be added to the other existing buildings and new build, and the Panel agrees that the strategy will involve a trade-off between responding to views of the site and height, providing lift overruns and where biodiverse roofs are also being considered, there

are additional ways forward. There is a ‘future proofing’ conversation to be had with the cinema and gym operators, and the Council for solar PV installation; they could enter into Power Purchase Agreements (PPAs), whereby they become generators and can sell back electricity to the tenants and/or the grid. This approach could benefit all parties. Solar PV provision with PPAs alongside are increasingly seen on mixed use schemes with different tenures. For the gym rooftop surfaces, the scope for using Thin-Film solar cells should be investigated specifically. As labs can use large volumes of hot water, a communal solar thermal system could also be considered.

The site will be all-electric (utilising Air Source Heat Pumps), apart from the extant hotel permission that includes a gas-based system. The Panel is aware that key to the project is an understanding of the proposed spaces and their energy demands – particularly the proposed hotel, where triple glazing cannot be specified as this element will be operator-led. In contrast, life sciences are not highly heated and the Panel accepts that there needs to be a balanced provision of glazing due to the aspiration to present these spaces as interesting buildings that the public can see into. The general way of designing life sciences’ developments is to provide the write-up spaces so that they are seen from outside the building. The Panel notes however that tenants may well put film inside windows, or otherwise seek to block views in, in this city centre location.

The Panel endorses the applicant team’s explanation of how the life sciences’ element will have AHU including heat recovery, and how ventilation will have very localised, tenant-by-tenant demand control, as life sciences generally have high levels of air demand. It is also noted that although there are environmental constraints to the hotel having opening windows because of East Road traffic noise and pollution, the building is to be future-proofed and will provide opening windows.

Sustainable economic development

The Panel urges the applicant team to consider utilising local goods and services in the project, given that it will span many years. A radius can be set for product and service suppliers, for example, to demonstrate a strong commitment to the local economy.

Connectivity

In the early stages of project development, the design team had only proposed the northern east-west route. The Panel welcomes how it has now been recognised that it is important to also keep the existing east-west route through the mall public, alongside creating spaces around the building. While Space Syntax findings have endorsed this approach, they also show that closing the Centre to the public would strengthen Burleigh Street and Fitzroy Street.

The Panel agrees that the Centre currently has very service-dominated edges and endorses how a key driver is to create spaces around the edges of the building for people to dwell. The intention of trying to create space for the buildings to be able to 'breathe' by pulling back and creating these cutbacks in various places is noted and supported. Likewise, the formation of a new square and the north/ south proposed routes are very positive moves that echo existing street patterns.

The ideas of decluttering, and of blending old and new – e.g. by the removal of a section of brick wall, while retaining an historic wall - are also endorsed on the northern side of the project. There is still more to be done however in terms of designing the northern east-west route, to ensure that there are no spaces that give the perception of being 'leftover'. No dimensions have been provided to the Panel and there is a dearth of other information on what the route will be like; for example, it appears that proposed seating may well be in the way of cyclists and pedestrians. There may also not be an adequate width to satisfy LTN1/20 dimensions and in this regard, edge treatments need to be considered further. But with further functional analysis of the scope for/ desirability of cycle/ pedestrian segregation and the necessary 2-way demarcation potentially undermining the public realm, it may have to be concluded that this is not a suitable cycle route.

A specific encouragement by the Panel relating to the northern route and north/ south connectivity is to enhance access to/ from the streets leading to Christ Church on Newmarket Road. These residential streets need to be considered as gateways to the northern route, such that they become fully integrated; the design of the spaces formed along the route needs to be clearly defined and they should not be dominated by turning heads.

Another driver for the project is introducing north/ south links that provide 'journeys' for people to enjoy. The Space Syntax technical work that had been undertaken and the associated data prove that the links proposed are workable. In particular, the Panel suggests that the proposed link from the northern route into the new square is looked at in more detail, in terms of how it will be used. The same point applies to the new square itself, where the Panel suggests a more cohesive approach to its façade treatment could be more successful - the arched facades shown could work well.

It is disappointing that the east-west route through the life sciences building will not be permanently open as a pedestrian route. Noting that the existing shopping centre mall is not a public route and that it could be closed off at any time, the Panel understands that a management plan/ strategy is being devised that would manage public access, to ensure safety and security while, for example, maintaining the existing internal access to the cinema. The route would be closed to the public – for example – when the open auditorium in the central shared space is in use for a

business or innovation event, to which, for instance, children or students may also be invited. The management strategy would be agreed via condition (in preference to being a s106 obligation, according to the applicant).

Noting that the distribution of cycle routes and parking/ storage spaces is based on a strategy to work out where cyclists are coming from, the Panel suggests that the positioning of cycle racks needs to be reconsidered. For example, the possibility of relocating racks from Burleigh Street into the entrance way to the building does not seem to be an appropriate option for the design of this 'gateway' to the project. Cycle storage within the building will include some 800 cycle spaces, with the Panel endorsing how in various locations, it will cater for cargo bikes and provide e-charging facilities and appears well-located.

Noting that Burleigh Place will be retained as a cycle route, it is currently presented as abruptly ending; instead, it should be shown to connect beyond.

The Panel suggests that clear reference should be made to public transport accessibility, particularly due to the site's proximity to the Park & Ride and bus interchange.

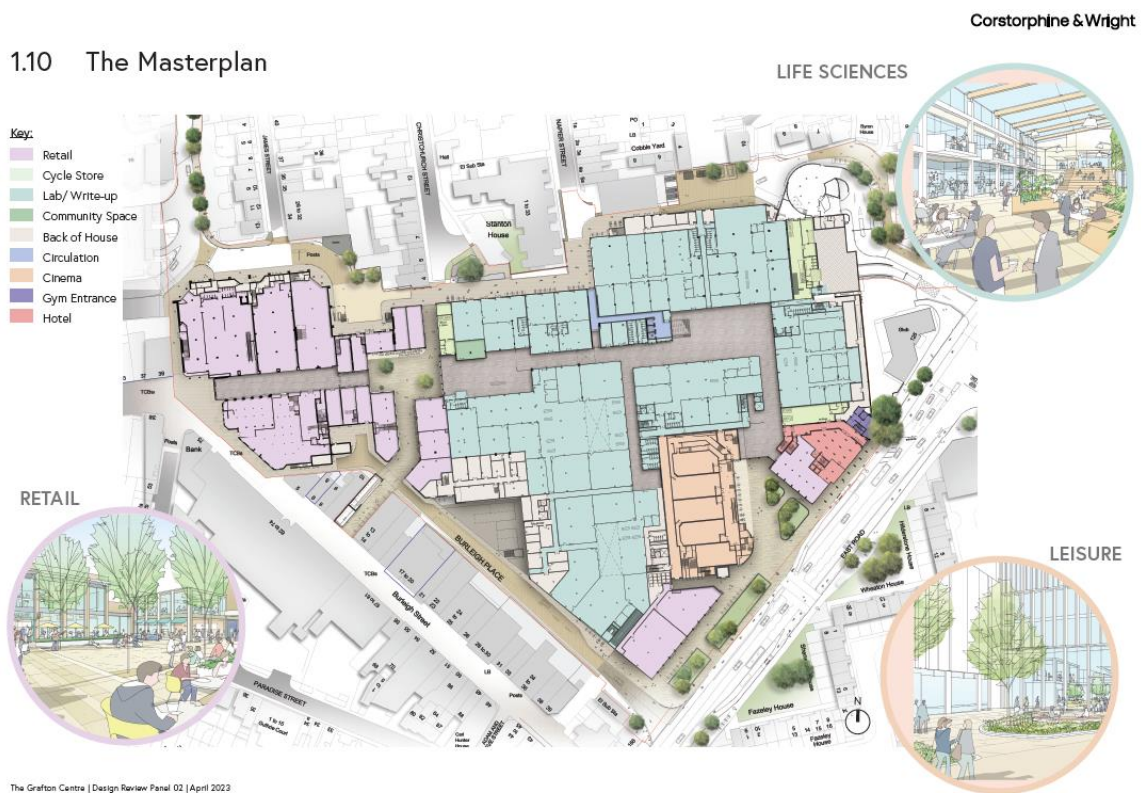
Upgrades on East Road are proposed; they would include tree planting and the creation of rain gardens, alongside significant s278 works in relation to bus stops and pedestrian routes. The Panel endorses the principle of these improvements and suggests that the details are formulated in relation to an identified character for the street, such as a boulevard. It is unlikely however that anyone would want to sit out on East Road; the Panel advises that this likelihood provides an opportunity to rethink this site boundary, the pavement and its road frontage.

Community

The Panel recognises how retail requirements have changed and demand has been declining, accepting that the previous owner of the shopping centre tried to relet units time and time again - especially the vacated large space users. There is a clear understanding that this area is more a location for smaller occupiers and the Panel is aware that trade would be boosted by new employment in the review project. The applicant trying to keep as many retail operators as possible, including relocating two remaining larger stores, is an approach noted by the Panel.

The proposals for trying to bring the community into the development are likewise noted; they include an incubator unit that is proposed in the entrance area for companies and the aim is to attract the public into this space. Discussions are underway with the Cambridge Science Centre for space within the project, that members of the public would have access to.

With regard to the earlier, and current community engagement (including with the immediate neighbours to the north of the Centre) that is now underway, it is not clear to the Panel the extent to which the outcomes have already, or will influence design given the late stage of the project. Anti-social behaviour along the northern edge of the Centre has been a key concern of local residents in consultations so far. The perception of the area is that it is unsafe – a problem that they perceive could be addressed by improved lighting and CCTV. The applicant has advised those concerned that they intend to try and address this issue and manage the space. The Panel’s overriding comment however is that the design team also needs to have a clearer understanding of what each of the public spaces and the route will feel like, particularly at night and in terms of access and inclusivity.



Proposed Masterplan – extracted from the applicant’s DRP presentation document 22388 - 8028 - 00 / April 2023

1.27 Leisure Quarter - Appearance

As discussed in the massing development a key design driver is to endeavour to align the existing mass and the extended elements with the development along East Road.

As the section below analyses the building height gradient from Parkside Place to the Cambridge Working Mens Club.

Key:

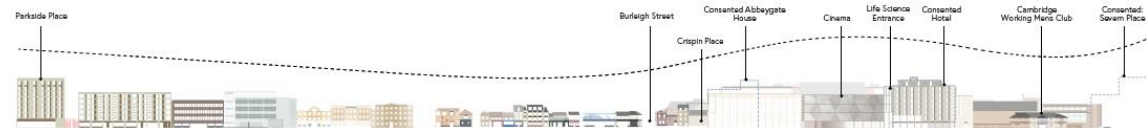
- Retail
- Life Science
- Hotel



Key Plan



vertical emphasis to picture window more vertical framing in facade length reduced by a bay cinema elevation changed consented hotel design with minor adjustments



Proposed Massing Plan, Street Elevation and CGI – extracted from the applicant's DRP presentation document 22388 - 8028 - 00 | April 2023

Disclaimer

The above comments represent the views of the Greater Cambridge Design Review Panel and are made without prejudice to the determination of any planning application should one be submitted. Furthermore, the views expressed will not bind the decision of Elected Members, should a planning application be submitted, nor prejudice the formal decision-making process of the council.

THE REGENERATION OF THE GRAFTON CENTRE (23/02685/FUL)

Summary of community and stakeholder engagement

Stage 1: Consultation on the concept masterplan (November 2022 to January 2023)

- 4-page newsletter distributed to 3,883 homes and businesses
- Briefing sent to ward and neighbouring ward councillors, county councillor, Member of Parliament, Cambridge BID, Chamber of Commerce and Camcycle
- Consultation website launched with full information on the proposals
- Community helpdesk set up to respond to questions from residents
- Individual letters sent to immediate neighbours inviting them to a drop-in consultation session
- Memo distributed for Grafton Centre shop staff and managers
- Meetings held with ward councillors and other stakeholders
- Online webinar held – attended by 72 people
- Display boards placed prominently in the Grafton Centre

Stage 2: Consultation on the hotel and leisure quarter (March to April 2023)

- Leaflet distributed to 1,774 homes and businesses in the vicinity of East Road
- Further letter sent to residents living within the red line of the Grafton Centre updating them on the proposals
- Briefing sent to ward and neighbouring ward councillors
- Consultation website updated to include information about the hotel and leisure quarter
- Individual letters sent to immediate neighbours inviting them to a drop-in consultation session
- Second online webinar held to discuss the hotel and leisure quarter, and answer questions

Stage 3: Further detailed consultation before submission (April to May 2023)

- Two meetings held with Camcycle to discuss issues including cycle storage and routes
- Dedicated consultation event organised for residents of Christchurch Street to discuss the interface between the southern end of Christchurch Street and northern edge of the regenerated centre
- Letters sent to the 207 residents of Christchurch Street inviting them to consultation session
- Pre-application Developer Presentation held for members of the planning committee
- Meetings held with ward councillors

Stage 4: Engagement following submission of the planning application (July 2023 to January 2024)

- Letters sent to ward and neighbouring ward councillors following validation of the planning applications
- Written update sent to residents of Christchurch Street informing them of further changes to the application in response to feedback during the statutory consultation
- New website launched with updated images and full details of the proposals
- Updated display boards placed prominently in the Grafton Centre
- Regular updates provided for ward and neighbouring ward councillors and further meetings held with Camcycle, Chamber of Commerce and Cambridge Riverside Residents Association

Changes made as a result of post-submission engagement

“Camcycle and the applicant have engaged in meaningful and productive discussions, resulting in a significantly enhanced planning application. These improvements not only elevate the cycle experience for future employees and visitors accessing shopping and local facilities, but also introduce new and improved routes benefiting the entire city.”

Letter of support from Camcycle, January 2024

Since submitting the planning application in July 2023, Pioneer Group has continued to engage with local people and stakeholders as well as statutory consultees. Amendments to the application as a direct result of ongoing engagement, include:

- The wall at the south of Christchurch Street will now be retained at the request of the street’s residents, along with ‘cycle calming’ measures around the gate to Christchurch Street.
- After ongoing work with Camcycle, changes were made to create new safe routes through and around the centre, and to ensure that the 1,257 new cycle parking spaces have the best level of accessibility, including for non-standard cycles.
- Part of the northern edge of the building will be set back to create a sheltered colonnade for pedestrians, which increases the width of the footpath and cycle path to reduce the pressure of this existing pinch point.
- The connection to the new public square at the centre of the retail area has been made wider and more spacious, to improve connectivity across the site by creating a route from north to south for both pedestrians and cyclists.
- Visibility into the life science areas from the public square has been increased, so residents can see what happens inside the building.
- The architecture and materials of the top storey of the development have changed, to improve the look of the building from key long-range views.



Planning Committee Date	7 th February 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference Site	23/03653/S73 Aylesborough Close Cambridge, Cambridgeshire
Ward / Parish	Arbury
Proposal	Section 73 to vary condition 2 (approved drawings) to amend the approved refuse strategy of ref: 22/1995/FUL.
Applicant	Cambridge Investment Partnership
Presenting Officer	Aaron Coe
Reason Reported to Committee	Cambridge City Council has a direct interest in the application as part applicant.
Member Site Visit Date	N/A
Key Issues	1. The design implications of the proposed amendment. 2. Impact on cycle parking and bin storage.
Recommendation	APPROVE subject to conditions/informatives

1.0 Executive Summary

- 1.1 This is a Regulation 3 planning application that has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership founded in 2017. The partnership aims to deliver high quality homes in sustainable locations. The application is being determined at Planning Committee because Cambridge City Council has a direct interest in the application as part applicant.

- 1.2 The application seeks to vary the originally consented scheme under application reference 22/01995/FUL which granted approval for the erection of 70 new homes, car parking, landscaping, bin and bike stores and associated works.
- 1.3 The proposed variation is required to secure a revised refuse collection strategy. As originally approved the development included below ground bin stores (iceberg bins), however, due to the larger size of the underground bin vehicle it emerged that the surrounding streets were not capable of accommodating this larger vehicle safely. Therefore, the applicants have been required to make minor design changes to introduce above ground bin stores. The applicants have worked collaboratively with Greater Cambridge Shared Waste team and the Council's urban design and landscape officers to resolve this issue and facilitate a revised refuse strategy.
- 1.4 It is considered the proposal is in accordance with the Cambridge Local Plan 2018 policies 50, 55, 56, 57, 58, 59, 80 and 82 and the NPPF.
- 1.5 Officers recommend that the Planning Committee **Approve** the Application.

2.0 Site Description and Context

- 2.1 The application site comprises a total area of 0.23ha and previously contained three 2 storey terraces which ran north to south and one 4 storey block which was positioned north to south along the central and eastern parts of the site.
- 2.2 The site is located within the Arbury ward, to the east of the site is Verulam Way, to the south is Fordwich Close and Jermyn Close to the south east.
- 2.3 In terms of site constraints the site is within the built up boundary of the City, not within a conservation area and there are no designated heritage assets within or near to the site.
- 2.4 The site is located within flood zone 1 (low risk of flooding).
- 2.5 Planning consent was granted at the October 2022 planning committee for the erection of 70 residential units, car parking, landscaping, bin and bike stores and associated works.

3.0 The Proposal

- 3.1 The application proposes a revised refuse strategy for the development. As originally approved the development included below ground bin stores (iceberg bins), however, due to the larger size of the underground bin vehicle it was realised that the surrounding streets were not capable of accommodating this larger vehicle safely. Therefore, the applicants have been required to make minor design

changes to introduce above ground bin stores. The applicants have worked collaboratively with Greater Cambridge Shared Waste team and the Council's urban design and landscape officers to resolve this issue and facilitate a revised refuse strategy.

- 3.2 The application is accompanied by the following supporting information:
- Planning Statement and Covering Letter
 - Planning Drawings
 - Updated Arboricultural Method Statement and Tree protection plan

4.0 Site History

4.1 The most relevant planning applications are detailed below:

Reference	Description	Outcome
22/01995/FUL	Erection of 70 dwellings.	Approved
22/01995/COND6	Surface Water Drainage	Discharged
22/01995/COND7	Drainage during construction	Discharged
22/01995/COND8	Drainage maintenance	Discharged
22/01995/COND11	Material management	Discharged
22/01995/COND15	Noise and vibration	Discharged
22/01995/COND16	Dust	Discharged
22/01995/COND19	Nestboxes	Discharged
22/01995/COND20	Green roof details	Discharged
22/01995/COND21	Arb Method Statement and TPP	Discharged
22/01995/COND25	Hard and Soft Landscape	Discharged
22/01995/COND26	Play Areas	Discharged
22/01995/COND27	Materials	Pending
22/01995/COND29	Substation	Discharged
22/01995/COND30	Fire Hydrants	Discharged

22/01995/COND31	Highways Plan	Discharged
22/01995/COND34	Archaeology	Discharged

5.0 Policy

5.1 National

National Planning Policy Framework 2023 (December)

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

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 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 42: Connecting new developments to digital infrastructure
Policy 50: Residential space standards
Policy 51: Accessible homes
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 65: Visual pollution
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

5.3 **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

5.4 **Other Guidance**

Arboricultural Strategy (2004)
Cambridge Landscape and Character Assessment (2003 Cambridge City Nature Conservation Strategy (2006)
Cambridge City Wildlife Sites Register (2005)
Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)
Strategic Flood Risk Assessment (2005)
Cambridge and Milton Surface Water Management Plan (2011)
Cycle Parking Guide for New Residential Developments (2010)
Air Quality in Cambridge – Developers Guide (2008)

6.0 **Consultations**

6.1 **Cambridgeshire County Highways Development Management**

The proposed development is acceptable subject to a condition requiring details of the proposed dropped kerb arrangements within the adopted public highway.

6.2 Lead Local Flood Authority (LLFA)

No objection. During the course of the application the applicants submitted an addendum technical note (including an updated drainage strategy) to demonstrate that the proposed changes are acceptable from a flood risk and drainage perspective.

6.3 GCSP Urban Design Officer –

No objection –The proposed changes acceptable given that underground bin storage is no longer a feasible option for this constrained site.

The proposed locations of the bin stores and the cycle parking are considered acceptable. The design of the bin store is also of a good design which would support the landscape strategy.

6.4 GCSP Landscape Officer

No objection subject to all agreed tree protection proposals being followed.

6.5 Cambridge City Council Environmental Health

No objection to the proposed variation. The conditions recommended under the original application (22/01995/FUL) remain pertinent to the development of this site.

6.6 Greater Cambridge Shared Waste Service

The revised bin collection strategy works well subject to the dropped kerbs being installed where required.

6.7 GCSP Tree Officer

No objection.

6.8 Designing Out Crime Officer

No objection.

6.9 Anglian Water

No objection.

6.10 County Archaeological Officer

No objection subject to an archaeological condition.

6.11 Nature Conservation Officer

No objection to the minor amendments.

6.12 GCSP Sustainability Officer

No objection as the passivhaus principles are secured by condition 17.

7.0 Third Party Representations

7.1 A representation has been received from the following address raising a objection to the application:

-17 Fordwich Close

- No access to a computer or internet to view the proposed plans and does not support the development.

7.2 The above representation is 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 It is important to note that this application is purely to determine the acceptability of the changes proposed to the approved scheme, and not to re-visit the merits of the original approval. The amendments proposed have been assessed against all relevant planning policy considerations.

8.2 With the above in mind, and from the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse and servicing arrangements
5. Highway safety
6. Car and cycle parking
7. Contaminated Land
8. Integrated Water Management and Flood Risk
9. Trees and ecology
10. Energy and Sustainability
11. Public art
12. S106 contributions
13. Third party representations

Principle of development

- 8.3 The principle of development has already been established under extant planning permission reference 22/01995/FUL. This proposal does not alter that assessment and is therefore considered acceptable.

Context of the Site, Design, Layout and Landscaping

- 8.4 Policies 55, 56, 57, 58 and 59 of the Local Plan 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.
- 8.5 As originally approved the development included three areas (adjacent to each apartment block) for the locations of iceberg (underground bins). However, due to the larger size of the underground bin vehicle it was realised by the Greater Cambridge Shared Waste Service that the streets surrounding the development site were not of sufficient width to accommodate the larger refuse vehicle safely and the Shared Waste Service confirmed that they would not be able to service this development as approved. Therefore, to resolve this issue the applicants have been made to revert to an above ground bin system and refuse strategy. The alterations to the scheme include the introduction of two large external cycle stores (secured and covered) to make space within the ground floor between apartment blocks A and C for internal bin stores. The locations of the cycle stores and bin stores remain convenient and accessible for the future occupants.
- 8.6 Whilst it is disappointing that underground bins cannot be used within this development. It is considered that the design, layout and landscaping of the proposed development is not compromised by the amendments and the scheme remains acceptable and is, in officers' opinion compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59.

Residential Amenity

Impact on amenity of neighbouring properties

- 8.7 The proposed amendments introduce two new bin collection points, one collection point is proposed to the west of block A (collection proposed to take place from Aylesborough Close) and another to the east of the site (collection proposed to take place from Verulam Way). The collection point to the west of the site would be in close proximity to the existing property No.35 Aylesborough Close and the collection point to the east would be immediately to the north of No.67 Verulam Way.
- 8.8 It is acknowledged that the revised arrangement will result in the bin collections points being in closer proximity to existing properties than the original approval. However, given that the bin collection days are only once per week the level of harm to the residential amenity of existing occupants is not considered significant enough to warrant refusal of the application. Moreover, the applicants have committed to appointing a caretaker who will be responsible for moving the bins to

the collection points and returning them to the bin storage areas each week, this is considered to help minimise the amount of noise and disturbance for existing and future occupants.

- 8.9 Overall it is considered that the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and that it is compliant with Cambridge Local Plan (2018) policies 35, 55 and 56.

Refuse and Servicing Arrangements

- 8.10 The revised refuse strategy does not require any refuse vehicles to enter the application site to collect the waste of the future occupants. The revised proposal involves two collection points which will be conveniently located along existing routes that are already serviced by the Greater Cambridge Shared Waste service (along Aylesborough Close and Verulam Way).
- 8.11 In terms of the proposed drag distance for the crew members, the drag distance would be approximately 5m from the Aylesborough Close collection point and 6.5m from the Verulam Way collection point. As already mentioned at paragraph 8.8 the applicants have agreed to appointing a caretaker who will be responsible for dragging the bins to the collection points. All of the drag distances and routes have been reviewed and are considered acceptable. The capacities proposed have also been agreed by the Shared Waste Service officers.
- 8.12 The revised arrangement has been reviewed and is supported by the Council's Shared Waste Service. The revised proposal is considered to be in accordance with policy 57 of the Cambridge Local Plan 2018 and Greater Cambridge Shared Waste Service Guidance for developers.

Highway Safety

- 8.13 This application does not introduce changes that would result in highways safety concerns. The Highway Authority has been consulted as part of the application and no objections have been raised to the amendments subject to a condition which requires the details of the dropped kerb arrangements.

Car and Cycle Parking

- 8.14 The proposal does not involve any alterations to the approved number of car parking spaces.
- 8.15 The revised proposal will consist of a total of 120 cycle parking spaces. The internal cycle store within blocks A and C proposes 48 cycle parking spaces via Sheffield Stands and three external cycle stores (secure, covered and with green roofs) which will provide 60 cycle parking spaces (all Sheffield Stands). 12 visitor cycle parking spaces are provided externally in convenient locations. The internal cycle

parking area within blocks A and C also provides ample space for the storage of cargo bikes. The amount of cycle parking still exceeds the Cambridge local plan 2018 standards and the applicants have worked collaboratively with officers to create a proposal which is acceptable and in accordance with the requirements of Policy 82 and appendix L of the Cambridge Local Plan 2018.

Trees and Ecology

Trees

- 8.16 The application is supported by an updated Arboricultural Method Statement and Tree Protection Plan which has been reviewed by the Council's tree officer and is considered acceptable.
- 8.17 The proposal is considered in accordance with policies 59 and 71 of the Local Plan 2018.

Ecology

- 8.18 The proposal does not result in any ecological changes to the original approval and therefore, the original assessment is considered unchanged. The Council's Ecology officer has reviewed the proposed amendments and has provided comments which raise no objection to the application.

Water Management and Flood Risk

- 8.19 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. 165 – 175 of the NPPF are relevant. The site is in Flood Zone 1 and is therefore considered at low risk of flooding. The applicants have submitted a Flood Risk Assessment.
- 8.20 As originally submitted the Lead Local Flood Authority advised that further information was required including an updated drainage plan and hydraulic calculations. Following this request the applicants have submitted these details and the information has been considered acceptable by the Lead Local Flood Authority. It is considered the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

Energy and Sustainability

- 8.21 The proposal does involve minor alterations to fenestration for four of the units and the applicants have confirmed that the Passivhaus model has been updated to account for these changes. The Council's sustainability officer has reviewed the proposed amendments along with the technical note and has provided comments which raise no objection to the application.

Planning Obligations (S106)

8.22 Members are reminded that the extant consent (22/01995/FUL) was subject to a S106 Agreement dated 23/02/23. The existing S106 Agreement (under paragraph 8) prescribes that in the event a planning permission was given under either Section 73 or Section 96A of the Act, all the planning obligations would still apply. Accordingly, a deed of variation in this instance would not be required and nor are there any new or varied obligations required as a result of the amendments.

9.0 Conclusion

9.1 The proposal is for minor changes pursuant to planning permission 22/01995/FUL. The proposed changes have benefitted from pre application consultation with a number of consultees prior to the submission of the application.

9.2 The proposal has been assessed carefully, taking into account the National Planning Policy Framework (NPPF), the Planning Practice Guidance, the Cambridge Local Plan (2018), the views of statutory consultees and wider stakeholders as well as all other material planning considerations. The application has been considered against the relevant policies, and upon assessment, Officers consider that the application complies with national and local policies, and the proposed development be recommended for approval subject to appropriate planning conditions.

10.0 Recommendation

Approve subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission reference 22/01995/FUL (by 28th February 2026.)

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. Notwithstanding the plans hereby approved, all dwellings 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, Policies 50 and 51).

4. The three wheelchair user dwellings (as shown on drawing numbers: AYC BPTW B01 ZZ DR A 1001-C03-A3 and AYC BPTW B02 ZZ DR A 1004-C03-A3, units A3, A4 and B5) shall be constructed to meet the requirements of Part M4(3) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018, Policies 50 and 51).

5. Prior to first occupation of any dwelling the manoeuvring and car and cycle parking areas required for that purpose shall be provided as shown on the drawings hereby approved and retained free of obstruction.

Reason: In the interests of highway safety and to ensure an adequate level of parking provision is retained (Cambridge Local Plan 2018, Policies 81 and 82).

- 6 The development shall be carried out in accordance with the submitted surface water drainage scheme for the site prepared by Ingent Consulting Engineers dated 04/12/2023. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.

Reason To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

- 7 The development shall be carried out in accordance with the submitted surface water management (during construction) scheme for the site prepared by Hill (drawing reference: AYC-HIL-ZZ-XX-D-T-00001 REV P02) dated 08/06/2023.

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.

- 8 The development shall be carried out in accordance with the submitted drainage strategy (Drainage Strategy and SuDS Report, ref: 2303-797) prepared by Ingent Consulting Engineers, dated September 2023. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.

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.

- 9 No construction work or demolition work shall be carried out or plant 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).

- 10 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).

- 11 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 in accordance with (Cambridge Local Plan 2018 Policy 33).

- 12 Plant noise condition

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 properties from noise. (National Planning Policy Framework, December 2023- paragraph 191 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration)

13 Artificial Lighting

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

14 Electric vehicle charging point scheme

The electric vehicle charge points and associated infrastructure as detailed in Section 8.4 'Electrical Vehicle Charging' of the design and Access statement (Ref: AYC-BPTW-XX-XX-DO-A-0650-C01-A3) and dated April 2022 and section 8.4 'Pollution: air Quality' of the Sustainability Statement (Ref: 20593.R3 Rev D) produced by QODA and dated April 2022 shall be fully installed and operational before final occupation of the residential units and 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 (Cambridge Local Plan 2018 policies 36 and 82 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

15 The development shall be carried out in accordance with the submitted noise and vibration assessment (drawing reference TN02-22477-R1) produced by Cass Allen. The scheme shall subsequently be implemented in full accordance with the approved details.

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

- 16 The development shall be carried out in accordance with the submitted dust mitigation statement (drawing reference TN01-22477-AIR-R3) produced by Cass Allen. The scheme shall subsequently be implemented in full accordance with the approved details.

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

- 17 Passivhaus principles

The development hereby permitted shall be designed and constructed in accordance with the approved Energy Statement (Qoda, 20593.R1 Rev A) and Sustainability Statement (Qoda 20593.R3 Rev D) and follow Passivhaus principles. The renewable and/or low carbon technologies shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and approved in writing by the Local Planning Authority before the development is first occupied.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan Policy 29 and Greater Cambridge Sustainable Design and Construction SPD

- 18 Water Efficiency

Water efficiency standards for the whole scheme shall be carried out in accordance with the water efficiency specification set out in the Energy Statement (Qoda, 20593.R1 Rev A), which sets out the measures to be implemented to achieve no more than 100 litres per person per day. The development shall be carried out in accordance with the agreed details, and any amendments to there specification shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan Policy 29 and Greater Cambridge Sustainable Design and Construction SPD 2020).

- 19 The development shall be carried out in accordance with the submitted drawings and retained thereafter in accordance with the approved details: Blocks A and C GA Elevations- Sheet 1 (AYC-FMNAC-ZZ-D-A-01200-P02) and Blocks A and C GA Elevations- Sheet 2 (AYC-FMNAC-ZZ-D-A-01201-P03) and Block B GA Elevations (AYC-FMN-BB-ZZ-D-A-02200-P01).

Reason: To improve the biodiversity and provide enhancements on site (Cambridge Local Plan 2018 policy 69).

20 Green (biodiverse) Roofs:

The development shall be carried out in accordance with the submitted green roof details (Drawing references: Blocks A and C AYC-FMN-AC-04-D-A-01005 - P02 and Block B- AYC-FMN-BB-03-D-A-02002-P01). The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling and retained thereafter.

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).

21 The development shall be carried out in accordance with the submitted arboricultural method statement and tree protection plan (Drawing/ Document references: 10161 D AMS REV B Arb Method Statement, AMS and TPP pages 1-52 produced by Hayden's). The scheme shall subsequently be implemented in full accordance with the approved details.

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.

22 The development shall be carried out in accordance with the submitted arboricultural method statement and tree protection plan (Drawing/ Document references: 10161 D AMS REV B Arb Method Statement, AMS and TPP pages 1-52 produced by Hayden's). The scheme shall subsequently be implemented in full accordance with the approved details.

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.

23 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.

- 24 If any tree shown to be retained on the approved tree protection methodology is removed, uprooted, destroyed or dies within five years of project completion (or subsequent replacements), another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 25 Hard and Soft Landscaping

Prior to the first occupation of the development the full details of the hard and soft landscaping scheme shall be submitted, approved in writing by the Local Planning Authority, and then installed ready for use in accordance with the approved details. 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. 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, as well as those relating to the pictorial meadow and bioswales); 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

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

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

26 Play areas

Prior to the first occupation of the development the full details of the play areas shall be submitted, approved in writing by the Local Planning Authority, and then installed ready for use in accordance with the approved details. These details shall include all proposed play equipment layouts and specifications, surfacing treatments, boundary treatments, signage, and lighting.

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

27 Materials

Prior to the commencement of the development hereby approved, with the exception of below ground works, full details including samples of all the materials to be used in the construction of the external surfaces of buildings, which includes external features such as proposed brick patterning; windows, cills, headers and surrounds; doors and entrances; porches and canopies; external metal work, balustrades, rain water goods, edge junction and coping details; colours and surface finishes, shall be submitted to and approved in writing by the local planning authority. This may consist of a materials schedule, large-scale drawings and/or samples. Development shall be carried out in accordance with the approved details.

Sample panels (minimum of 1.5x1.5m) of the facing materials to be used shall be erected to establish the detailing of bonding, coursing, colour and type of jointing and any special brick patterning/articulation detailing (i.e. soldier course banding) shall be agreed in writing with the local planning authority.

The quality of finish and materials incorporated in any approved sample panels, which shall not be demolished prior to completion of development, shall be maintained throughout the development

Reason: To ensure that the appearance of the external surfaces is appropriate and that the quality and colour of the detailing of the facing materials maintained throughout the development. (Insert relevant Local Plan Policies e.g Cambridge Local Plan 2018 policies 55 and 57)

28 Cycle Parking

The cycle parking within the scheme shall be implemented in full accordance with the approved details and retained thereafter.

Reason: To ensure the provision of adequate cycle parking in accordance with Cambridge City Local Plan 2018 policy 82.

29 Substation

The development shall be carried out in accordance with the submitted plans (AYC-FMN-XX-00-D-A-00110 P01) and brick sample panels- as viewed on site on 27th December 2023). The scheme shall subsequently be implemented in full accordance with the approved details and retained thereafter.

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).

30 The development shall be carried out in accordance with the submitted fire hydrants provision plan (AYC-HIL-ZZ-BG-D-W-00001 REV C01).

Reason: In the interests of residential safety (Cambridge Local Plan 2018, Policy 35).

31. The development shall be carried out in accordance with the submitted highways works plans (drawing references: AYC-HPL-ZZ-ZZ-D-A-0000 and NATTRAN/E/S247/5340).

Reason: for the safe and effective operation of the highway in accordance with Policy 81 of the Cambridge Local Plan 2018.

32. Notwithstanding the provisions of Schedule 2, Part 1, Class H of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), television aerials and satellite dishes shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining occupiers (Cambridge Local Plan 2018 policies 52, 55, and 57) OR 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).

33. Prior to occupation, each dwelling must be fitted with a means for future occupiers to monitor and measure their own water consumption. The fitted device shall be retained and maintained thereafter.

Reason: In the interest of promoting sustainable development (Cambridge Local Plan 2018 policy 28).

34. The development shall be carried out in accordance with the approved Written Scheme of Investigation and Evaluation report prepared by Cotswold Archaeology dated April 2023.

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, in accordance with national policies contained in the National Planning Policy Framework.

35. Prior to the bin stores coming into use the applicants shall submit details in writing of the proposed dropped kerb arrangements within the adopted public highway. The crossings shall be fully installed prior to occupation of the development and retained thereafter.

Reason: for the safe and efficient operation of the highway.



Planning Committee Date	7 February 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/05352/FUL
Site	Land Rear Of 18 Adams Road Cambridge Cambridgeshire CB3 9AD
Ward / Parish	Newnham
Proposal	Erection of a single dwelling and garage
Applicant	Professor Cathy Speed
Presenting Officer	Mary Collins
Reason Reported to Committee	Called-in by Cllr Simon Smith Third party representations
Member Site Visit Date	5 February 2024
Key Issues	Impact on Adams Road Bird Sanctuary Impact on conservation area Biodiversity Trees
Recommendation	APPROVE subject to conditions.

1.0 Executive Summary

1.1 The application seeks planning permission for the erection of a single dwelling and garage.

1.2 The development accords with the Development Plan for the following reasons:

- The siting, form, height, layout and design of the proposed dwelling is acceptable and responds positively to the character of the Conservation Area, would be appropriate to the surrounding pattern of development and character of the area and sufficient garden space is retained which is important to biodiversity interests. In addition, it would have no adverse impacts upon the character of the Adams Road Bird Sanctuary (ARBS) as a protected open space.
- The proposed development follows the ecology mitigation hierarchy by minimising harm upon the protected species and habitats and providing deliverable compensation and mitigation measures.
- Sufficient space for replacement tree planting is retained within the site. Acceptable protection for the remaining trees. It is not considered that the proposed dwelling would significantly increase the likelihood of tree removals taking place in the future.
- The proposed development would not result in significant adverse impacts upon residential amenity.
- The proposed development would provide for a high-quality living environment for future occupiers.
- The proposed development would provide appropriate refuse and car/cycle parking facilities and would not result in unacceptable highways impacts.
- Following review of the January 2024 – 18 Adams Road – Ecology Rebuttal, prepared by Applied Ecology Limited, the previous request for further bat surveys and the previous objection (28th November 2023) has been withdrawn subject to the requested conditions to secure an ecologically sensitive lighting scheme, Great Crested Newt site clearance protection measures, onsite BNG and species-specific habitat enhancements.

1.3 Officers recommend that the Planning Committee approve the scheme.

2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area	X	Local Nature Reserve	X

Listed Building		Flood Zone 1	X
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	X
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

*X indicates relevance

- 2.1 The application site is situated within the Newnham Ward in the City of Cambridge. It is located within the West Cambridge Conservation Area.
- 2.2 The site is located adjacent to the Adams Road Bird Sanctuary (ARBS), designated as a Protected Open Space (Natural and Semi-natural Green Space) and City and County Wildlife Site within the Cambridge Local Plan 2018.
- 2.3 The closest Listed Buildings are at No.60 and No.62 Grange Road and Buildings of Local Interest are identified along Adams Road. There are trees within the application site which are protected by virtue of being within the conservation area.
- 3.0 The Proposal**
- 3.1 Planning permission is sought for the erection of a single dwelling and garage.
- 3.2 The application has been amended to address representations and further ecology reports have been received and consultations have been carried out as appropriate.
- 3.3 A proposal for the erection of two dwellings following the demolition of No.18 Adams Road was brought to Planning Committee on 1st December 2021. The application was refused on 7th December 2022. The application was dismissed at appeal on 16th February 2023.

4.0 Relevant Site History

Reference	Description	Outcome
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15/1044/FUL	Demolition of garage. New extensions to west and east side of existing house Condition 4 - Archaeology	Permitted
15/1044/COND4		Discharged
18/0149/S73	Section 73 application to vary condition 1 (Approved Drawings) of planning permission 15/1044/FUL (Demolition of garage. New extensions to west and east side of existing house) to correct the approved drawings to 0228/P/110C, 0228/P/115 C, 0222/P/116 C and 0228/P/100.	Permitted
19/0831/FUL	Erection of 2no. dwellings following the demolition of 18 Adams Road	Withdrawn
20/01953/S73	S73 application to vary condition 1 (Approved Drawings) of planning permission 18/0149/S73 (Section 73 application to vary condition 1 (Approved Drawings) of planning permission 15/1044/FUL (Demolition of garage. New extensions to west and east side of existing house) to amend the approved drawings in order to make alterations to the design	Permitted
21/02098/HFUL	Installation of entrance gates to existing driveway	Permitted
21/01437/FUL	Erection of 2no dwellings following the demolition of No.18 Adams Road	Refused. Appeal dismissed

4.1 A copy of the Inspector's Decision letter in relation to the appeal is attached at appendix A.

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

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 30: Energy-efficiency improvements in existing dwellings

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 50: Residential space standards

Policy 51: Accessible homes

Policy 52: Protecting Garden land and subdivision of dwelling plots.

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 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

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
Landscape in New Developments SPD – Adopted March 2010
Open Space SPD – Adopted January 2009
Trees and Development Sites SPD – Adopted January 2009

5.5 Other Guidance

West Cambridge conservation area

6.0 Consultations

6.1 County Highways Development Management – No Objection

Following a careful review of the documents provided to the Highway Authority as part of the above planning application, the effect of the proposed development upon the Public Highway should be mitigated if the following conditions form part of any permission that the Planning Authority is minded to issue in regard to this proposal:

- the access be laid out and constructed so that it is 5m wide for the first 10m into the site from the boundary of the adopted public highway (in this case the back that two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. The splays shall be within land under the control of the applicant and not within the adopted public highway. The splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway for the lifetime of the development.
- that the proposed driveway be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.
- the proposed drive be constructed using a bound material, for a distance of not less than 10m from the boundary of the adopted public highway into the site, to prevent debris spreading onto the adopted public highway.
- the proposed gates must be set back at least 5m into the applicant's property from the boundary of the adopted public highway. In the event that the Planning Authority is so minded as to grant permission to the proposal please add an informative to the effect that 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, and that a separate permission must be sought from the Highway Authority for such works.

6.2 Sustainable Drainage Officer – No Objection

A desktop study Flood Risk Assessment has been submitted. The proposals include a small basement area, which is to be used for storage and plant only. The above document summarises the assessment of flood risk from all sources and there is no identification of significant risk. Although, no groundwater flood risk was identified, further groundwater/geotechnical investigations should be carried out at detail design stage and the risk of groundwater egress into the basement and groundwater displacement should still be assessed with detailed investigation and managed accordingly. As this is a minor development it would be acceptable to obtain this information by way of condition along with the drainage conditions.

Recommended conditions.

- Groundwater Prior to the commencement of the development a detailed basement ground water impact assessment report shall be submitted to and approved in writing by the Local Planning Authority. The report shall provide advice as to whether the development of the site will have any impact upon the ground water based on ground water monitoring. Should the report demonstrate any impact on groundwater, it shall also propose mitigation to be carried out in accordance with a proposed phased programme of implementation. Any mitigation shall be carried out in accordance with approved report and details of timing.
- Surface Water Drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.
- Foul drainage No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

6.3 Conservation Officer – No Objection - The site is within the West Cambridge Conservation Area. Previous applications for this site have been supported by the Conservation Team. The most recent, 21/01437/FUL for the erection of two dwellings following the demolition of no. 18, was refused at Committee and the subject of an appeal.

The new proposals retain the existing dwelling at no. 18, and introduce a new, two storey, flat roofed residence to the north. There are no objections to these proposals.

The new dwelling is architecturally appropriate to the site. West Cambridge Conservation Area is characterised by large, individual properties in generous gardens. The siting of this house, which is smaller than that previously proposed on this site in the 2021 application, allows for amenity space around it without compromising no. 18 which is to remain. As with the previous applications, there will be limited views of the building from Grange Road,

through the Trinity Sports Field, and those views are acceptable in terms of the character and appearance of the conservation area. There will be limited if any views from Adams Road.

In comparison to the refused scheme, the height of the proposed building in this plot is somewhat lower than the ridge of the existing building being of two storeys rather than the three previously proposed, and the footprint is smaller: this lessens the impact that the building will have on the West Cambridge Conservation Area.

The design of the proposed new building is modernist with the flat roof, rendered elevations, and large areas of glazing. The Design and Access Statement states that the windows will have electronic, black-out, roller blinds that will be used to ensure there is no unnecessary light spillage from the windows in this quiet location. Both levels of the house have green roofs as does the garage.

As the materials and the landscaping proposals have been submitted with the application, no Conservation conditions are considered necessary.

- 6.4 **Senior Sustainability Officer – No Objection.**
- 6.5 **Ecology Officer – No Objection** - Following review of the January 2024 – 18 Adams Road – Ecology Rebuttal, prepared by Applied Ecology Limited, I withdraw the previous request for further bat surveys and the previous objection (28th November 2023) to the proposed development, subject to the requested conditions to secure an ecologically sensitive lighting scheme, Great Crested Newt site clearance protection measures, onsite BNG and species-specific habitat enhancements.
- 6.6 **Wildlife Trust – Object** Adams Road Sanctuary has been selected as a County Wildlife Site for its invertebrates, but in its urban City location it is also a haven for a wide variety of other fauna including birds, bats and amphibians. Adams Road Sanctuary would not be able to support the numbers of species it does without the supporting habitat provided by the large back gardens of Adams Road and other streets within the West Cambridge Conservation Area. The loss of the garden at 18 Adams Road represents almost a 10% loss of the supporting large garden habitats within a 30-metre buffer surrounding Adams Road Sanctuary CWS. Any further loss of large gardens in this location should be resisted in line with City Council Local Plan policies for biodiversity conservation and garden development. While efforts have been made to acknowledge and address the potential for adverse impacts on Adams Road Sanctuary from lighting, the proposals for lighting mitigation are unrealistic and unenforceable. Future occupiers of a new property are very unlikely to follow the proposed restrictions and will in all likelihood install additional lighting, with consequential adverse impacts on the CWS, contrary to planning policy. The submitted Biodiversity Net Gain assessment for this application presents a far more realistic assessment than that included with the previous application and planning appeal. It shows a 2.3% net gain in habitat units which is not significant and as such does not meet local planning policy, as well as being well short of the 10% expected once BNG becomes mandatory later this year.

6.7 **Tree Officer – Object.** There are no formal objections to proposed tree removals. However, the proposed redevelopment of the site fails to address the detrimental impact retained trees will have on the usability of outside space and the impact of shading on the properties. While the existing house is shaded by the trees towards the south of the site, it currently benefits from the large garden to the north. Useable outside space will be compromised by the new house to the north. This will result in reasonable pressure to allow additional tree removals to improve light to the properties. Have concerns about the availability of space outside tree canopies and root protection areas for sustainable drainage, access, storage of materials and construction. Plans indicate significant replacement planting but given the extent of existing tree cover, significant tree planting is not considered to be sustainable as this would only further reduce the amount of useable outside space and increase unwanted shading. For the reasons above the proposal is not supported arboriculturally as it does not respect policy 71 of the Local Plan.

6.8 **Environmental Health – No Objection** - Pollution from the demolition and construction phases has the potential to affect the amenity of surrounding properties if not controlled. In the interests of amenity, recommend the following standard conditions:

- Demolition/Construction hours
- Demolition/Construction collection/delivery hours

6.9 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.

7.0 **Third Party Representations**

7.1 29 representations have been received.

7.2 Those in objection (25) have raised the following issues:

- Impact upon Adams Road Bird Sanctuary (Protected Open Space, City and County Wildlife Site)
 - Adverse impact upon ecology and tranquillity of this natural space, especially over construction period.
 - Three storey design inappropriate. Visual impact upon users.
 - Critical to respect a 30-metre green buffer building line around the Sanctuary to protect the habitat. Siting is inappropriate.
 - Increased noise and movements, increased artificial light on dark and tranquil nature of Sanctuary.
 - Social harm to users of sanctuary.
 - Will destroy uniqueness and public contribution of Bird Sanctuary.
 - NPPF states that decisions should identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value, mitigate and reduce noise

from new development and limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

- Contribution to public and social amenity and likely impacts on it of light, noise, vehicle movement and other disturbance (Policy 52), importance of Sanctuary and its large surrounding gardens to Conservation Area (Policy 61).
- Dominate entrance track.
- Harm the character of open space of environmental and/or recreational importance, and conflict with Policy 67.
- Open space identified for protection in the 'Natural and Semi Natural Green Space' category. Third highest among the 41 sites identified.
- Visual amenity issue as main bulk still evident from adjacent reserve path and accessway with light spill.
- Noise from gravel drive and construction works.
- Loss of significant portion of garden adjacent to ARBS harms its character (Policy 61)
- Glazing would be 20 to 25 metres from ARBS and would have near-continuous effect of the visible movements within this domestic space.

7.3 Those in support (4) have raised cited the following reasons:

- Proposal has addressed previous concerns and is in keeping with the scale and environmental impact of the site.
- The additional documents demonstrate a clear biodiversity gain not loss and that there will be no increased flood risk.

8.0 Member Representations

8.1 Cllr Simon Smith and Cllr Cameron Holloway have made a representation objecting to the application on the following grounds:

- Compliance with policy 69 of the Cambridge Local Plan 2018.

9.0 Local Interest Groups and Organisations / Petition

9.1 Adams Road Bird Sanctuary

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 **Planning Background**

10.2 The most recent planning application, reference, 21/01437/FUL for the erection of two dwellings following the demolition of no. 18, was refused at Committee, and was dismissed at appeal.

10.3 Planning application 21/01437/FUL was refused for the following reasons:

1. *The application site is located within the West Cambridge Conservation Area and adjacent to the Adams Road Bird Sanctuary, which is identified as a Protected Open Space and County/City Wildlife Site. The Conservation Area is characterised by generous buildings located within substantial gardens with mature trees and planting. The proposal, which seeks to subdivide the site in order to create two dwelling plots in a tandem layout, would result in a form of development that would be at odds with this spacious character.*

Additionally, by virtue of the scale, mass, design, lighting impacts and siting of the northernmost dwelling, the development would have a significant adverse impact upon both the character of the Conservation Area and upon the special character, and recreational and amenity value of the ARBS. The proposal would result in moderate less than substantial harm to the Conservation Area and paragraphs 202 and 203 of the NPPF 2021 would therefore be engaged. The public benefit, in contributing one additional dwelling to the housing stock, is considered to be modest and does not outweigh the harm resulting from the development. Consequently, the proposal would be contrary to Policies 52, 55, 56, 57, 61 and 67 of the Cambridge Local Plan 2018 and to the NPPF 2021.

2. *The northernmost house would be located in close proximity to the southernmost dwelling. As a result, the latter dwelling would gain little benefit from light, space and views to the north. The application fails to consider the impact that shading from the retained trees would have on the usability of the outside space of the southernmost property. The proposal would therefore result in unreasonable future pressure for additional tree removals to improve light to the property. The application also fails to demonstrate that adequate mitigation can be secured to compensate for the loss of 9 trees proposed to be removed in order to accommodate the development. Consequently, the development would be contrary to Policy 71 of the Cambridge Local Plan 2018 which resists the loss of trees of amenity or other value unless there are demonstrable public benefits that would outweigh the current 21/01437/FUL and future amenity value of the trees.*
3. *The site lies adjacent to the Adams Road Bird Sanctuary (ARBS), which is designated as a County/City Wildlife Site and is known to host protected species including nesting birds, bats, great crested newts and invertebrates. Due to the proximity of the built form to the ARBS and the significant loss of garden to built form and hardstanding, the proposal would have a major negative impact upon biodiversity within and adjacent to this designated site, and it has not been demonstrated that this can be adequately mitigated against or compensated for. Consequently, the development would be*

contrary to Policies 69 and 70 of the Cambridge Local Plan 2018, paragraph 180 of the NPPF 2021 and Natural England Guidance.

4. *By virtue of the loss of substantial areas of garden land to built form and hardstanding, the proposal fails to minimise the ecological harm resulting from the proposed development nor has it satisfactorily demonstrated that it could secure biodiversity net gain and achievable compensatory measures. Therefore, the development would be contrary to Policy 70 of the Cambridge Local Plan 2018 and paragraph 180 of the NPPF 2021.*

- 10.4 An appeal was subsequently dismissed on 16th February 2023.
- 10.5 With respect to the first reason for refusal, the Inspector concluded that the appeal property is not listed and does not appear to be of any particular architectural or historic interest. Nonetheless, the appeal property is consistent with the character and appearance of the surrounding area and makes a positive contribution to the conservation area. The proposed dwellings would each be large and set within substantial plots. The layout, design, scale and height of the dwellings would be consistent with the properties in the surrounding area. Furthermore, the dwellings would not be visible from Adams Road. The proposal would not compromise the character or appearance of the CA and would not result in harm to its significance.
- 10.6 With respect to the second reason for refusal, the Inspector noted that whilst mature trees on the site are attractive, by virtue of their location within the centre of the site, they make a limited contribution to the character and appearance of the surrounding area and found that the proposed replacement trees would adequately compensate for the removal of these trees and thus their loss would not be harmful to the character and appearance of the surrounding area and the CA. The AIA indicates that part of the gardens to the southernmost dwelling would be shaded by trees. The Inspector was satisfied that there would be sufficient areas beyond the spread of these trees, so that the resultant amenity space for the southernmost dwelling would not be over-dominated by trees and found no particular evidence that the proposal would lead to pressure to cut back or remove preserved trees in the longer term in order to improve light levels to the property.
- 10.7 With respect to biodiversity and reasons 3 and 4 for refusal, the Inspector found that the proposal would result in a negative impact on biodiversity in the ARBS and thus would not lead to an ecological enhancement or genuine and demonstrable gains for biodiversity. Whilst there may well be a net gain in biodiversity on the site itself, it has not been appropriately evidenced that the proposed on-site BNG measures would mitigate the adverse effects on the ARBS and overall leave biodiversity in a measurably better state than it was before any development took place. Thus, the proposal conflicts with those aims of LP policies 69 and 70 which seek to ensure that ecological harm is minimised, mitigated or compensated and does not have an adverse impact on a site of biodiversity importance. The

Inspector also found conflict with paragraph 180 of the Framework which states that if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort compensated for then planning permission should be refused.

10.8 With regard to the character and recreational value of the ARBS, the ARBS is screened by vegetation on all sides and separated from neighbouring houses by large rear gardens. This results in a verdant and tranquil character to the ARBS which, in addition to the biodiversity found within the site, appears to form part of its amenity and recreational value. The Inspector concluded that although the proposal would bring built form closer to the boundary with the ARBS, a screen of vegetation would be retained, which, in addition to proposed planting along the northern site boundary, would partially screen the proposed dwellings in views from the ARBS. Consequently, the proposal was not considered to compromise the special character of the ARBS. Notwithstanding this, the Inspector concluded that the potential loss of ecological value would compromise the amenity and recreational value of the ARBS for its users. Consequently, the proposal would conflict with those aims of LP Policy 55 which, amongst other matters, state that proposals should identify and respond positively to existing features of natural, historic or local importance on and close to the proposed development site.

10.9 This application differs from the previous refusal in the following ways:

- The existing dwelling at 18 Adams Road is to be retained.
- The proposed dwelling to the north of the existing dwelling is part two storey and part single storey with flat living roofs.
- The proposed dwelling is now further away from the northern boundary and the ARBS with a separation of 10.4 metres.

Principle of Development

10.10 The proposal is for the erection of a single dwelling and garage in addition to the existing dwelling on site.

10.11 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

10.12 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 of the Local Plan 2018.

- 10.13 Policy 52 of the Cambridge Local Plan 2018 states that proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will only be permitted where:
- a. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
 - b. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for biodiversity;
 - c. the amenity and privacy of neighbouring, existing and new properties is protected;
 - d. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and
 - e. there is no detrimental effect on the potential comprehensive development of the wider area.
- 10.14 With this in mind, the principle of the proposal is acceptable subject to satisfaction against the above criteria. This will also be assessed against other relevant policies within the Local Plan 2018 in the below section.

Context of site, design and external spaces (and impact on heritage assets)

- 10.15 Policies 52, 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.
- 10.16 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.
- 10.17 The West Cambridge Conservation Area Appraisal highlights that the area provides an interesting mix of mainly late 19th or early 20th Century houses, in addition to more modern buildings. The largest Character Area is the Grange Road Area, which is defined by its spacious family houses of the late 19th Century, large gardens on generous plots with mature trees and planting and a high ratio of green open space to built area. The Appraisal continues by adding that the layout is notable for the survival of many of the late 19th Century residential buildings in their original plots, which tend to be quite narrow but deep, providing large back gardens.
- 10.18 Policy 67 states that the 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 the open space can be satisfactorily replaced or re-provision located close to the site. The Conservation Area Appraisal identifies the ARBS as a City Wildlife Site which is important for environmental and recreational purposes as well as the biodiversity contained within it.

- 10.19 Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires decision-makers to, in considering whether to grant planning permission for development which affects a listed building or its setting, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.20 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.21 The new proposals retain the existing dwelling at no. 18, and introduce a new, two storey, flat roofed residence to the north. The new dwelling is architecturally appropriate to the site. West Cambridge Conservation Area is characterised by large, individual properties in generous gardens. The siting of this house, which is smaller than that previously proposed on this site in the 2021 application, allows for amenity space around it without compromising no. 18 which is to remain. There will be limited views of the building from Grange Road, through the Trinity Sports Field, and those views are acceptable in terms of the character and appearance of the conservation area. There will be limited if any views from Adams Road. Given its location behind the dwelling of No.18 Adams Road and substantial screening to the south and east of the application site, only limited long range views would be possible (from Adams Road and from Grange Road).
- 10.22 The design of the proposed new dwelling is modernist with the flat roof, rendered elevations, and large areas of glazing. Whilst the overall design has steered away from a traditional approach, the proposal is of high-quality design, resulting in a unique and individual building which draws on the contemporary buildings found elsewhere in the wider context. In comparison to the refused scheme, the height of the proposed building in this plot is somewhat lower than the ridge of the existing building being of two storeys rather than the three previously proposed, and the footprint is smaller, the impact the building will have on the West Cambridge Conservation Area is lessened.
- 10.23 The Design and Access Statement states that the windows will have electronic, black-out, roller blinds that will be used to ensure there is no unnecessary light spillage from the windows in this quiet location. Both levels of the house have green roofs as does the garage. As the materials and the landscaping proposals have been submitted with the application, no conservation conditions are considered necessary.

- 10.24 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 52, 55, 56, 57, 58 and 59 and the NPPF.
- 10.25 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. 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 policy 61.
- 10.26 In terms of bin and cycle store provision, the proposed dwelling would have both stores located at the plot's frontage. The location and details of which are considered acceptable in accordance with Policy 57 of the Local Plan 2018.
- 10.27 Taking all this into account, it is considered that the proposed development would have an acceptable siting, form, height, layout and design, which responds positively to the character of the Conservation Area, would be appropriate to the surrounding pattern of development and character of the area and sufficient garden space is retained that is important to biodiversity interests.

Impact on ARBS and protected open space and Local Nature Reserve

- 10.28 Several representations have been raised with regards to the impact of the proposal on the character of the ARBS, specifically in terms of noise impacts, light spill and visual impacts, and adverse impacts upon this designated protected open space. The proposed two storey element of the dwelling would be located approximately 16.5 metres from this northern boundary, with the single storey element situated approximately 10.4 metres from this boundary. A reasonable green buffer zone is proposed which would be approximately 5 metres wide. Details of species specification and mix would be conditioned on any approval granted. The mature trees within the boundary of the ARBS would be unaffected by the construction as demonstrated in the provided method statement within the arboricultural report, which will be conditioned as an approved document on any consent granted.
- 10.29 Whilst representations have raised the importance of the residential garden land which acts as a buffer and fulfills one or more of the criteria of land under Policy 67 of the Local Plan, the current application site is designated as residential garden land and is not vacant, therefore, whilst it may contribute to the biodiversity of the area, it cannot be considered as open space under this policy in its own right.
- 10.30 The proposed dwelling would be partially visible, particularly in the winter months, however the set back within the plot, the low profile scale of the

dwelling and the limited light spill would not in the view of Officers result in unacceptable dominating impacts upon the character of the ARBS and would not adversely impact its natural recreational and environmental purposes. Given that this is the case, the proposal is not considered by Officers to have a recreational harm upon the purposes of this wildlife site nor its public contribution and its special characteristics/uniqueness.

- 10.31 Whilst concerns regarding noise impacts are acknowledged, given that the area surrounding the application site is largely residential in nature, comprising gardens and ancillary detached garden rooms, it is not considered that potential noise levels would have such an impact upon the character of the ARBS to warrant refusal of the scheme. To mitigate noise and dust impacts during the construction phase, a construction ecological mitigation plan and restrictions on construction times will be conditioned on any consent granted.
- 10.32 Concerns have been raised with regards to the visual impact upon the ARBS access track and its proximity of such. Whilst the proposal as demonstrated in the supporting documentation would be clearly visible, given the transient purpose of the access to serve users of the ARBS, it is not considered that the proposal would have a detrimental impact upon the character of the ARBS in this instance.
- 10.33 The Inspector concluded that although the proposal would bring built form closer to the boundary with the ARBS, a screen of vegetation would be retained, which, in addition to proposed planting along the northern site boundary, would partially screen the proposed development in views from the ARBS. Consequently, the proposal was not considered to compromise the special character of the ARBS. Notwithstanding this, the Inspector concluded that the potential loss of ecological value would compromise the amenity and recreational value of the ARBS for its users.
- 10.34 Whilst obviously any development of the current back garden buffer to the ARBS increases the risk of negatively impacting on the designated site and associated protected species and wildlife areas such as the ARBS may require buffer zones, which extend protection to the animals (invertebrates, birds, mammals) of the core zone, an assessment of the value of the garden as a buffer zone has been made. The fauna reports give an impression of the role this garden plays as a buffer zone in protecting the habitats within the ARBS. In this instance the garden area is not of any meaningful value to the amphibian fauna that inhabit the ARBS as it offers no form of cover for amphibians to shelter and is of low value for invertebrate species. The fauna reports have shown that there are no protected species using this garden habitat and demonstrate that the proposal would have no direct impact on the habitats and associated fauna within the ARBS. In this instance there is no loss of ecological value to the ARBS or its setting. The proposal would minimise ecological harm to populations and habitats within the ARBS by providing planting along the northern boundary approximately 5 metres wide. This is considered to

provide suitable mitigation. Details of species specification and mix would be conditioned on any approval granted.

- 10.35 Taking all this into account, it is considered that the proposed development would have no adverse impacts upon the character of the ARBS as a protected open space and would not compromise its amenity and recreational value. Therefore, the proposal is compliant with Policies 67 and 69 of the Local Plan 2018 and the NPPF 2023.

Biodiversity

- 10.36 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.
- 10.37 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal and biodiversity net gain assessment for development of land at 18 Adams Road, Cambridge results in an overall net gain of +0.16 habitat units, equivalent to a net gain of +11.01% and an overall net gain of +0.02 hedgerow units, equivalent to a net gain of +13.46%.
- 10.38 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.

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.

In exceptional circumstances, where the importance of the development outweighs the need to retain the site, adequate replacement habitat must be provided.

Any replacement habitat must be provided before development commences on any proposed area of habitat to be lost.

- 10.39 The Adams Road Bird Sanctuary (ARBS) is one of a number of designated City Wildlife Sites and County Wildlife Sites based on substantive nature conservation interest against published criteria.
- 10.40 Paragraph 7.65 supporting text states 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.
- 10.41 Paragraph 7.66 states that 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.
- 10.42 Policy 70 of the Local Plan 2018 states that development will be permitted which protects priority species and habitats and enhances habitats and populations of priority species. 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.
- 10.43 The existing application site comprises amenity grassland, trees, shrubs and hedgerows. According to the updated Preliminary Ecological Appraisal (PEA), the adjacent City Wildlife Site is designated on the basis of its broadleaved woodland, swamp, marginal vegetation and standing and running water. It is understood that the ARBS is known to host protected species such as nesting birds, bats, great crested newts and invertebrates.
- 10.44 The updated fauna survey shows that there are several species of light intolerant bat foraging and commuting in and around the site, there is some evidence to suggest that there is a likely roost (based on times of calls recorded soon after dusk); although, this is likely located within the Adams Road City and County Wildlife Site.
- 10.45 Following a fauna survey, no protected species were found to be using the application site. Invertebrate surveys have shown that there are no species present within the site that are nationally rare or in decline; therefore, the report has concluded that there will be no significant impact to the qualifying traits of the Adams Road City and County Wildlife Site.

- 10.46 As discussed previously an assessment of the value of the garden as a buffer zone has been undertaken. The fauna reports have shown that there are no protected species using this garden habitat and that in this instance the existing garden is not of ecological value. As such the loss of some of the garden land to built form and hardstanding, would not detrimentally harm the ecological value of the ARBS, the adjacent City and County Wildlife Site and would comply with policy 69 of the Local Plan.
- 10.47 The proposed dwelling has also been positioned further from the boundary with the ARBS. The habitat on the application site would be enhanced and a reasonable green buffer of garden area, measuring approximately 10.4 metres would separate the proposed built form of the proposed dwelling which would help to compensate for any loss of vegetation. The planting of trees to the full extent of the northern boundary would also create a tangible 5-metre-wide buffer of vegetation and would create a degree of screening. A biodiversity net gain metric has been provided and a net gain in biodiversity has been demonstrated on the application site and this would mitigate any effects on the ARBS and overall leave biodiversity in a measurably better state than it was before any development took place. Through the creation of the green buffer zone, habitat would be created with linkages to the adjacent site in accordance with Policy 69(c) of the Local Plan 2018.
- 10.48 In addition, measures to minimise harm to the adjacent City and County Wildlife Site (ARBS) could be secured via a construction management ecological condition to limit noise, dust and removal of vegetation outside of active seasons. In addition, specialist glazing, and less than 1 lux lighting zone would be conditioned as part of the ecological lighting design strategy and therefore any impacts on the adjacent designated site could be minimised in accordance with Policy 69(a) of the Cambridge Local Plan 2018.
- 10.49 Suitable biodiversity net gain (over 10%) will be found on site with the planting of 49 small trees along the boundary of the Adams Road City and County Wildlife Site, new green roofs, and vegetated garden. Therefore, it is considered that biodiversity of the garden would be enhanced through the proposed green buffer, the proposal is compliant with Policy 70 of the Cambridge Local Plan 2018.
- 10.50 To ensure that the garden buffer is retained as far as possible and that no built development occurs in this area, a condition restricting permitted development rights under the GPDO 2015 as amended, Schedule 2., Part 1 will be attached, as well as a condition ensuring the line of the planting between the ARBS and the application site is maintained in perpetuity.
- 10.51 In consultation with the Council's Ecology Officer, subject to appropriate conditions, 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 Policies 57, 69 and 70 of the Cambridge Local Plan 2018.

Trees

10.52 Policy 71 of the Local Plan 2018 states that development will not be permitted which involves felling, significant surgery (either now or in the foreseeable future) and potential root damage to trees of amenity or other value, unless there are demonstrable public benefits accruing from the proposal which clearly outweigh the current and future amenity value of the trees.

Development proposals should:

- a. preserve, protect and enhance existing trees and hedges that have amenity value as perceived from the public realm;
- b. provide appropriate replacement planting, where felling is proved necessary; and
- c. provide sufficient space for trees and other vegetation to mature.

10.53 A total of nine trees would be removed to enable the construction of the proposed dwelling. Following a formal consultation with the Council's Trees Officer, whilst there are no formal objections to proposed tree removals, there is concern that the proposed redevelopment of the site fails to address the detrimental impact retained trees will have on the usability of outside space and the impact of shading on the existing and proposed properties. While the existing house is shaded by the trees towards the south of the site, it currently benefits from the large garden to the north. Useable outside space will be compromised by the new house to the north. This will result in reasonable pressure to allow additional tree removals to improve light to the properties. Plans indicate significant replacement planting but given the extent of existing tree cover, significant tree planting is not considered to be sustainable as this would only further reduce the amount of useable outside space and increase unwanted shading.

10.54 It is acknowledged, as demonstrated by the 'proposed site plan with tree survey' that the existing house to be retained would be shaded for some parts of the day. However, small parts of the garden would be subject to no shading and at other times of the day, parts of the patio area would not be subjected to shading.

10.55 The Inspector was satisfied that there would be sufficient areas beyond the spread of these trees, so that the resultant amenity space for the existing dwelling would not be over-dominated by trees and found no particular evidence that the proposal would lead to pressure to cut back or remove preserved trees in the longer term in order to improve light levels to the property.

10.56 With respect to the replacement tree planting, the majority of the proposed replacement trees would be situated along the northern boundary and would contribute to the green buffer bordering the ARBS. Given the tree

planting is to the north it may reduce light levels to the amenity spaces, but it would not create overshadowing and unwanted shade. There is ample garden area to the west of the proposed dwelling. The north facing windows of habitable rooms are sited a distance of approximately 11 metres away and ground floor rooms are also served with south facing windows. Given this intervening distance, a detrimental loss of light to these windows should not result and overall adequate levels of natural light to ground floor rooms would be achievable and an acceptable living environment for future occupiers would be provided.

- 10.57 It is considered that a replacement tree planting scheme could be deliverable on the site without impacting the usability of the proposed dwelling's internal and external spaces, nor impacting the root protection areas of trees within or adjacent to the site. Therefore, subject to a soft landscaping scheme detailing species choice and specification, the proposal is in accordance with Policy 71 of the Local Plan 2018.

Sub-division of garden land

- 10.58 Policy 52 of the Cambridge Local Plan 2018 protects garden land and the subdivision of existing dwelling plots. The application site would involve the sub-division of one residential plot. The existing plot is of a substantial size, measuring approximately 70 metres deep. It is not unusual to find several dwellings deep within the Grange Road part of the Conservation Area, an example of which include No.14 and No.15 Adams Road. In addition, No.5 Clarkson Road, No.7, No.6 and No.1 Clarkson Close form a north-south axis of residential development in a very similarly sized area to that of the application site. Five dwellings including that of No.4 Clarkson Close occupy this space. Similarly, the layout of the proposed dwellings would be perpendicular to the highway and would effectively result in a development of three dwellings deep when taking into account the neighbouring dwelling of No.19 Adams Road. Therefore, it is not considered that the proposed layout would adversely impact the Conservation Area in accordance with Policy 52, 55, 57 and 61 of the Local Plan 2018 and the NPPF 2023.
- 10.59 The sub-division of the existing residential plot would result in the reduction of No.18's existing garden land. Whilst this is the case, the existing site comprises approximately 4,750 sq. metres, 4200 sq. metres of which is garden land. Whilst the available residential garden land would be reduced, very generous garden spaces around the existing and the proposed dwellings would be maintained. Both gardens would have large areas which would be free of trees and would give a good level of outdoor amenity space. Therefore, it is not considered that proposed development would adversely impact the Conservation Area in accordance with Policy 52, 55, 57, 61 and 67 of the Local Plan 2018 and the NPPF 2023, and the legislative requirement of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. Each garden would
- 10.60 The form and height of the existing and proposed dwellings, whilst distinct from each other, would complement the various designs found within the

Conservation Area, where both contemporary and traditional forms comprising of two and three storeys in height are found. Therefore, it is not considered that the proposed dwelling would adversely impact the Conservation Area in accordance with Policy 52, 55, 57, 61 and 67 of the Local Plan 2018 and the NPPF 2023, and the legislative requirement of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 10.61 With regards criterion c and d of Policy 52, this is discussed in detail within the relevant residential amenity and parking provision sections of the Officer report. With regards criterion e, given the nature of the proposed development and the application site being situated outside of allocated sites for redevelopment, there is no detrimental
- 10.62 **Water Management and Flood Risk**
- 10.63 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.
- 10.64 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.
- 10.65 The proposals include a small basement area, which is to be used for storage and plant only. The applicants have submitted a Flood Risk Assessment of basement groundwater flood risk which summarises the assessment of flood risk from all sources and there is no identification of significant risk.
- 10.66 The Council's Sustainable Drainage Engineer has advised that although, no groundwater flood risk was identified, further groundwater/geotechnical investigations should be carried out at detail design stage and the risk of groundwater egress into the basement and groundwater displacement should still be assessed with detailed investigation and managed accordingly. As this is a minor development it would be acceptable to obtain this information by way of condition along with the drainage conditions foul and surface water conditions which would have regard for appropriate disposal of surface water.
- 10.67 Policy 31 requires all flat roofs to be green or brown providing it is acceptable in the historic environment. In this instance, extensive flat roofs are proposed to the proposed dwelling and green or brown roofs would not detract from the character of the Conservation Area. Therefore, it is considered that this will be conditioned on any approval granted in accordance with this policy requirement.
- 10.68 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.

10.69 **Highway Safety and Transport Impacts**

10.70 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.

10.71 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.

10.72 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 to a contractors parking plan, 2x2 metre pedestrian visibility splays and driveway construction conditions, the proposal is compliant with Policy 81 of the Local Plan 2018.

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

10.74 **Refuse Arrangements**

10.75 Bin stores are considered to be appropriately located with easy direct access to the roadside. Taking into account the dragging distance involved for the occupier of the existing dwelling, it is not considered that the additional distance required for the additional dwelling to the north would be unacceptable in this instance. Therefore, the proposal is considered to be compliant with Policies 56 and 57 of the Local Plan 2018.

Car parking and cycle provision

10.76 Car parking

10.77 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. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.

- 10.78 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.
- 10.79 The application site is located outside of the controlled parking zone. The proposed house would accommodate car parking for two cars within a detached garage. Therefore, it is considered that there would be sufficient space within the site for at least two car parking spaces with turning capacity in accordance with Policy 52 and 82 of the Local Plan 2018.
- 10.80 Covered cycle parking would be provided in convenient locations as demonstrated and details of which would be conditioned on any consent granted in accordance with Policy 52 and 82 of the Local Plan 2018.
- 10.81 The bike store would be located to the side of the dwelling in relation to the proposed pool/gym area and is considered to be easily accessible to future occupiers. The location and details of these elements are considered acceptable in accordance with Policy 57 of the Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD.

Carbon Reduction and Sustainable Design

- 10.82 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.
- 10.83 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 new residential developments to achieve as a minimum water efficiency to 110 litres pp per day and a 44% on site reduction of regulated carbon emissions.
- 10.84 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.
- 10.85 The application documentation sets out that:
- a. Thermal insulation values will be roughly twice current UK standards, and all windows are triple glazed
 - b. A Baufriz house requires only 20% of the energy for space heating compared to a traditional brick built house.

- c. The materials that will be used are 100% biodegradable.
- d. The house will store approx. 102 tonnes of CO₂ (calculation basis: 355 m² outer wall area and 215 m² ceiling area).
- e. Taking into account the CO₂ emissions for the manufacturing process, interior construction and technical trades, the net storage volume is approx. 71 tonnes. This means the house will be a carbon store

10.86 There are no objections to the proposal subject to conditions relating to carbon reduction technologies and water efficiency.

10.87 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.

Amenity

10.88 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.

Residential Amenity Impact

Neighbour impacts

10.89 *Impact on 18 Adams Road*

10.90 There is a separation distance between the existing dwelling and the proposed dwelling of 17 metres. There are windows serving habitable rooms on the first floors of the both the existing dwelling and the proposed dwelling. The first-floor windows in the south elevation serve a corridor, a dressing room, a study and seating area. These are secondary windows and/or serve non-habitable room windows, and as such these could be conditioned to be obscured on any consent granted.

10.91 *Impact on 16 Adams Road*

10.92 Concerns have been raised regarding the visual intrusion on No.16 Adams Road. Whilst extensive areas of glazing are proposed on western elevation of the proposed dwelling, given the substantial distance and intervening mature vegetation, it is not considered that the proposal would result in significant disturbance on account of excessive lighting/illumination. Moreover, as discussed previously, it is considered that the light spill could be further mitigated by conditioning specialist glazing on any approval granted. The proposed dwelling would be 14 metres from the common boundary. Therefore, it is not considered that the proposed dwelling would

result in significant overbearing, loss of light or overlooking impacts upon nearby neighbouring dwellings.

- 10.93 Therefore, taking all this into account, subject to conditions, it is considered that 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 35, 52, 55 and 56.

Future Occupants

- 10.94 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).
- 10.95 The proposed dwelling would meet the requirements of a 3-bedroom, 6-person internal space standards in accordance with Policy 50 of the Local Plan 2018.
- 10.96 Garden Size(s)
- 10.97 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. Both the existing property and the proposed property would benefit from a generous sized outdoor amenity space.
- 10.98 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.
- 10.99 In terms of accessibility of the proposed dwelling, the proposal meets the requirements of Policy 51 (part M4(2) of Building Regulations compliance) by providing a ground floor WCs and level access. Therefore, the proposal is in accordance with Policy 51 of the Local Plan 2018. A condition will be attached to

Construction and Environmental Impacts

- 10.100 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 minimised through conditions restricting construction hours and collection hours to protect the amenity of

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

10.101 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 and 57.

10.102 **Third Party Representations**

10.103 Issues raised by Third Parties in particular from ARBS have been covered in the preceding paragraphs of this report.

10.104 **Other Matters**

10.105 The applicant has agreed to the recommended pre-commencement conditions to be attached to any planning consent granted.

11.0 Planning balance and conclusion

11.1 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).

11.3 The proposed development would preserve the character and appearance of the Conservation Area, through the retention of the existing dwelling and the retention of sufficient garden land and considerable numbers of trees within the site. The scheme provides for a high-quality living environment for future occupiers whilst protecting neighbour amenities.

11.4 Whilst objections from the Council's Trees Officer are acknowledged, it is considered that on balance, the scheme has demonstrated that the biodiversity interests of the site and adjacent designated site would be both minimised, mitigated and compensatory measures provided in accordance with local plan policies. It is considered that there is sufficient space within the site for a deliverable tree planting scheme whilst not resulting in future pressure for tree removal.

11.5 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of 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.

12.0 Recommendation

Approve subject to:

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

- 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 the commencement of the development a detailed basement ground water impact assessment report shall be submitted to and approved in writing by the Local Planning Authority. The report shall provide advice as to whether the development of the site will have any impact upon the ground water based on ground water monitoring. Should the report demonstrate any impact on groundwater, it shall also propose mitigation to be carried out in accordance with a proposed phased programme of implementation. Any mitigation shall be carried out in accordance with approved report and details of timing.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased groundwater flood risk on or off site resulting from the proposed development in accordance with Policies 31 and 32 of the Cambridge Local Plan 2018.

- 4 No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

The scheme shall include:

- a) Details of the existing surface water drainage arrangements including 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 a schematic of how the system has been represented within the hydraulic model;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;

- d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- e) Full details of the proposed attenuation and flow control measures;
- f) Site Investigation and test results to confirm infiltration rates;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Measures taken to prevent pollution of the receiving groundwater and/or surface water

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

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with Policies 31 and 32 of the Cambridge Local Plan 2018.

- 5 No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with Policies 31 and 32 of the Cambridge Local Plan 2018.

- 6 No development shall commence (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) 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 adhered to and 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 Policy 57 of the Cambridge Local Plan 2018.

- 7 No demolition or construction works shall commence on site until a contractor's 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 undertaking the works.

Reason: in the interests of highway safety in accordance with Policies 81 and 82 of the Cambridge Local Plan 2018.

- 8 Prior to the commencement of 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 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 Policy 71 of the Cambridge Local Plan 2018.

- 9 No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include: a) 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; The scheme must be developed and delivered in line with the Landscape Institute's current guidance on plant biosecurity (Biosecurity Toolkit); b) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas. c) 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. d) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected including provision for gaps in fencing for hedgehogs.

All hard and soft landscape works shall be carried out 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 by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants (existing retained or proposed) that, within a period of five years after planting (or replanting if previously failed), are removed, die or become in the opinion of the Local

Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, 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 in accordance with policies 55, 57, 59 and 69 of the Cambridge Local Plan 2018.

10 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 2023 para 180, Cambridge Local Plan 2018 policies 59 and 69 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

11 The dwelling hereby permitted, shall not be occupied until the proposed first floor windows in the southern elevation have, apart from any top hung vent, been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity) and 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 in accordance with Policies 55 and 57 of the Cambridge Local Plan 2018.

- 12 Prior to the installation of any artificial lighting, an ecologically sensitive artificial lighting scheme 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 and an artificial lighting impact assessment with predicted lighting levels. The scheme shall:
- i) identify those parts of the site, especially the ARBS boundary, that are sensitive for bat species and where artificial lighting is likely to cause disturbance along identified important routes used for foraging and commuting.
 - ii) 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 bat species using the identified routes
 - iii) not exceed the maximum permitted 0.1 lux level on the vertical plane (before and post curfew) resulting from the development along the boundary of the ARBS.

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

Reason: To ensure light sensitive bat species are not impacted by the proposed development in accordance with Cambridge Local plan policy 70 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 13 Prior to development above slab level, a detailed glazing specification shall be provided and agreed in writing with the Local Planning Authority, detailing the specialist glazing and less than 1 lux lighting zones hereby approved in principle. All development shall be carried out in accordance with these details.

Reason: To conserve ecological interests in accordance with Policies 57, 69 and 70 of the Cambridge Local Plan 2018.

- 14 No development above ground level shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme 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.

Reason: To conserve and enhance ecological interests in accordance with Policy 57 of the Cambridge Local Plan 2018.

- 15 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 in accordance with Policy 35 of the Cambridge Local Plan 2018.

- 16 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 in accordance with Policy 35 of the Cambridge Local Plan 2018.

- 17 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 in accordance with Policy 35 of the Cambridge Local Plan 2018.

- 18 The development, hereby permitted, shall not be used or occupied until, carbon reduction measures have been implemented in accordance with a Carbon Reduction Statement which shall be submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that all new residential units shall achieve reductions in CO2 emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:
- a) Levels of carbon reduction achieved at each stage of the energy hierarchy;
 - b) A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit;
- Where on-site renewable or low carbon technologies are proposed, the statement shall also include:
- c) A schedule of proposed on-site renewable energy technologies, their location, design, and a maintenance programme; and
 - d) Details of any mitigation measures required to maintain amenity and prevent nuisance.

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

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution in accordance with Policies 28, 35 and 36 of the Cambridge Local Plan 2018.

- 19 The dwelling shall not be occupied until a water efficiency specification 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 in accordance with Policies 28 of the Cambridge Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- 20 The approved tree protection methodology contained within the Arboricultural Impact Assessment prepared by A.T Coombes Associates Ltd, dated 21 November 2022 and the associated drawings (Appendix 4 - Tree Protection Plan and Appendix 5 Arboricultural Method Statement), 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 ensure that any works undertaken comply with arboricultural best practice and minimise the impact on the tree's health and amenity in accordance with Policy 71 of the Cambridge Local Plan 2018.

- 21 If any tree shown to be retained on the approved tree protection methodology is removed, uprooted, destroyed or dies within five years of project completion, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 and Policy 71 of the Cambridge Local Plan 2018.

- 22 No works to any trees shall be carried out until the Local Planning Authority has received and approved in writing the full details of replacement tree planting. Details are to include number of replacements, species, size, location and approximate date of planting. The replacement planting shall be carried out as approved.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity in accordance with Policy 71 of the Cambridge Local Plan 2018.

- 23 The garage/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, to encourage biodiversity and slow surface water run-off in accordance with policies 31 and 82 of the Cambridge Local Plan 2018.

- 24 The development, hereby permitted, shall not be occupied or the use commenced, until details of facilities for the bin stores provided 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. The facilities shall be provided in accordance with the approved details and shall be retained as such.

Reason: To ensure appropriate provision for the refuse for future occupiers in accordance with Policies 56 and 57 of the Cambridge Local Plan 2018.

- 25 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 in accordance with Policy 51 of the Cambridge Local Plan 2018.

- 26 The flat roofs hereby approved shall be a Green Roof or Brown Roof unless otherwise agreed in writing by the Local Planning Authority. A Green Roof shall be designed to be partially or completely covered with plants in accordance with the Cambridge Local Plan 2018 glossary definition, a Brown Roof shall be constructed with a substrate which would be allowed to self vegetate. The roofs 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 ensure that the development integrates the principles of sustainable design and construction and contributes to water management and adaptation to climate change in accordance with Policies 28 and 31 of the Cambridge Local Plan 2018.

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

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with Policies 31 and 32 of the Cambridge Local Plan 2018 and the NPPF 2023

- 28 Before starting any brick, stone or cladding 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 in accordance with Policies 57 and 61 of the Cambridge Local Plan 2018.

- 29 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 in accordance with Policy 61 of the Cambridge Local Plan 2018.

- 30 Prior to first occupation of the dwelling, two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. The splays shall be within land under the control of the applicant and not within the adopted public highway. The splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway for the lifetime of the development.

Reason: In the interests of highway safety in accordance with Policy 81 of the Cambridge Local Plan 2018.

- 31 The driveway shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: In the interests of highway safety in accordance with Policy 81 of the Cambridge Local Plan 2018.

- 32 The access shall be laid out and constructed so that it is 5m wide for the first 10m into the site from the boundary of the adopted public highway (in this case the back of the footway) as described in paragraph 3.2 of the Transport Statement. The drive shall be constructed using a bound material for a distance of not less than 10m from the boundary of the adopted public highway (in this case the back of the footway) to prevent debris spreading onto the adopted public highway.

Reason: In the interests of highway safety in accordance with Policy 81 of the Cambridge Local Plan 2018.

- 33 Any gates must be set back at least 5m into the application site from the boundary of the adopted public highway.

Reason: In the interests of highway safety in accordance with Policy 81 of the Cambridge Local Plan 2018.

- 34 No permanent connection to the electricity distribution network shall be undertaken 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 for each 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 in accordance with Policies 36 and 82 of the Cambridge Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

- 35 The line/width of the planting to the northern boundary of the application site as shown on the approved drawings shall be retained in perpetuity. Any trees/shrubs which die or are removed, uprooted or destroyed, shall be replaced with native variety species as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure that this green buffer is retained and to assimilate the development into the area and to maintain/enhance biodiversity in accordance with Policy 70 of the Cambridge Local Plan 2018.

- 36 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C, D, E, F, G, H of Part 1 of Schedule 2 of the Order shall take

place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

Reason: In order to ensure that development that would not otherwise require planning permission is not carried out with consequent potential harm to the character of the area in accordance with Policies 57 and 61 of the Cambridge Local Plan 2018.

Informatives

- 1 The granting of a planning permission does not constitute a permission or license to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

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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Appeal Decision

Site visit made on 17 January 2023

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2023

Appeal Ref: APP/Q0505/W/22/3299064

18 Adams Road, Cambridge CB3 9AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Professor Cathy Speed against the decision of Cambridge City Council.
 - The application Ref 21/01437/FUL, dated 29 March 2021, was refused by notice dated 07 December 2021.
 - The development proposed is erection of 2no dwellings following the demolition of No.18 Adams Road.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted a daylight and sunlight assessment and an ecology rebuttal with the appeal. The main parties have had the opportunity to comment on these documents. On this basis, I do not consider that any party would be unfairly prejudiced, and I therefore have had consideration to the submitted documents in determining this appeal.

Main Issues

3. The main issues are the effect of the proposal on:
 - biodiversity;
 - the character and recreational value of the Adams Road Bird Sanctuary; and
 - the character and appearance of the surrounding area including the West Cambridge Conservation Area

Reasons

Biodiversity

Background

4. The appeal site is 18 Adams Road, a large, detached property set within a spacious plot. The appeal site adjoins the Adams Road Bird Sanctuary (ARBS), which is identified as a Protected Open Space and a City and County Wildlife Site in the Cambridge Local Plan (LP) (2018) on account of its breeding populations of Great Crested Newt, Common Frog and Common Toad and its diverse invertebrate fauna.

5. The proposal would result in the erection of 2 dwellings following the demolition of the existing dwelling. The proposed northernmost dwelling would be sited closer to the boundary with the ARBS than the existing dwelling.

Effect on the Adams Road Bird Sanctuary (ARBS)

6. The consultation response from the Bedfordshire, Cambridgeshire and Northamptonshire Wildlife Trust (WT) states that the ARBS supports a wide variety of birds, amphibians, invertebrates and mammals and is important for environmental and recreational purposes based on substantive nature conservation interest. Their response goes on to state that part of the site's value for wildlife derives from the buffer created by the large gardens which surround the ARBS which support the breeding, feeding and sheltering requirements of many of the species found within it as they form complementary and supporting habitats.
7. The appeal site itself is not part of the City or County Wildlife Site. The appellant's Preliminary Ecological Appraisal survey (PEA) and Ecology rebuttal state that the percentage loss of buffer land to the ARBS would be small and the garden land that would be lost is primarily short turf regularly mown amenity grassland that is of low ecological value. It is stated that this grassland is highly unlikely to be of any meaningful value to the amphibian fauna that inhabit the ARBS as it offers no form of cover for amphibians to shelter and is of low value for invertebrate species. Thus, it is stated, the proposal would have no direct impact on the habitats and associated fauna within the ARBS.
8. Whilst the percentage loss of buffer land would be relatively small, nonetheless the proposal would bring built form and associated domestic paraphernalia and lighting closer to the ARBS. Additionally, whilst the site itself may be of low value, there is no meaningful evaluation of the role that these buffer zones play in protecting the habitats within the ARBS. Thus, it has not been demonstrated that the role of this buffer for breeding, sheltering and feeding of amphibian, mammal and invertebrate populations would not be diminished. Thus, the proposal would fail to minimise ecological harm to populations and habitats within the ARBS and would fail to secure appropriate compensatory measures to mitigate this harm.
9. It is stated that the proposed green roof, lighting, glazing, species specification for the green buffer zone, construction management and the protection of trees on the site boundary can all be dealt with by condition to mitigate against the effects of the proposal and I note that the appellant agrees to the imposition of such conditions. Planning Practice Guidance (PPG) advises that conditions may be imposed where doing so is necessary to avoid a refusal of planning permission. Indeed, I note that the Council's Conservation Projects Officer raised no objection to the proposal subject to the inclusion of conditions to control these matters. Nonetheless, I have not been provided with any particular evidence that such conditions would overcome the specific harm to the ARBS and its important role for breeding, feeding and sheltering of wildlife as identified in the consultation response from the WT. Thus, it is not appropriate to deal with the approval of such measures by condition.
10. My attention has been drawn to other residential developments which neighbour the ARBS. At my site visit I observed that most of these dwellings were set within spacious plots and located some distance from the boundary with the ARBS, with the exception of 4 Clarkson Close, which is located close to

the boundary. Notwithstanding this, the full details of the circumstances in which this dwelling was erected and its effect of on the ARBS are not before me. Thus, this dwelling does not set a precedent which I am bound to follow and furthermore does not justify further loss of buffer land to the ARBS.

Biodiversity Net Gain (BNG)

11. The National Planning Policy Guidance (NPPG) sets out that net gain in planning delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. The NPPG states that care needs to be taken to ensure that any benefits promised will lead to genuine and demonstrable gains for biodiversity and go further than measures already required to implement a compensation strategy.
12. National policy expects development to provide a net gain but does not specify a quantum. The Environment Act 2021 introduces a requirement for a 10% BNG on all developments but this requirement has not yet come into effect. I have not been made aware of local planning policies which set a BNG target.
13. The appellant's BNG metric states that there would be a 16.6% net gain in biodiversity on-site which would be achieved through woodland meadow and tree planting, a bee lawn and shrub planting within landscaping areas. The measures proposed would exceed emerging national targets.
14. Concerns are raised that a substantial portion of this BNG would rely on the garden areas being appropriately managed. I have not been provided with a detailed management plan which establishes how these gardens would be managed to secure gains for biodiversity in the long term. Nonetheless, there is nothing to exclude the inclusion of private rear gardens from delivering BNG.
15. The appellant has drawn my attention to a recently adopted Supplementary Planning Document, The Greater Cambridge Biodiversity Supplementary Planning Document (2022), which it is suggested supports the appellant's approach to BNG calculation. Whilst I have not been provided with the full details of this document, whether or not this is the case, I have no reason to find that the proposal would not lead to some BNG on the appeal site

Conclusions on biodiversity

16. I have found that the proposal would result in a negative impact on biodiversity in the ARBS and thus would not lead to an ecological enhancement or genuine and demonstrable gains for biodiversity. Whilst there may well be a net gain in biodiversity on the site itself, it has not been appropriately evidenced that the proposed on-site BNG measures would mitigate the adverse effects on the ARBS and overall leave biodiversity in a measurably better state than it was before any development took place. Thus, the proposal conflicts with those aims of LP policies 69 and 70 which seek to ensure that ecological harm is minimised, mitigated or compensated and does not have an adverse impact on a site of biodiversity importance. I also find conflict with paragraph 180 of the Framework which states that if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort compensated for then planning permission should be refused.

Character and recreational value of the ARBS

17. The site neighbours the ARBS, which is screened by vegetation on all sides and separated from neighbouring houses by large rear gardens. This results in a verdant and tranquil character to the ARBS which, in addition to the biodiversity found within the site, appears to form part of its amenity and recreational value. Whilst I note that the ARBS is private, nonetheless I have not been presented with any substantive evidence to show that it is not a valuable recreational resource for people who are members.
18. The proposal would bring built form closer to the northern boundary. Nonetheless, a screen of vegetation would be retained, which, in addition to proposed planting along the northern site boundary, would partially screen the proposed dwellings in views from the ARBS. Consequently, the proposal would not compromise the special character of the ARBS.
19. Notwithstanding this, the potential loss of ecological value would compromise the amenity and recreational value of the ARBS for its users. Consequently, the proposal would conflict with those aims of LP Policy 55 which, amongst other matters, state that proposals should identify and respond positively to existing features of natural, historic or local importance on and close to the proposed development site.

Character and appearance of the surrounding area

20. The appeal site is located in a predominantly residential area within the West Cambridge Conservation Area (CA), which covers a residential area to the west of the City Centre. The area comprises spacious residential streets lined with large, detached houses of varying architectural styles set within spacious plots. Within the surrounding area there are examples of a number of dwellings with no street frontage including the appeal site. Many of the roads are lined by mature hedging and trees. This, along with planting within front gardens, gives the area an attractive green and verdant character which contributes to the significance of the CA.
21. The appeal property is not listed and does not appear to be of any particular architectural or historic interest. Nonetheless, the appeal property is consistent with the character and appearance of the surrounding area and makes a positive contribution to the CA. The appeal site contains a number of trees which are protected by reason of being in a conservation area and 2 trees which are protected by a Tree Preservation Order (TPO).
22. The proposal would result in the erection of two modern detached dwellings. The proposed dwellings would each be large and set within substantial plots. The layout, design, scale and height of the dwellings would be consistent with the properties in the surrounding area. Furthermore, the dwellings would not be visible from Adams Road.
23. Both parties agree that trees protected by a TPO would not be affected by the proposal. It is proposed to remove 9 trees which would be replaced with 11 trees along the northern site boundary. The proposal is supported by an Arboricultural Impact Assessment (AIA) which sets out that one A category tree (T28), 4 B category trees (T26, T29, T31, T32) and 4 C category trees (T27, T30, T33, T34) would be removed. At my site visit I observed that whilst these mature trees are attractive, by virtue of their location within the centre of the

site, they make a limited contribution to the character and appearance of the surrounding area. I have been presented with no particular evidence that the site does not have the capacity to accommodate the proposed replacement tree planting. Consequently, I find that the proposed replacement trees would adequately compensate for the removal of these trees and thus their loss would not be harmful to the character and appearance of the surrounding area and the CA.

24. Concerns are expressed that the proximity of the proposed southernmost dwelling to mature trees would result in restricted outlook and limited light levels to this dwelling, which would result in future pressure for works to trees to improve light levels to the property. The proposed southernmost dwelling would contain most of the openings within the east and west elevations and the areas of amenity space would be located to the east and west of the property. The daylight and sunlight assessment states that all proposed rooms would receive adequate levels of daylight. Thus, rooms in this dwelling would receive adequate levels of natural light from openings in the east and west elevations and would provide an acceptable living environment for future occupiers.
25. The AIA indicates that part of the gardens to the southernmost dwelling would be shaded by trees. Nonetheless, based on the submitted plans and my observations on site there would be sufficient areas beyond the spread of these trees that the proposed dwelling and associated amenity spaces would not be over-dominated. Thus, I find no particular evidence that the proposal would lead to pressure to cut back or remove preserved trees in the longer term in order to improve light levels to the property.
26. For the reasons set out above, I consider that the proposal would not compromise the character or appearance of the CA and would not result in harm to its significance. Thus, the proposal accords with LP Policies 52, 55, 56, 57, 61 and 67. Collectively these policies seek to ensure the conservation and enhancement of Cambridge's historic environment, provide appropriate replacement tree planting where felling is necessary, that development responds positively to its context and the form, height and layout of development is appropriate to the surrounding pattern of development and the character of the area. I also find no conflict with chapter 16 of the Framework regarding the conservation and enhancement of the historic environment.

Other Matters

27. I acknowledge that the construction of one additional dwelling on a site at low risk of flooding would make a small contribution towards the city's housing supply. The Government's objective is to boost the supply of homes. This factor weighs in favour of the scheme. However, one additional home would make only a small contribution in this respect.
28. The proposal is likely to be able to meet with the relevant local and national policies in terms of energy efficiency, bin and cycle store provision, parking, effect on neighbouring living conditions and internal and external space standards. However, the absence of harm in this regard does not weigh in favour of the proposal, as it would be required in any event.

29. The appellant states that the implementation of an existing permission¹ would allow for substantial extensions to the appeal property. I have no details of whether this permission is capable of implementation. Furthermore, the full details of this permission are not before me, and I have limited information about whether there would be an intention to carry out the works approved by this permission if this appeal were dismissed. Nonetheless, there would seem a greater than just theoretical possibility that this alternative would take place. Notwithstanding this, an extension would unlikely necessitate the same encroachment of built form towards the ARBS. Thus, if this permission were implemented, it would likely be less harmful to biodiversity and the special character of the ARBS.
30. I note that this proposal follows a previous application² for a similar development and the appellant has attempted to overcome the concerns previously raised. The details of this proposal are not before me, and I note that the Council did not make a decision on this application. Nonetheless, for the reasons outlined above the amendments would still result in a proposal that would result in harm to biodiversity and the character of the ARBS.
31. Reference has been made by interested parties regarding the effect of the proposal on listed buildings. Statute requires that I pay special regard to the desirability of preserving a listed building or its setting³. However, I note that the appeal site is located some distance from the nearest listed buildings and, by virtue of this visual and spatial separation, is not located within the setting of any listed buildings. Consequently, the proposed development would preserve the setting of these listed buildings.

Conclusion

36. For the reasons given above I conclude that the appeal should be dismissed.

Nichola Robinson

INSPECTOR

¹ Ref 15/1044/FUL

² Ref 19/0831/FUL

³ Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Agenda Item 8



Planning Committee Date	7 th February 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/03389/FUL
Site	54 and 54a Cherry Hinton Road, Cambridge
Ward / Parish	Coleridge
Proposal	Proposed change of use from HMO (use class C4) to create a flexible use (Use Class E and F1) including artists studios and communal / gallery space, as well as office use, educational use and retail use. Retrospective single storey rear extension and two-storey side extension following demolition of rear extension. Retention of barbers premises (Use Class E). Retention of 1no. studio flat. (use class C3).
Applicant	Mr R Pile
Presenting Officer	Tom Chenery
Reason Reported to Committee	Called-in by Cllr Griffin and Cllr Davies Third party representations
Member Site Visit Date	TBC
Key Issues	1. Principle of Change of Use 2. Impact on Residential Amenity 3. Car Parking/Access
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks retrospective permission for the addition of a single storey rear extension, two storey side extension following the demolition of a rear extension as well as the retention of a barbers premises and the retention of 1.No Studio Flat. The proposal also seeks to change of use of the site from a HMO (Use Class C4) to create a flexible use (Cuse Class E and F1) which would result in artists studio, a communal gallery space, office use, educational use and retail use.
- 1.2 Planning Permission was granted under application reference for the 20/0050/FUL change of use of the building from HMO (use class C4), single storey rear extension and two-storey side extension following demolition of rear extension. To create 4no. artists studios (use class B1), 2no. communal / gallery spaces (use class D1) and associated service provision. Retention of barbers premises (use class A1). Retention of 1no. studio flat as caretaker's accommodation (use class C3).
- 1.3 The approved scheme was not built in accordance with the approved plans and included the sale of paintings which is not permitted under the previous Use Class B1 or D1. The retention of the barbers premises and studio flat remain unaltered from the originally approved scheme.
- 1.4 The proposed change of use is acceptable in principle
- 1.5 The proposal is not considered to cause harm to the character and appearance of the area.
- 1.6 The proposal is not considered to result in any harm to the amenity or living conditions of neighbouring occupiers.
- 1.7 The proposal is not considered to result in any highways safety implications.
- 1.8 Officers recommend that the Planning Committee Approve the application

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	
Scheduled Ancient Monument		Controlled Parking Zone	X

Local Neighbourhood and District Centre	X	Article 4 Direction	
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*X indicates relevance

- 2.1 The site is located on the western end of Cherry Hinton Road, close to the city centre. No.54 is a three storey (second floor in the roof) end of a terrace Victorian property. The ground floor of the property is used as a barbers with the upper floors being previously used as a House in Multiple Occupation (HMO) for 4 occupants.
- 2.2 The attached property (no.52) is a similar Victorian property but beyond this is a terrace row of two storey properties made up of residential housing, leading into the centre of the city. The next property to the east is a retail unit and this is adjoined by a variety of commercial units including a restaurant, takeaway and a bar. The site and commercial units form part of a group of units designated within a District and Local Centre in the adopted Local Plan (2018).
- 2.3 A private road provides access to the rear of the property as well as serving various other properties that back on to this communal area. The rear of the application property (the site) runs parallel to the access road and provides informal parking.
- 2.4 The site is not located within a Conservation Area and there are no heritage assets within the immediate locality.

3.0 The Proposal

- 3.1 The proposal seeks planning permission for the proposed change of use from a HMO (use class C4) to create a flexible use (Use Class E and F1) including artists studios and communal / gallery space, as well as office use, educational use and retail use. It also seeks for a retrospective single storey rear extension and two-storey side extension following demolition of rear extension. Retention of barbers premises (Use Class E). Retention of 1no. studio flat. (use class C3).
- 3.2 The proposal seeks to regularise the development at the application site from that which was approved under application reference 20/0050/FUL. The proposal was not built in accordance with the approved plans of application 20/0050/FUL and as such does not benefit from the permission granted. The use of the gallery space also included the sale of artwork which was not permitted under the approved application.
- 3.3 The proposal seeks retrospective planning permission to erect a single storey rear extension and two storey side extension which would accommodate a flexible use, including artists studio, communal/gallery space as well as office use education use and retail use (Use Classes E and F1).

- 3.4 The proposal also seeks to retain the existing ground floor barbershop (Use Class E) at the front of the site, and the existing second floor studio flat (Use Class C3).
- 3.5 As part of the proposal, it also seeks to alter the hours of operation to that which were conditioned of the previously approved scheme. An application was submitted under reference 23/02157/S73, however, this was withdrawn.
- 3.6 The application as submitted originally did not include the regularisation of the extensions which were not built in accordance with the approved plans. The description was amended to reflect this and further consultations have been carried out as appropriate.
- 3.7 The proposal is similar to that brought to Planning Committee on 4th November 2020. The application was approved by committee.

4.0 Relevant Site History

Reference	Description	Outcome
23/02157/S73	S73 to remove conditions 3 (Details of parking spaces) and 5 (Hours of operation) of planning ref: 20/0050/FUL (Change of use from HMO (use class C4), single storey rear extension and two-storey side extension following demolition of rear extension. To create 4no. artists studios (use class B1), 2no. communal / gallery spaces (use class D1) and associated service provision. Retention of barbers premises (use class A1). Retention of 1no. studio flat as caretaker's accommodation (use class C3))	Withdrawn
20/0050/CONDA	Submission of details required by conditions 3 (Parking provision), 7 (Traffic Management plan) and 8 (External Materials) of planning permission 20/0050/FUL	Discharged in Full
20/0050/FUL	Change of use from HMO (use class C4), single storey rear extension and two-storey side extension following demolition of rear extension. To create 4no. artists studios (use class B1), 2no. communal / gallery spaces (use class D1) and associated service provision. Retention of barbers premises (use class A1). Retention of 1no. studio flat as	Approved

	caretaker's accommodation (use class C3).	
17/0242/FUL	Change of use from HMO (use class C4) and single storey rear extension, following demolition of rear extension and internal alterations to create 6 no. artists studios (use class B1), 1 no. gallery space (use class D1) and associated service provision. Retention of barbers premises (use class A1)	Withdrawn
16/0835/FUL	Change of use from HMO (use class C4) and part two storey part single storey rear extension, following demolition of rear extension and internal alterations to create 5 no artists studios (use class B1) 1 no. caretakers flat (use class C3), 1 no. gallery space (use class D1) and associated service provisions. Retention of barbers premises (use class A1)	Withdrawn

4.1 Planning Permission was granted under application reference 20/0050/FUL for the erection of a two storey side extension and single storey rear extension to facilitate 4no. artists studios (use class B1), 2no. communal / gallery spaces (use class D1) and associated service provision. The application also sought to retain the barbershop at the front of the site (Use class A1, now E) and a residential unit on the second floor (Use Class C3).

4.2 This proposal was not built in accordance with the approved development and as such does not benefit from planning permission.

4.3 A subsequent application 23/02157/S73 was submitted to amend the hours of use and the car parking layout, this application was withdrawn as the proposal is not built in accordance with the approved plans.

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 **Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 2: Spatial strategy for the location of employment development

Policy 3: Spatial strategy for the location of residential development

Policy 5: Sustainable transport and infrastructure

Policy 6: Hierarchy of centres and retail capacity

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 30: Energy-efficiency improvements in existing dwellings

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 41: Protection of business space

Policy 48: Housing in multiple occupation

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 64: Shopfronts, signage and shop security measures

Policy 65: Visual pollution

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 72: Development and change of use in district, local and neighbourhood centres

Policy 74: Education facilities

Policy 79: Visitor attractions

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
Trees and Development Sites SPD – Adopted January 2009

6.0 Consultations

County Highways Development Management

6.1 No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission

Environmental Health

6.2 No Objection subject to recommended conditions

7.0 Third Party Representations

7.1 47 representations have been received

7.2 Those in objection have raised the following issues:

- Principle of development (Change of Use to retail)
- Access Issues
- Anti-Social Behaviour
- Character, appearance and scale
- Density and overdevelopment
- Loss of Private Space/Access
- Contrary to Original Permission (Shouldn't be a commercial gallery)
- Operate in breach of planning conditions
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Car parking and parking stress
- Cycle parking provision

7.3 38 comments in support have raised cited the following reasons:

- 7.4 - Unable to access current classes due to timings
- Adds value to the community
- Community Asset

- Art Classes help with Mental Wellbeing
- Provides a space for art
- Best art gallery in Cambridge
- Addresses need of municipal gallery
- Place for Local Residents
- Small Business
- Bring culture to the area
- Well designed building
- Sustainable Location
- Not many art galleries in the city.
- Proposed change of hours not an issue
- Out of office hours not harmful

8.0 Member Representations

8.1 Cllr Griffin has made a representation (objecting to) the application on the following grounds:

- Negative impact by Change of Use

8.2 Cllr Griffin has made a representation (objecting to) the application on the following grounds:

- Negative impact by Change of Use

9.0 Local Interest Groups and Organisations / Petition

9.1 Cherry Hinton and Rathmore Road Residents Association (CHRRRA) has made a representation objecting to the application on the following grounds:

- Use as a Commercial Gallery Space
- Operating Outside of permitted business hours
- Use of Private Lane to the rear of the site
- Use of the site is too wide ranging.
- Impact upon the amenity of neighbouring occupiers
- Increase in traffic and parking(highways safety)
- Increase maintenance expenses for the road
- Intensification of the site due to uses
- No Compliance with planning regulations

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 2 of the Cambridge Local Plan 2018 states that the overall development strategy for employment development is to support a range of employment opportunities. The proposal would provide a range of employment opportunities and as such would comply with Policy 2.

10.3 Policy 6 of the Cambridge Local Plan sets out the hierarchy of centres and retail capacity. The policy sets out that development should contribute to the vitality and viability of the centre, and should be appropriate to the scale, character and function of the centre. The site is located within the Cherry Hinton Road West Local Centre. Within this Local Centre there are a number of uses, although are largely retail (Use Class E) Given the proposed use, which falls within Use Classes E and F1, it is considered that the use would be appropriate. The proposal is therefore considered in accordance with Policy 6.

10.4 As the site falls within the Cherry Hinton Road West Local Centre. Policy 72 is relevant. Policy 72 outlines the uses acceptable in Local, District and Neighbourhood Centres and permits the change of use to centre uses provided the vitality, viability and diversity of the centre is maintained or enhanced. Policy 72 continues to state inappropriate uses in designated centres at ground floor, which comprise former B1 (office), B2 (light industrial), B8 (storage and distribution), C2 (residential institutions), C3 (dwellinghouses), C4 (houses of multiple occupation) and other 'sui generis' uses.

10.5 The proposal would retain the existing barbershop premises at ground floor level which fronts Cherry Hinton Road. The proposal would provide an art gallery, educational use, retail use and ancillary office use which itself is a diverse range of uses within the site and to the Local Centre. The application requires both the retail use and office use in order to allow the art gallery to sell artwork to remain viable as well as provide space to organise the events. The proposed uses are evident within the Local Centre at present and would ensure the site remains viable. As such the proposal is considered to comply with Policy 72 of the Local Plan.

10.6 Several objections have been received regarding the change of use of the site citing concerns over the negative impacts the development would have on the amenity of local residents, highways safety, and resulting in an intensification of the use of the site. These are not considered matters of principle and will be considered within relevant sections within the report as well as other relevant material planning considerations.

- 10.7 Policies 73, 74 and 79 of the Local Plan support the provision on community facilities, educational facilities and tourist attractions. Whilst the building proposed is very modest in size, it is necessary to take into account the benefits that can be delivered through the creation of this artistic space. The 'arts' are an important part of the culture of Cambridge and also make an important contribution towards the local economy.
- 10.8 Overall, the principle of the development is acceptable and in accordance with policies 2, 6 and 72 of the Cambridge Local Plan.
- 10.9 Amenity**
- 10.10 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.
- 10.11 Neighbouring Properties
- 10.12 A number of objections have been received by local residents and the Cherry Hinton and Rathmore Road Residents Association regarding the impact the development would have on the amenity and living conditions of neighbouring occupiers.
- 10.13 Some of the objections relate to the intensification of the use of the access road and the impact that would have upon the Private Road running to the east and south east of the site. That specific issue is considered within the Highways and Transport Impact section of this report (Paragraphs 10.46-10.58)
- 10.14 Impact upon No.52 Cherry Hinton Road
- 10.15 The single storey rear extension would abut the shared boundary of No.52 Cherry Hinton Road. The impact of the extension on No.52 was considered within the previous application 20/0050/FUL.
- 10.16 Nonetheless, the development is located on the shared boundary with this adjacent property and would extend some 2.5m from the rear of No.52. No.52 also benefits from a long skylight which provides this part of the dwelling with its main source of light.
- 10.17 The attached property is to the west (No.52) of the application property and the sites orientation means that any loss of light will only be in the morning.
- 10.18 The proposed development is lesser in scale than that which was approved and is considered to have a lesser impact than that which was considered acceptable.

- 10.19 In addition to this, given the proposed scale, siting and design of the proposal as well as its relationship with No.52, the proposal would not cause any undue impacts to the amenity or living conditions of No.52 Cherry Hinton Road.
- 10.20 Future Occupants
- 10.21 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).
- 10.22 The application seeks to retain an existing studio flat at second floor level. The proposal does not seek to make any alterations to this unit and as such is considered to be acceptable in terms of its amenity and living conditions of future occupiers.

Environmental Impacts

- 10.23 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. A number of objections have been received regarding the proposed use of the site, the intensification of the use and proposed opening hours.

Use of the Site/Intensification

- 10.24 Several objections have been received relating to the intensification of the use of the site as well as the impact the change of use of the site would have upon neighbouring occupiers.
- 10.25 Concerns have been raised that as the proposal is allowing for Use Class E, which allows for a wide range of retail and office use, this would allow the development in the future which would result in unacceptable impacts to the neighbouring properties through noise and other environmental impacts.
- 10.26 The previously consented scheme was permitted subject to a condition which restricted the use to D1 but also solely for an art gallery use only and did not allow for the sale of artwork Class D1 has been altered under the amended Use Class Order 2020 and some uses fall under Class E and some F1.
- 10.27 The applicant has stated that the proposal seeks for Class E development to allow for the sale of art which is being shown as part of the art gallery use which was previously approved. In addition to this, the applicant has indicated that Class E is also required in order to provide an office use on the site which would run in conjunction with the art gallery.

10.28 Although the site falls within a Local Centre, the site is surrounded by residential properties to the north, west and south. As indicated Class E covers a number of different uses, some of which may result in increased noise and other environmental impacts. In order to ensure that the development does not cause harm to the amenity of neighbouring occupiers, relates to the art gallery use and is able to provide a suitable future use, it would be necessary to add a condition which would restrict the development to Use Class E (a), (c)(ii)(iii) and g(i) as well as Class F1.

10.29 *Operating Hours*

10.30 As part of the original planning permission (20/0050/FUL) a condition was added which restricted the use of the site to only be used between the hours of 08:00 and 18:00 Monday to Saturday and at no time on a Sunday or Bank Holiday.

10.31 As part of the application, the applicant is seeking to change the previously approved hours of use as at present, a number of the visitors to the site are unable to attend classes as they are within standard daytime hours. The applicants planning statement has proposed hours of Monday to Saturday 08:00 to 22:00 and 10:00 until 16:00 on Sundays and Bank Holidays. The planning statement provides detailed commentary on why this is required siting that it would ensure the viability of the use of the site.

10.32 The Environmental Health Officer has commented on the scheme and has raised no objection to the application subject to a condition which would restrict the use of the site to certain uses within Use Class E and F1 as well as a condition restricting the hours of the use.

10.33 The Environmental Health Officer has confirmed that the hours put forward by the applicant are considered to be suitable.

10.34 It is therefore considered that the proposed change of use to Use Class E and F1 as well as the altered opening hours are acceptable and would not result in any undue harm to the amenity or living conditions of neighbouring occupiers or any undue environmental impacts subject to the several conditions restricting the use and the hours.

10.35 Summary

10.36 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 58.

10.37 **Design, Layout, Scale and Landscaping**

- 10.38 Policies 55, 56, 58 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.
- 10.39 The proposal seeks to erect a single storey extension to the rear of the existing property as well as erect a two story side extension. A single storey rear extension and two storey side extension were previously considered and approved under application reference 20/0050/FUL. The proposal is very similar to the approved development and is smaller in scale to that which was approved.
- 10.40 The main differences to that of the approved scheme is the loss of the structure housing a bin and bike store to the rear of the site, the altered design of windows and doors along the side/rear elevation on both the single storey aspect and two storey aspect. The roof pitch/design is also slightly altered than that on the approved plans. Most alterations are smaller in scale than that of the approved scheme.
- 10.41 As the proposal would be minor variations to the approved scale and design of the previously approved scheme, which results in the building being lesser in scale, the development is not considered to cause harm to the character and appearance of the area.
- 10.42 Overall, due to the location of the proposed extensions, which would not be highly visible from the streetscene as well as their appropriate design, the proposal would relate acceptably to the host building and would comply with policies 55, 56 and 58 of the Cambridge Local Plan.
- 10.43 Highway Safety, Transport Impacts**
- 10.44 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.
- 10.45 Para. 115 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.
- 10.46 Access to the site would be from a private road access from Cherry Hinton Road. The private road extends from the east of the site running to the rear of No's 54a to No.36 Cherry Hinton Road, then exiting again on to Cherry Hinton Road to the West.
- 10.47 A number of objections have been received regarding the use of the private road to the east and south east of the site where the entrance to the art gallery and parking area is located. Objections relate in particular the intensification of vehicular movements, the increase in maintenance

requirements for the access track and highways safety concerns as a result of the development.

- 10.48 The application site is located within a highly sustainable location with a number of transport options available to users of the site, including walking, cycling and buses. Although there is some parking to be provided within the site, this parking is limited. There is parking available on the street and on surrounding roads, including a multi storey car park associated with Cambridge Leisure facility located some 320m to the North.
- 10.49 Although it is considered that there is some degree of car parking within the site, this parking would be limited due to the scale and siting of the site and the private road which accessing the parking. This itself would limited parking numbers and it is necessary to add a condition to any permission given which provides greater detail of the proposed parking layout.
- 10.50 In addition to this, there is already a degree of car movements to and from the site as a result of the existing barbershop use, the existing residential use and the previous HMO use.
- 10.51 Any use of the private land is a civil matter and is not a consideration of this application.
- 10.52 The Local Highways Authority has been consulted and have raised no objection to the proposal.
- 10.53 Regarding the maintenance of the private drive and any associated cost, this is not a planning concern.
- 10.54 Therefore, for the reasons outlined above, it is considered that due to the sustainable location of the development of which there are a number of sustainable transport options available to potential employees and visitors; the limited parking available due to the siting and scale of the site and; the parking opportunities within short distance of the site, the proposed development is considered to provide significant opportunity to access the site without the need for a car and would not result in an intensification of the access and/or vehicular movements to and around the site.
- 10.55 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.
- 10.56 Cycle and Car Parking Provision**
- 10.57 Cycle Parking
- 10.58 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. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

10.59 The proposal results in a number of varying uses (Class E, F1 and C3) the parking standards within Appendix L do not strictly fall accordingly.

10.60 The originally approved scheme permitted cycle parking within the undercroft of the two storey side extension as well as cycle storage to the rear. Although no details have been provided exactly where cycle parking would be located, there is ample space by the entrance of the site and to the rear of the site to provide cycle parking. Officers have asked for these details to be provided prior to planning committee and will update the amendment sheet accordingly. Provisionally, given the lack of information regarding cycle parking, it is necessary to add a condition to the recommendation for the applicant to provide details of the location of the cycle parking, albeit this may become redundant by the time the application is brought to Committee.

10.61 Car parking

10.62 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.

10.63 Similarly to cycle parking, As the proposal results in a number of varying uses (Class E, F1 and C3) the parking standards within Appendix L do not strictly fall accordingly. However, given the sustainable location of the site, it is considered that the site would be visited through sustainable transport methods.

10.64 The site is able to provide a number of car parking spaces and it is necessary to add a condition to any permission given that requires the site to provide a car parking plan indicating exactly how the car parking layout would be set out and the location of any EV charging points and/or disabled bays. Again, this information has been requested ahead of planning committee's consideration of the item. The amendment sheet will be updated accordingly.

10.65 It is therefore considered that subject to the conditions indicated above, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

10.66 Third Party Representations

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

Third Party Comment	Officer Response
Anti-Social Behaviour	The proposed use of the art gallery is not considered to be a use which would result in Anti Social Behaviour. The proposed development would be restricted as to what can be sold on the site through planning conditions. Any issues with Licensing is not a planning matter and can not be considered within this application.
Loss of Private Space/Access	Any use of the private land adjacent to the site and not part of the development which is owned by a third party is a civil matter and can not be considered within this application.
Planning Compliance	The application seeks to regularise development. Any breaches of planning conditions or the use are matters for Planning Compliance and are not a matter for this planning application.
Covenants	A planning permission would not override covenants and private rights. These are civil matters between different landowners and not a material planning consideration.

10.68 Other Matters

Water Management and Flood Risk

- 10.69 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.
- 10.70 The site is in Flood Zone 1 and is therefore considered at a low risk of fluvial flooding and there is no identified risk of surface water flooding on the site.
- 10.71 In light of the above, the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

10.72 Planning Balance

- 10.73 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). In considering this application, members of planning committee should not in any way seek to 'punish' the applicants from making a retrospective application. The proposal needs to be considered on its own merits.
- 10.74 The proposed change of use would allow for the sale of art and use of offices ancillary to the previously consented art gallery use. The proposed

change is not considered to cause an intensification of the current use over and above that which has already been permitted. The continued use of the site is supported by Local Plan Policies.

- 10.75 In addition to this, the change in hours to that which was previously permitted is not considered to cause any additional harm to the amenity and living conditions of neighbouring occupiers.
- 10.76 The retrospective single storey and two storey additions are a reduction in scale to that which has been previously permitted and are not considered to cause any harm to the character and appearance of the area or the amenity of neighbouring occupiers.
- 10.77 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.

11.0 Recommendation

11.1 Approve subject to:

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

12.0 Planning Conditions

1. 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.

2. The development hereby permitted shall only be used for the uses allowed under Use Classes retail (E(a)), financial & professional services (E(c)(i/ii)), offices (E(g)(i)), art gallery (F1(b)) and education (F1(a)) and for no other purpose (including any other purpose Use Class E and/or F1 of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (Amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)

Reason: In order to preserve the amenity of the locality (Cambridge Local Plan 2018 policies 35 and 55).

3. The use hereby permitted shall not be used outside of the hours of 08:00 and 22:00 Monday to Saturday, 10:00 and 16:00 on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to preserve the amenity of neighbouring residents (Cambridge Local Plan 2018 policies 35 and 55).

4. Notwithstanding the approved drawings, no additional windows shall be inserted in the west elevation without the specific grant of planning permission.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 57).

5. Within 6 months from the date of planning permission, a scheme for the provision of bicycle racks to serve the development shall be submitted to and approved in writing by the local planning authority and be fully provided.

Reason: In the interests of sustainable travel to and from the site and to accord with Policy 81 and 82 of the Cambridge Local Plan 2018.

6. Within 6 months from the date of planning permission, a plan that details the position of parking spaces and EV charging points (including a disabled space) and turning area shall be submitted to and approved in writing by the Local Planning Authority and be fully provided. The spaces and turning area shall be constructed in accordance with the approved plans and shall be permanently maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to accord with Policy 81 and 82 of the Cambridge Local Plan 2018.

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

Agenda Item 9



Planning Committee Date	7 th February 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/03980/S73
Site	Public Toilet, Silver Street, Cambridge
Ward / Parish	Newnham
Proposal	S73 to vary condition 2 (approved drawings) of ref: 19/1167/FUL (Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure) to move the building by 0.9m to avoid clashing with an existing pipe.
Applicant	Declan O'Halloran – Cambridge City Council
Presenting Officer	Laurence Moore
Reason Reported to Committee	Third party representations Land within ownership of the Council Application submitted by a member or officer of the Council
Member Site Visit Date	N/A
Key Issues	1. Character/Heritage Impacts 2. Neighbour Comments
Recommendation	APPROVE subject to conditions.

1.0 Executive Summary

- 1.1 The application seeks S73 permission to vary condition 2 (approved drawings) of ref: 19/1167/FUL (Refurbishment of existing basement toilets and associated works) to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure) to move the building by 0.9m to avoid clashing with an existing pipe.
- 1.2 The proposed development seeks to alter the siting of the approved WC Kiosk serving the Silver Street Public Toilets. The design, functional and operational use of the scheme shall remain as approved under application reference, and this application is for the relocation of the consented scheme only.
- 1.3 The proposed development would allow for a 0.9m shift in the position of the approved WC Kiosk, which would allow for a greater distance between the development and the adjacent public highway, reducing the prominence of the development within the street scene.
- 1.4 The development would not allow for any adverse impacts on the character of the site or surrounding conservation area, and would not detract from the setting of adjacent listed buildings. The conservation officer shares this view.
- 1.5 The development would not allow for any highway safety implications, subject to conditions.
- 1.6 The development would not allow for any significant visual changes when compared with the plans approved, and the changes will not have a wider impact outside of the site, and the proposed alterations are therefore considered acceptable as minor material amendments.
- 1.7 Officers recommend that the Planning Committee approve this application subject to conditions.

2.0 Site Description and Context

None-relevant		Flood Zone 3	x
Conservation Area	x	Controlled Parking Zone	x
Listed Building	x		
Building of Local Interest			
Historic Park and Garden	x		

*X indicates relevance

- 2.1 The existing public conveniences have been provided and operated by Cambridge City Council since 1985. Separate segregated facilities for men and women are located underground (accessed via stairs) with one mobility impaired cubicle at street level (timber clad beneath a pitched tiled roof).
- 2.2 The facilities are located close to the drop off point for coach visitors to Cambridge on Queens Road and are heavily used by thousands of people each year. The toilets are well used but significantly outdated and therefore, they are in a poor state of repair. They are the source of regular complaint, particularly during the summer months, and give a poor first impression of Cambridge to visitors. Maintenance works have become increasingly regular sometimes resulting in their temporary closure.
- 2.3 The site is located adjacent to Silver Street bridge and Darwin College, both Grade II Listed buildings and is situated at a prominent intersection of the River Cam and Silver Street. Silver Street is a key route into the historic centre of Cambridge with the bridge itself designed by Sir Edward Lutyens in 1932 and built in 1958-59, replacing a cast-iron bridge dating back to the 1840's. To the south of the bridge is the Mill public house (Grade II Listed) and Mill Pond, which has historically been an important location for boating in Cambridge but today, is an extremely popular meeting point for students and tourist punting around the city. To the north of the site is Queens College with Grade I and II listed buildings and mathematical bridge (Grade II listed) which spans the River Cam. A variety of architecture surrounds the site ranging from the 14th to the 21st Centuries.
- 2.4 The site is located within the Central Conservation Area.
- 2.5 The site does not fall within the curtilage of a Listed Building. However, it does affect the setting of Darwin College, Queens College and Silver Street Bridge therefore, an application for varying the previously approved listed building consent has also been submitted.

3.0 The Proposal

- 3.1 This application seeks: S73 to vary condition 2 (approved drawings) of ref: 19/1167/FUL (Refurbishment of existing basement toilets and associated works) to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure) to move the building by 0.9m to avoid clashing with an existing pipe.
- 3.2 The proposed development seeks to alter the siting of the approved WC Kiosk serving the Silver Street Public Toilets. The design, functional and operational use of the scheme shall remain as approved under application

reference, and this application is for the relocation of the consented scheme only.

- 3.3 The proposed development would allow for a 0.9m shift in the position of the approved WC Kiosk, which would allow for a greater distance between the development and the adjacent public highway.
- 3.4 The parent application was brought to Planning Committee on 6th October 2021. The application was approved. This application seeks to amend the consented scheme to allow for a shift in positioning to avoid complications with the existing drainage layout.

4.0 Relevant Site History

23/03902/S19LB - S73 to vary condition 2 (approved drawings) of ref: 19/1350/LBC (Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure) to move the building by 0.9m to avoid clashing with an existing pipe. – Pending consideration.

19/1350/NMA1 - Non material amendment on application 19/1350/LBC as the above ground building has been moved by approximately 0.9m. The new location is approximately 5.3m back from the road (an increase of 0.7m), 0.95m from the guardrail and perimeter wall to the basement stairs and 2.5m from Darwin College at its closest point (a decrease of 0.6m). - WDN

19/1167/FUL - Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure). - PERM

19/1350/LBC - Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure).- PERM

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 10: The City Centre

Policy 11: Development in the City Centre Primary Shopping Area

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 35: Protection of human health from noise and vibration

Policy 36: Air quality, odour and dust

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 Cambridge's historic environment

Policy 62: Local heritage assets

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

Cambridgeshire and Peterborough Flood and Water
Greater Cambridge Biodiversity – Adopted February 2022

5.5 Other Guidance

Cambridge Historic Core/Central conservation area

6.0 Consultations

6.1 County Highways Development Management –No Objection

6.2 No objection subject to previously recommended conditions being re-applied.

6.3 Conditions pertaining to traffic management plans and restricting construction delivery times shall be re-applied in the interest of highway safety,

6.4 Conservation Team –No Objection

6.5 No objection, no recommended conditions.

6.6 Historic England – No Objection

6.7 No objection, no recommended conditions.

7.0 Third Party Representations

7.1 4 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Sustainability/Water Use

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 Planning Background

8.2 The parent application was brought to Planning Committee on 6th October 2021. The application was approved. This application seeks to amend the consented scheme to allow for a shift in positioning to avoid complications with the existing drainage layout.

8.3 This application is for the proposed alterations to the specific siting of the proposals only, and all other aspects of the development remain as approved under application reference: 19/1167/FUL. As this is a S73 application relating to a change in the approved plans and in particular siting, members are strongly advised to curtail their consideration of the S73 application to the differences proposed between schemes sought for permission and the material issues these differences raise. It would be unreasonable to revisit matters not sought for change considering the fall-

back position relating to the existing consent which is still capable of implementation.

8.4 Principle of Development

8.5 The application seeks amendments to a previously consented scheme. The principle is established and there is no material change in circumstance to warrant the principle being re-considered.

8.6 Design, Layout, Scale and Landscaping

8.7 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.

8.8 This application seeks to amend the previously consented scheme for the refurbishment of the Silver Street Public Toilets, approved under application reference: 19/1167/FUL.

8.9 The proposed amendments will allow for the relocation of the consented WC kiosk to avoid complications with the existing infrastructure arrangements. The proposed relocation will move the consented structure 0.9m south-east of the consented location. The proposed location will allow for greater distance between the kiosk and the highway, reducing the prominence of the development within the street scene whilst remaining within the identified red line boundaries of the consented scheme.

8.10 The designs of the WC kiosk shall remain as approved, with only the proposed siting of the kiosk being altered. The development is therefore considered consistent with the previously consented scheme approved under 19/1167/FUL, with regards to design, and is not considered to allow for any adverse impacts on the character of the site or surrounding conservation area and will not detract from the setting of adjacent listed buildings. The conservation officer shares this view.

8.11 The proposed development will not allow for any significant visual changes when compared with the plans approved, and will not allow for any wider impacts outside of the site when compared with the consented scheme, and is therefore acceptable.

8.12 The development is considered to be compliant with the provisions of policies 55, 56, 57, 58, 59, 61, 62 of the Cambridge Local Plan 2018, and is supported.

- 8.13 In line with the advice of the PPG, it is considered that the scale and/or nature of the proposed minor material amendments would not result in a development that is substantially different from the one which has been approved. The proposed amendments are therefore within the remit of section 73 of the Town and County Planning Act 1990.
- 8.14 In accordance with the PPG, to assist with clarity, a decision notice for the grant of planning permission under section 73 will also repeat the relevant conditions from the original planning permission, unless they have already been discharged.
- 8.15 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.
- 8.16 Heritage Assets**
- 8.17 The application falls within the Cambridge Historic Core/Central Conservation Area. The application is within the setting of the Grade II listed building: Silver Street Bridge, and is within close proximity to Grade I listed buildings, Darwin College and Queens College.
- 8.18 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 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 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 8.19 Para. 205 of the NPPF set out 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. Any harm to, or loss of, the significance of a heritage asset should require clear and convincing justification.
- 8.20 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.
- 8.21 The designs of the WC kiosk shall remain as approved, with only the proposed siting of the kiosk being altered.

8.22 The development is therefore considered consistent with the previously consented scheme approved under 19/1167/FUL, with regards to design, and is not considered to allow for any adverse impacts on the character of the site or surrounding conservation area and will not detract from the setting of adjacent listed buildings. The conservation officer shares this view.

8.23 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. 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.

8.24 Carbon Reduction and Sustainable Design

8.25 Concerns have been raised regarding the sustainability criteria of the development, with comments stating that Grey Water should be used for the operational needs of the development.

8.26 The application seeks to amend the siting of the proposed development by circa 0.9m only, with all other aspects of the development including design, construction and operational means, being retained as approved under application reference 19/1167/FUL.

8.27 As noted within the assessment of the parent application; the space in the proposed development will not be heated to comfort temperatures and thus is classed as a non-exempt building with a low energy demand for the purposes of Building Regulations. Due to the relatively low degree of thermal control, a passive approach has been adopted to heating. The above and below ground spaces will be insulated to avoid internal cold surfaces and to minimise the risk of condensation forming. It is proposed that all services are given time-clock and presence controls such that lights, fans, hot water heater etc. can be disabled when not required. Low energy LED lighting will be used and operated on PIR (movement detecting) sensors, to ensure only the required amount of electricity is used. The proposal is therefore, being designed to minimise the use of electricity in accordance with the NPPF, Policy 28 of the Local Plan and the Sustainable Design and Construction SPD (2020).

8.28 As noted within the assessment of the parent application; Policy 31 requires new development to take a water sensitive approach recognising water should be re-used where practicable, offsetting potable water demand. The proposal includes a rainwater collection tank as part of its design which is featured as the sculptural element of the building. The water collected is proposed to be used to contribute to flushing toilets. The proposal also aims to reduce water consumption on the site by using low volume flushes. Taps are proposed to be low-flow taps with electronic movement sensors to monitor flows. The proposal has therefore, taken a

practicable approach in minimising potable water usage in accordance with policy 31 of the Local Plan.

- 8.29 The application seeks changes to the siting/location of the development only, and therefore the development is considered to remain compliant with the provisions of policy 28 and policy 31.
- 8.30 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, 29 and 31 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

8.31 Biodiversity

- 8.32 The application seeks to amend the siting of the proposed development by circa 0.9m only, with all other aspects of the development including design, construction and operational means, being retained as approved under application reference 19/1167/FUL.
- 8.33 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.
- 8.34 The parent application was subject to formal consultation with the Council's Ecology Officer, who raised no objection to the proposal and recommended several conditions to ensure the protection of species and the estimated biodiversity net gain is delivered.
- 8.35 These conditions will be re-applied in the interest of ecological enhancements and preventing harm to protected species.
- 8.36 Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018), subject to the previously applied conditions being re-applied.

8.37 Flood Risk

- 8.38 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.
- 8.39 The site is in Flood Zone 3 and is therefore considered at high risk of flooding.

- 8.40 The application seeks to amend the siting of the proposed development by circa 0.9m only, with all other aspects of the development including design, construction and operational means, being retained as approved under application reference 19/1167/FUL.
- 8.41 As noted within the assessment of the parent application; The basement is located within flood zone 3 however, this has always been the case and therefore, the development does not pose any greater risk than currently exists in terms of fluvial flooding. The Environment Agency has raised no objection in this regard subject to inclusion of flood resilience measures. The key element of flood resilience in the basement is the existing water membrane. This is due to assessed as part of the refurbishment works to ensure it is fit for purpose. The internal refurbishment will also utilise water resilient materials.
- 8.42 The basement has been subjected to flooding during storm surges due to the adjacency and level of the Anglian Water foul water overflow system. It is therefore, proposed that a non-return valve will be installed to the existing outlet of the foul water manhole and thus prevent surcharge waters rising up through gullies and appliances located within the basement. During surcharge conditions, the valve would close and thus prevent any foul water generated from the facility draining away. During these conditions there would be a requirement to temporarily close the facility. The provision of the non-return valve will improve the management of flooding of the basement and should minimise disruptions and closure caused by flooding. Operational status of the toilets is currently monitored several times on a daily basis by an attendant and this procedure will remain in place.
- 8.43 The applicant has suitably addressed the issues of water management and flood risk, and the proposal is in accordance with Cambridge Local Plan (2018) policies 31 and 32.

8.44 Highway Safety and Transport Impacts

- 8.45 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.
- 8.46 Para. 115 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.
- 8.47 The application seeks to amend the siting of the proposed development by circa 0.9m only, with all other aspects of the development including design, construction and operational means, being retained as approved under application reference 19/1167/FUL.

8.48 The proposed change in location of the development is not considered to give rise to any adverse implications on highway safety subject to conditions, the Highways Officer shares this view.

8.49 The conditions applied to the previously consented scheme, which pertain to the need for Traffic Management Plans prior to commencement, and a restriction to construction delivery times, will be re-applied to this permission, in the interest of highway safety.

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

8.51 Amenity

8.52 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.

8.53 Neighbouring Properties

8.54 The application seeks to amend the siting of the proposed development by circa 0.9m only, with all other aspects of the development including design, construction and operational means, being retained as approved under application reference 19/1167/FUL.

8.55 The shift in positioning is not considered to allow for any adverse impacts on the amenity of neighbouring occupiers, and the development is considered as compliant with the provisions of policy 56.

8.56 Third Party Representations

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

Third Party Comment	Officer Response
Character	<p>The design of the development remains as approved and thus is acceptable.</p> <p>Full assessment of this point is contained within sections 8.7 and 8.17 of this report.</p>
Sustainability/Water Use	<p>The operational means of the development remain as approved, and thus are acceptable.</p> <p>Full assessment of this point is contained within section 8.25 of this report.</p>

8.58 Planning Balance

- 8.59 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).
- 8.60 The designs of the WC kiosk shall remain as approved, with only the proposed siting of the kiosk being altered. The development is therefore considered consistent with the previously consented scheme approved under 19/1167/FUL, with regards to design, and is not considered to allow for any adverse impacts on the character of the site or surrounding conservation area and will not detract from the setting of adjacent listed buildings. The conservation officer shares this view.
- 8.61 The proposed development will not allow for any significant visual changes when compared with the plans approved, and will not allow for any wider impacts outside of the site when compared with the consented scheme, and is therefore acceptable.
- 8.62 The development is considered to be compliant with the provisions of policies 55, 56, 57, 58, 59, 61, 62 of the Cambridge Local Plan 2018, and is supported.
- 8.63 In line with the advice of the PPG, it is considered that the scale and/or nature of the proposed minor material amendments would not result in a development that is substantially different from the one which has been approved. The proposed amendments are therefore within the remit of section 73 of the Town and County Planning Act 1990.
- 8.64 In accordance with the PPG, to assist with clarity, a decision notice for the grant of planning permission under section 73 will also repeat the relevant conditions from the original planning permission, unless they have already been discharged.

9.0 Recommendation

9.1 Approve subject to:

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

10.0 Planning Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of permission 19/1167/FUL 19.10.2021.
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 the construction of the building, samples of the external materials to be used in the construction of the building have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter 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 and 61)
- 4 No construction work or demolition work shall be carried out or plant 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)
- 5 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. Development shall be carried out in accordance with the approved details.

Reason: in the interests of highway safety (Cambridge Local Plan 2018 Policy 81)
- 6 During the construction phase of the development, deliveries of materials and/or the removal of waste shall only take place between the hours of 09:30-15:30 seven days a week.

Reason: In the interests of highway safety in accordance with the NPPF and policy 81 of the Cambridge Local Plan
- 7 Prior to the installation of any external lighting, a lighting scheme shall be submitted to and agreed in writing by the local planning authority. The lighting scheme shall be implemented in accordance with the approved details.

Reason: To ensure appropriate lighting is implemented taking into account habitat and biodiversity considerations for roosting bats in accordance with policy 70 of the Cambridge Local Plan.

- 8 Prior to commencement of construction of the new building, details of biodiversity enhancements shall be submitted to and agreed in writing by the local planning authority. The biodiversity enhancements shall be implemented in accordance with the approved details.

Reason: In the interests of biodiversity associated with the development in accordance with the NPPF and policy 70 of the Cambridge Local Plan.

- 9 Demolition of the existing building shall only take place from January to February (inclusive) or September to December (inclusive) in any calendar year, which is outside the bird breeding season, unless a report prepared by an ecologist is submitted to and agreed by the local planning authority which demonstrates the demolition of the building will not impact upon breeding birds.

Reason: In the interests of protecting the biodiversity of the site in accordance with the NPPF and policy 70 of the Cambridge Local Plan.

- 10 Notwithstanding the approved plans, further details of the proposed electronic turnstiles shall be submitted to and agreed in writing by the local planning authority. The agreed turnstiles shall be installed in accordance with the approved details.

Reason: To protect the visual amenity of the area in accordance with the NPPF and policies 55, 56 and 61 of the Cambridge Local Plan.

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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Planning Committee Date	7 th February 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/03902/S19LB
Site	Public Toilet, Silver Street, Cambridge
Ward / Parish	Newnham
Proposal	S19 to vary condition 2 (approved drawings) of ref: 19/1167/FUL (Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure) to move the building by 0.9m to avoid clashing with an existing pipe.
Applicant	Declan O'Halloran – Cambridge City Council
Presenting Officer	Laurence Moore
Reason Reported to Committee	Third party representations Land within ownership of the Council Application submitted by a member or officer of the Council
Member Site Visit Date	N/A
Key Issues	1. Heritage Impacts
Recommendation	GRANT CONSENT subject to conditions.

1.0 Executive Summary

- 1.1 The application seeks S19 to vary condition 2 (approved drawings) of ref: 19/1350/LBC (Refurbishment of existing basement toilets and associated works) to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure) to move the building by 0.9m to avoid clashing with an existing pipe.
- 1.2 The proposed development seeks to alter the siting of the approved WC Kiosk serving the Silver Street Public Toilets. The design, functional and operational use of the scheme shall remain as approved under application reference, and this application is for the relocation of the consented scheme only.
- 1.3 The proposed development would allow for a 0.9m shift in the position of the approved WC Kiosk, which would allow for a greater distance between the development and the adjacent public highway, reducing the prominence of the development within the street scene.
- 1.4 The changes sought have no heritage implications above and beyond those considered under the host consent. The development would not allow for any significant visual changes when compared with the plans approved, and the changes will not have a wider impact outside of the site, and the proposed alterations are therefore considered acceptable.
- 1.5 Officers recommend that the Planning Committee grant listed building consent to this application subject to conditions.

2.0 Site Description and Context

None-relevant		Flood Zone 3	x
Conservation Area	x	Controlled Parking Zone	x
Listed Building	x		
Building of Local Interest			
Historic Park and Garden	x		

*X indicates relevance

- 2.1 The existing public conveniences have been provided and operated by Cambridge City Council since 1985. Separate segregated facilities for men and women are located underground (accessed via stairs) with one mobility impaired cubicle at street level (timber clad beneath a pitched tiled roof).
- 2.2 The facilities are located close to the drop off point for coach visitors to Cambridge on Queens Road and are heavily used by thousands of people

each year. The toilets are well used but significantly outdated and therefore, they are in a poor state of repair. They are the source of regular complaint, particularly during the summer months, and give a poor first impression of Cambridge to visitors. Maintenance works have become increasingly regular sometimes resulting in their temporary closure.

2.3 The site is located adjacent to Silver Street bridge and Darwin College, both Grade II Listed buildings and is situated at a prominent intersection of the River Cam and Silver Street. Silver Street is a key route into the historic centre of Cambridge with the bridge itself designed by Sir Edward Lutyens in 1932 and built in 1958-59, replacing a cast-iron bridge dating back to the 1840's. To the south of the bridge is the Mill public house (Grade II Listed) and Mill Pond, which has historically been an important location for boating in Cambridge but today, is an extremely popular meeting point for students and tourist punting around the city. To the north of the site is Queens College with Grade I and II listed buildings and mathematical bridge (Grade II listed) which spans the River Cam. A variety of architecture surrounds the site ranging from the 14th to the 21st Centuries.

2.4 The site is located within the Central Conservation Area.

3.0 The Proposal

3.1 This application seeks: S19 to vary condition 2 (approved drawings) of ref: 19/1350/LBC (Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure) to move the building by 0.9m to avoid clashing with an existing pipe.

3.2 The proposed development seeks to alter the siting of the approved WC Kiosk serving the Silver Street Public Toilets. The design, functional and operational use of the scheme shall remain as approved under application reference, and this application is for the relocation of the consented scheme only.

3.3 The proposed development would allow for a 0.9m shift in the position of the approved WC Kiosk, which would allow for a greater distance between the development and the adjacent public highway.

3.4 The parent application was brought to Planning Committee on 6th October 2021. The application was approved. This application seeks to amend the consented scheme to allow for a shift in positioning to avoid complications with the existing drainage layout.

3.5 Under this application, members can only consider listed building related issues.

4.0 Relevant Site History

23/03980/S73 - S73 to vary condition 2 (approved drawings) of ref: 19/1167/FUL (Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure) to move the building by 0.9m to avoid clashing with an existing pipe. – Pending consideration.

19/1350/NMA1 - Non material amendment on application 19/1350/LBC as the above ground building has been moved by approximately 0.9m. The new location is approximately 5.3m back from the road (an increase of 0.7m), 0.95m from the guardrail and perimeter wall to the basement stairs and 2.5m from Darwin College at its closest point (a decrease of 0.6m). - WDN

19/1167/FUL - Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure). - PERM

19/1350/LBC - Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure).- PERM

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

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 Cambridge's historic environment

Policy 62: Local heritage assets

5.3 Neighbourhood Plan

N/A

5.4 Other Guidance

Cambridge Historic Core/Central conservation area

6.0 Consultations

6.1 Conservation Team –No Objection

6.2 No objection, and no recommended conditions.

6.3 Historic England – No Objection

6.4 No objection, no recommended conditions.

7.0 Third Party Representations

7.1 4 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Sustainability/Water Use

The third-party representations are addressed as part of the associated application for S73 permission.

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 Planning Background

8.2 The parent application was brought to Planning Committee on 6th October 2021. The application was approved. This application seeks to amend the consented scheme to allow for a shift in positioning to avoid complications with the existing drainage layout.

8.3 This application is for the proposed alterations to the specific siting of the proposals only, and all other aspects of the development remain as approved under application reference: 19/1350/LBC.

8.4 Under this application, members are directed to the significance of the changes sought in respect of listed building only considerations.

8.5 Heritage Assets

8.6 The application falls with the Cambridge Historic Core/Central Conservation Area. The application is within the setting of the Grade II listed building: Silver Street Bridge, and is within close proximity to Grade I listed buildings, Darwin College and Queens College.

8.7 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings.

8.8 Para. 205 of the NPPF set out 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. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.

8.9 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.

8.10 The designs of the WC kiosk shall remain as approved, with only the proposed siting of the kiosk being altered.

8.11 The development is therefore considered consistent with the previously consented scheme approved under 19/1167/FUL, with regards to design, and is not considered to allow for any adverse impacts on the heritage assets brought about through the proposed change in siting. The conservation officer shares this view.

8.12 No heritage harm to the listed buildings would arise from the change sought in the plans. The proposal is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy 61.

9.0 Recommendation

9.1 **Grant Consent** subject to:

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

10.0 Planning Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of permission 19/1167/FUL 19.10.2021.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) 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 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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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Planning Committee Date	7 th February 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	23/03759/FUL
Site	42 Birdwood Road, Cambridge
Ward / Parish	Cherry Hinton
Proposal	Erection of a 1bed dwelling. Resubmission 22/00231/FUL
Applicant	Mrs Katharine Wong & Mr Kelvin Sing
Presenting Officer	Beth Clark
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Construction impacts2. Highway safety and parking3. Amenity space4. Privacy concerns
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks to demolish an existing double garage at the rear of the garden of No. 42 Birdwood Road, and erect a single-storey 1 bedroom dwelling in its place.
- 1.2 The proposal is not considered to cause harm to the character and appearance of the area and is of contemporary design and is considered appropriate for the context.
- 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 A minor amendment to bring cycle storage to the front of the development site was requested by officers, revised plans were submitted and uploaded on 12 December 2023.
- 1.6 Officers recommend that the Planning Committee approve the proposed development.

2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1, Risk of Flooding from Surface Water	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	

*X indicates relevance

- 2.1 42 Birdwood road is a semi-detached residential property, with permission for use as a 6-bed House of Multiple Occupancy with a maximum provision for 7 persons. The dwelling has a paved rear garden, with access directly to Gray Road. This is a storage area and shed at the rear of the garden which is separated by a fence and independent access,

additionally there is a double garage at the very rear of the plot. To the front of the site is off-street parking for approximately 3 vehicles.

2.2 The surrounding area is residential, with two storey dwellings to the north, east and south of 42 Birdwood Road. To the west of the development site, across Gray Road, is a single-storey 2-bedroom dwelling built to the rear of a two-storey dwelling.

3.0 The Proposal

3.1 The proposal is for the erection of a 1bed dwelling.

3.2 The development seeks to demolish a double garage and shed to the rear of the garden at no. 42 Birdwood Road. In its place would be a single-storey 1bed dwelling. Officers measurements demonstrate an overall internal floorspace of approximately 66m², with an external rear amenity space of 21.6m² including a storage unit, an area for refuse and a 1m wide side access to Gray Road. To the front of the proposed dwelling are two cycle spaces and a ramp entrance, which is accessible from Gray Road.

3.3 The design of the dwelling comprises two mono-pitched roofs, brick walls and grey zinc cladding. The overall height of the dwelling would be approximately 3.9m at its highest point, with eaves at 2.2m tall.

3.4 The proposal is similar to a development adjacent to the site at 2 Gray Road. This similar proposal was brought before committee on 4th January 2017 for the demolition of existing garage and erection of two bed dwelling with associated site works (ref. 16/1733/FUL).

3.5 A minor amendment to swap the refuse and cycle storage around, and bring cycle storage to the front of the development site was requested by officers and revised plans were submitted and uploaded on 12 December 2023.

4.0 Relevant Site History

Reference	Description	Outcome
19/0379/FUL	Erection of a two bed dwelling to the rear following demolition of existing garage.	Refusal, appeal dismissed
17/2211/FUL	Single storey extension, alterations and change of use to 6-bed HMO (House in Multiple Occupation).	Permitted
C/96/0979	Two storey side and rear extensions and single storey front extension to house (C3).	Permitted

C/87/1003 Erection of detached double garage Permitted
in rear garden of existing dwelling
house (amended by letter &
drawings dated 11/12/87).

- 4.1 The dwelling has been previously extended, before gaining permission for further extensions and conversion to a House of Multiple Occupancy.
- 4.2 The refused application (ref. 19/0379/FUL) for a two-bedroom dwelling was determined under delegated powers. The refusal was appealed, however the inspector upheld the reasons for refusal which included;
- The effect of the proposed development on the character and appearance of the area.
 - Whether the proposed development would provide suitable living environment for future occupiers with particular regard for privacy and internal space.
- 4.3 A copy of the Inspector's Decision letter in relation to the appeal is attached at appendix 1.

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

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 32: Flood risk

Policy 35: Human health and quality of life

Policy 50: Residential space standards

Policy 51: Accessible homes
Policy 52: Protecting garden land and subdivision of dwelling plots
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 57: Designing new buildings
Policy 59: Designing landscape and the public realm
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
Landscape in New Developments SPD – Adopted March 2010
Trees and Development Sites SPD – Adopted January 2009

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 The effect of the proposed development upon the Public Highway should be mitigated if the following conditions form part of any permission that the Planning Authority is minded to issue in regard to this proposal:

- Hard surfaces falls and levels

6.3 The proposal is for a single residential unit with no off street car parking spaces, as the streets in the vicinity provide uncontrolled parking, and as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets, this demand is likely to appear on street in competition with existing residential uses.

6.4 Sustainable Drainage Officer – No Objection

6.5 Flood Risk Assessment demonstrates suitable finish floor levels and flood resilient measures. Proposals are acceptable with regards to flood risk. The proposals have not indicated a detailed surface water or a foul drainage scheme however, it would be acceptable to obtain this information by way of conditions:

- Floor levels in accordance with FRA
- Surface Water Drainage details
- Foul Water Drainage details

6.6 Environmental Health – No Objection

6.7 The development proposed is **acceptable** subject to the imposition of condition:

- Construction Hours
- ASHP informative

7.0 Third Party Representations

7.1 1 representation have been received.

7.2 Those in objection have raised the following issues:

- Residential amenity impact (privacy and lack of outside amenity space)
- Construction impacts
- Highway safety
- Car parking and parking stress

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. The proposal would contribute to housing supply and thus would be compliant with policy 3.

8.3 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.

8.4 The principle of the development is acceptable and in accordance with policies 3 and 52.

8.5 Design, Layout, Scale and Landscaping

8.6 Policies 55, 56, 57 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.

- 8.7 The application proposes to demolish the existing double garage and shed in the rear garden of the site and erect a single-storey 1bed dwelling in its place.
- 8.8 Birdwood Road is characterised by mainly semi-detached dwellings, with some terraced housing. Gray Road, which runs south-west of the site and which the entrance to the proposal will be sited, features terraced, semi-detached and some detached dwellings. Many properties along Birdwood Road feature outbuildings in their rear gardens, with off-street parking to the front of the dwellings. Both Birdwood Road and Gray Road have unrestricted on-street parking.
- 8.9 Within the vicinity there has been a number of sub-divisions of garden land to erect dwellings. Namely no. 2a Gray Road, which is situated opposite the development site (ref. 16/1733/FUL) and mostly recently 2b Ward Road (ref 19/0007/FUL) located to the rear of no. 60 Birdwood Road, east of the development site.
- 8.10 The proposed single-storey dwelling has a contemporary design comprising two mono-pitched grey-tile roofs which leave a gap in the middle. The between the roofs is filled with a lower perpendicular dual-pitched roof. Walls will be largely stock brick, but with grey zinc cladding to the principal elevation and full height glazing. The overall height of the dwelling would be approximately 3.9m at its highest point, with eaves at 2.2m tall. Officers calculate an internal floorspace of approximately 66m² and external rear amenity space of 21.6m² including a storage unit, area for refuse and a 1m wide side access to Gray Road. To the front of the proposed dwelling are two cycle spaces and a ramp entrance accessible from Gray Road. The built form will occupy the majority of the northern boundary with no. 42 Birdwood Road, and west boundary adjacent to Gray Road. Most of the site will be encased by a 1.8m high fencing, except for the principal elevation which will feature a low 0.6m high fence and soft landscaping. The outside amenity space is located in the southern corner of the site. Little detail has been provided regarding landscaping of the proposed development, it would appropriate to obtain these details via condition which will be attached to any permission granted.
- 8.11 The dwelling would not be dissimilar to the height and appearance of existing dwellings utilising sub-divided plots located on Gray Road and Ward Road, and as a result would be in keeping with this pattern of development.
- 8.12 A previous application for a two-bedroom property was refused on the site and upheld by the inspector when appealed. One reason for refusal cited “the proposed development, by virtue of the bulk, design, scale and siting would not respect the site constraints or respond well to the context of the area. Therefore, the form of proposed residential unit would not be appropriate and would be at odds with the character of the area.”. The design of the proposed single-storey dwelling under this application is considered to be significantly different enough to overcome the

aforementioned reason for refusal. The current proposed is deemed appropriate for the character and context of the area.

8.13 Overall, due to the scale, siting and design of the proposal is considered appropriate in relation to the surrounding pattern of development and the character of the area. The proposed development is a high-quality design that 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 and 59 and the NPPF.

8.14 Trees

8.15 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. 136 of the NPPF seeks for existing trees to be retained wherever possible.

8.16 The application form expresses that no trees are present on the proposed site and that there are no trees on adjacent sites that would influence the development or form part of the local landscape character. When conducting a site visit, two multi-stemmed trees within the garden of no. 42 Birdwood Road were identified and fall outside of the red line of the development site. The trees are not considered to form part of the local landscape character and are not protected by virtue of any tree protection orders or a defined Conservation Area.

8.17 The proposal would accord with policies 59 and 71 of the Local Plan.

8.18 Carbon Reduction and Sustainable Design

8.19 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.

8.20 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 new residential developments to achieve as a minimum water efficiency to 110 litres pp per day and a 44% on site reduction of regulated carbon emissions.

8.21 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.

8.22 Limited information has been provided regarding carbon reduction technologies and water efficiency. The Design and Access statement

states that the build will be in line with part L of Building regulations in addition to the installation of an Air Source Heat Pump and low energy lighting. Nevertheless, it is still thought necessary to add a condition to any permission given which requires the proposal to provide details of how it would comply with the policies above in the form of a carbon reduction statement and water efficiency details.

- 8.23 Subject to suitable conditions, the proposal is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

8.24 Biodiversity

- 8.25 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.

- 8.26 The existing site features a brick double garage, a shed and is mainly hardstanding. 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.

- 8.27 Subject to appropriate conditions, 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).

8.28 Water Management and Flood Risk

- 8.29 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.
- 8.30 The site is in Flood Zone 1 and is at risk of surface water flooding. The applicants have submitted a Flood Risk Assessment. The Council's Sustainable Drainage Engineer has assessed the Flood Risk Assessment and concluded that suitable finish floor levels and flood resilient measures have been proposed. A condition will be added to ensure compliance with details outlined in the FRA.
- 8.31 The proposals have not indicated detailed surface and foul water drainage schemes. The Drainage Engineer has stated that it would be acceptable

for this information to be obtained by way of condition and will be added to any planning permission granted.

8.32 Subject to appropriate conditions relating to water management and flood risk, the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

8.33 Highway Safety, Transport Impacts, Cycle and Car parking

8.34 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.

8.35 Para. 115 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.

8.36 Access to the site would be from Gray Road, which runs alongside no. 42 Birdwood Road.

8.37 Third party representatives have raised concerns regarding highway safety during the construction phase of the development. The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority who have raised no objection to the proposal. Given that the roads around the site offer unrestricted on-street parking, it would be inappropriate to condition a traffic management plan during the construction phase as this cannot be realistically enforced upon. It would be pertinent to add an informative to notify the applicant that planning permission does not constitute a permission to carry out any works within, or disturbance of, or interference with, the Public Highway.

8.38 The Local Highway Authority have recommended an appropriate condition regarding hard surfaces falls and levels in order to maintain the safe and effective operation of the highway.

8.39 Cycle Parking

8.40 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.

- 8.41 Two cycle parking spaces are proposed at the front of the property, accessed directly from Gray Road. Plans show the provision of good, high quality and easily accessible cycle parking. The proposal would comply with the cycle parking guidance set out in appendix L of the Local Plan.
- 8.42 Car parking
- 8.43 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. The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.
- 8.44 Concerns have been raised by third party representatives regarding the lack of car parking included within the proposed development and the impact of the removal of the existing double garage.
- 8.45 The Local Highway Authority has raised no objections to the application, regarding highways safety or impacts arising. They have noted roads surrounding the site have unrestricted parking, and that there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets, this demand is likely to appear on-street in competition with existing residential uses. However, the site is located in sustainable location which is in easy reach of the city by bicycle and public transport, with the nearest bus stop on Birdwood Road within 100m of the property.
- 8.46 Whilst the double garage appears to be of suitable size to accommodate parking, the design and access statement indicates that the garage has been unused for a number of years. Three off-street parking spaces are designated for no. 42 at the front of the property. It is not deemed that the loss of the garage would exasperate the parking situation as it is not currently used for parking vehicles. As previously mentioned, on-street parking in this area is unrestricted and therefore cannot realistically be controlled.
- 8.47 Subject to conditions and informative, the proposal accords with the objectives of policy 80, 81 and 82 of the Local Plan and is compliant with NPPF advice.
- 8.48 Amenity**
- 8.49 Policy 35, 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.

8.50 Neighbouring Properties

8.51 The proposed site would be accessed from Gray Road. The main dwellings that would be impacted by the development are Nos. 42 and 44 Birdwood Road and 1 and 2a Gray Road.

8.52 The proposed dwelling will be in the rear garden space of the host dwelling No. 42 Birdwood Road. The proposal would utilise the rear of the plot which has already been subdivided with a 1.8m high close boarded fence and is situated approximately 8m from the rear building. This distance of separation is slightly larger than that seen between neighbouring 2a Grey Road and 40 Birdwood Road and 2b Ward Road and 60 Birdwood Road, which are similar recently approved dwellings. As previously mentioned, the built form of the proposed dwelling would abut the shared boundary with no. 42, with the amenity space located further south within the site. Whilst the proposal would be visible within the amenity space of no. 42, the eaves of the dwelling would be only 0.4m above the fence height, before the roof slopes up and away from the boundary. There are no windows proposed which would allow direct views between 42 Birdwood Road and the proposed dwelling. Due to the scale of the proposal which would be single storey in height, the design of the dwelling and orientation within the plot the proposal is not considered to cause any undue loss of light, privacy, outlook, or appear overbearing to no. 42 Birdwood Road.

8.53 No. 44 Birdwood Road rear external amenity area is located adjacent to the proposal site. The proposed dwelling would be built against the shared garden boundary for approximately 5m in length. Given the existing double garage is already built up against this shared boundary, it is believed the proposal would not cause any increase in overbearing impacts upon this neighbour's amenity area. Furthermore, due to the scale of the proposal, the design of the dwelling and orientation within the plot the proposal is not considered to cause any undue loss of light, privacy, outlook towards no. 44 Birdwood Road.

8.54 No. 1 Gray Road is situated to the south of the development site. The two sites are separated between a 2.5m vehicular access leading to the rear of 1, 1a and 3 Gray Road. No windows feature on the north side of no. 1 Gray Road and due to the offset location of the proposed dwelling (forward of no. 1 principal elevation), the existence of the double garage and separation by the vehicular access it is not considered that there would be any undue residential amenity issues as a result of this development.

8.55 The proposed development site is situated opposite no. 2a Gray Road. There is a separation distance of approximately 12 metres between the two. Windows of both properties face on to the roadside, however given the distance between the two and the inclusion of graduated fencing

across the principal elevation of the proposed dwelling, it is considered that the proposed development would not cause unacceptable overlooking, overshadowing or visual dominance towards no. 2a Grey Road.

8.56 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 52, 56, 58 and 35

8.57 Future Occupants

8.58 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).

8.59 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 ²)	Proposed size of unit	Difference in size
1	1	2	1	50	66	+16

8.60 Garden Size(s)

8.61 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 approximately 22m², 3m wide by 7.2m in length, would be provided which is sufficient for the size of the 1 bedroom property. Furthermore, the location of the garden in the south-east corner of the site means there is no opportunity for overlooking by neighbouring properties, thus protecting the amenity of the occupiers.

8.62 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.

8.63 Construction and Environmental Impacts

8.64 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.

8.65 The Council's Environmental Health team have assessed the application and stated that they have no objections to the development subject to the imposition of a condition regarding construction hours and an informative relating to the installation of an Air Source Heat Pump. This condition and informative are considered to be acceptable in order to limit the impact the proposal would have on adjacent occupiers given their proximity to the site.

8.66 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#.

8.67 Other Matters

8.68 Permitted Development Rights

8.69 The proposed development has been found acceptable in terms of its impact on the character of the area and residential amenity, as set out above. However, given the small-scale nature of the site, officers consider it reasonable and necessary to remove permitted development rights under Schedule 2, Part 1, Classes A, B and E of the GDPO.

8.70 Without such restrictions, extensions, dormer windows and outbuildings could be added to the Plot without formal planning consent, which may give rise to greater impacts on the character of the area and amenities of neighbouring properties considered as part of the current application (Local Plan policies 52, 55, and 57).

8.71 Planning Balance

8.72 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).

8.73 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

8.74 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.

9.0 Recommendation

9.1 Approve subject to:

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

10.0 Planning Conditions

1 Time Limit

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 Approved Plans

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

Plans to be listed:

Location Plan

Block Plan

7630 1221 REV02 (NO.2) (proposed floor plan)

7630 1221 REV02 (NO.3) (proposed elevations and roof plan)

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 Materials

The materials to be used in the external construction of the development, hereby permitted, shall follow the specifications in accordance with the details specified within the application form and approved plans unless otherwise agreed in writing by the Local Planning Authority.

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).

4 Part M4(2)

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 Finished Floor Level

Finished ground floor levels should be to be set in accordance with Flood Risk Assessment for the Proposed Erection of a New Residential Dwelling in the Rear Garden of 42 Birdwood Road - reference 3155 Prepared By: MTC and dated August 2023.

Reason: To reduce the risk of flooding to the proposed development and future occupants. (Cambridge Local Plan 2018 policy 32).

6 Surface Water Drainage

No development shall commence, other than demolition, until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:

- a) Details of the existing surface water drainage arrangements including 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)
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers, details of all SuDS features;
- d) A plan of the drained site area and which part of the proposed drainage system these will drain to;
- e) Full details of the proposed attenuation and flow control measures;
- f) Site Investigation and test results to confirm infiltration rates;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- i) Formal agreement from a third party if discharging into their system is proposed, including confirmation that sufficient capacity is available. The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site

resulting from the proposed development. (Cambridge Local Plan 2018 policies 31 and 32).

7 Foul Water

No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage (Cambridge Local Plan 2018, policies 32 and 33).

8 Falls and Levels

All proposed hard paved accesses (to the front door and cycle parking/bin store) 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. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: for the safe and effective operation of the highway (Cambridge Local Plan 2018 policy 82).

9 Hard and Soft Landscape

No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) proposed finished levels or contours; pedestrian access and circulation areas; hard surfacing materials, 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;
- c) boundary treatments indicating the type, positions, design, and materials of boundary treatments (to include gaps for hedgehogs) to be erected.

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).

10 Construction / demolition hours

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 Permitted Development: Class A

Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwelling house(s) shall not be allowed without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity (Cambridge Local Plan 2018 policies 52, 55, and 57).

12 Permitted Development: Class B

Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity (Cambridge Local Plan 2018 policies 52, 55, and 57).

13 Permitted Development: Class E

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 protect the amenity of adjoining occupiers (Cambridge Local Plan 2018 policies 52, 55, and 57)

14 Biodiversity Net Gain

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.

15 Carbon Reduction

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).

16 Water Efficiency

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 Air Source Heat Pumps

The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or

barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level.

To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features. In addition equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural aging, wear and tear. It is therefore important that the equipment is maintained/serviced satisfactory and any defects remedied to ensure that the noise levels do not increase over time.

2 Highways Licence for Works

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.

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Appeal Decision

Site visit made on 14 August 2020

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 1st October 2020

Appeal Ref: APP/Q0505/W/20/3251413

42 Birdwood Road, Cambridge CB1 3SU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Katharine Wong & Mr Kelvin Sing against the decision of Cambridge City Council.
 - The application Ref 19/0379/FUL, dated 14 March 2019, was refused by notice dated 27 February 2020.
 - The development proposed is described as, 'two bed dwelling'.
-

Decision

1. The appeal is dismissed.

Main Issues

2. While I note the three reasons for refusal, from the wider evidence, the main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposed development would provide a suitable living environment for future occupiers with particular regard for privacy and internal space.

Reasons

Character and appearance

3. The site lies to the rear of No 42 Birdwood Road (No 42), a semi-detached dwelling and borders Gray Road. The area is generally characterised by a range of two-storey dwellings that are set back from the pavement with front gardens such that the area has a pleasant spacious character and appearance.
4. The proposal would consist of the demolition of an existing garage and the erection of a dwelling that would be one and a half storeys tall with accommodation in the roof space. It would have a pitched and hipped roof, which would result in a massing that would be significantly larger than the existing garage. Therefore, together with its siting near the back of the pavement of Gray Road, would result in a dominant and incongruous appearance that would diminish the spacious character of the area.
5. While I acknowledge the scale and appearance of the development adjacent to No 2 Gray Road, from my observations during the site visit, these buildings

appear to have roofs with a single pitch and are single storey such that they seem to be smaller in scale than the appeal proposal would be. As such, they do not adversely affect the spacious quality of the area and their presence do not override the harm to the character of the area that would result from the proposed development.

6. Consequently, the proposed development would harm the character and appearance of the area. Therefore, it would conflict with Policies 52, 55 and 57 of the Cambridge Local Plan October 2018 (LP) which together require, among other things, that the form, materials, height and layout of the proposed development is appropriate to the surrounding pattern of development and responds positively to its context. It would also conflict with LP Policy 56 which seeks, among other things, developments that create attractive and appropriately-scaled built frontages to positively enhance the townscape where development adjoins streets.

Living environment

7. The host building, No 42, has windows on the first floor rear elevation that would overlook the private amenity space and window to the living area of the proposed development. In addition, the neighbouring dwelling, No 44 Birdwood Road (No 44), has windows at second floor on a rear dormer extension as well as a window at first floor that would overlook the proposed private amenity space. I acknowledge the height of the proposed fence and the separation distance between the two properties. However, while these would provide a degree of privacy, given the height and proximity of the windows at first and second floor of Nos 42 and 44, the proposal would result in a living environment with inadequate levels of privacy in the private amenity space and living area.
8. I also note the evidence relating to No 1 Corrie Road, however, limited further details are before me such that I am unable to draw a direct comparison between the two schemes. In any event, I have determined this appeal based on its individual merits.
9. Turning my attention to the internal space provision, there is a disagreement between the main parties as to the Gross Internal Area (GIA) of the proposed dwelling. Even if the appellant's figure was assessed for the purposes of this appeal, there would still be a significant shortfall such that the proposal would conflict with LP Policy 50 which sets out residential space standards.
10. With regard to the aims of the Policy, there is limited built in storage indicated on the drawings and the bathroom on the first floor in particular appears very constrained. Therefore, I am not persuaded that the proposed dwellings would provide sufficient space for basic daily activities and needs that can be used flexibly by a range of residents.
11. While it may be the case that the development adjacent to No 2 Gray Road provides less internal space, limited further details are before me to allow a direct comparison with this proposal which I have assessed based on its individual merits.
12. Consequently, the proposed development would not provide a suitable living environment for future occupiers with particular regard for privacy and internal space. Therefore, it would conflict with LP Policy 50 which sets out residential

space standards. It would also conflict with LP Policy 52 which seeks, among other things, developments that protect the amenity and privacy of new properties. In addition, it would conflict with LP Policy 56 which seeks, among other things, private amenity spaces that are designed to be inclusive, usable, safe and enjoyable and would conflict with the aims of LP Policy 59 which relates to external spaces.

Other Matters

13. I note local concerns including light and parking as well as the privacy of neighbouring occupiers. Given the harm identified above, these have not altered my overall decision.

Conclusion

14. For the reasons given above, the appeal is dismissed.

R Sabu

INSPECTOR

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Planning Committee Date	7 th February 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/03317/S73
Site	50 Burleigh Street
Ward	Market
Proposal	S73 to vary conditions 2 (External Area) and 3 (Hours of operation) of planning permission 18/1491/S73 (Section 73 application to vary condition 4 of permission APP/Q0505/A/07/2052528 (Change of use from retail to Adult Amusement Centre) to extend the opening hours until 11pm Monday to Saturday and until 8pm on Sunday) to vary condition 3 to allow the premises to operate from 9am to 2am on Monday to Saturday and from 11am to 2am on Sunday and to vary condition 2 to restrict the use of the rear of the premises from 8pm to 2am Monday to Sunday, noting that this outdoor space is not in use past 8pm
Applicant	Luxury Leisure
Presenting Officer	Laurence Moore
Reason Reported to Committee	Called-in by Cllr Martinelli
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Amenity of Neighbouring Occupiers2. Anti-Social Behaviour/Crime3. Extended Hours of use and impact on Character
Recommendation	APPROVE subject to conditions.

1.0 Executive Summary

- 1.1 The application seeks to vary conditions 2 and 3 of planning permission 18/1491/S73, to allow for an extension to the opening hours of the adult gaming centre.
- 1.2 The proposed changes will allow the premises to remain open between 9am and 2am Monday to Saturday, and between 11am and 2am on Sunday, and would allow for the rear of the premises to be used throughout the proposed opening hours, with access to the rear restricted from 8pm each day.
- 1.3 The proposed alterations to opening times are considered appropriate for the character of the area, given the proximity of other late opening leisure/entertainment businesses, and so the development is compliant with the provisions of policies 12, 55, 56 and 58.
- 1.4 The proposed alterations are not considered to allow for any adverse impacts on the amenity of neighbouring occupiers. The council's EHO shares this view, and the development is seen as compliant with the provisions of policies 35, 56, and 58.
- 1.5 The Designing Out Crime Officer has provided their support for the development on behalf of the policies, stating there are no concerns that the development would cause an increase in crime or anti-social behaviour within the area. The development is therefore seen as compliant with policy 56.
- 1.6 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, subject to conditions.
- 1.7 Officers recommend that the Planning Committee approve this application, subject to the conditions outlined within this report.

2.0 Site Description and Context

Primary Shopping Area	x	Shopping Frontage	x
Area of Major Change	x	CPZ	x

*X indicates relevance

- 2.1 The application site comprises of an adult gaming centre situated on the south side of Burleigh Street with a flat on the upper-floor. The site is situated along a pedestrianised road that has a variety of retail and

restaurant uses and the surrounding context is predominantly commercial in nature with residential flats typically situated on the upper-floor.

2.2 To the south —west of the site is Paradise Street which includes several flats and other residential forms. To the north of the site is the Grafton Centre.

2.3 The site is situated within the Primary Shopping Area and is within the Grafton Centre Area of Major Change (Policy 23).

3.0 The Proposal

3.1 The application seeks S73 to vary conditions 2 (External Area) and 3 (Hours of operation) of planning permission 18/1491/S73 (Section 73 application to vary condition 4 of permission APP/Q0505/A/07/2052528 (Change of use from retail to Adult Amusement Centre) to extend the opening hours until 11pm Monday to Saturday and until 8pm on Sunday) to vary condition 3 to allow the premises to operate from 9am to 2am on Monday to Saturday and from 11am to 2am on Sunday and to vary condition 2 to restrict the use of the rear of the premises from 8pm to 2am Monday to Sunday, noting that this outdoor space is not in use past 8pm.

3.2 The changes are tabularised below for ease of reference:

Condition no.	18/1491/S73 (extant)	Proposal	Additional
External rear restricted hours Condition 2	8pm – 11pm Mon - Sun (no use between these hours)	8pm – 2am Mon- Sun (no use between these extended hours)	N/A
Inside allowed hours Condition 3	9am – 11pm Mon-Sat	9am – 2am Mon-Sat	+3hrs
	11am – 8pm Sun	11am – 2am Sun	+6hrs

3.3 This will allow the premises to remain open between 9am and 2am Monday to Saturday, and between 11am and 2am on Sundays.

3.4 This would allow for the continued use of the rear of the premises to be used throughout the proposed opening hours, with access to the rear restricted from 8pm each day.

3.5 The application has been amended to address concerns raised by the council’s EHO and further consultations with consultees have been carried out as appropriate. It was not deemed necessary to consult neighbours on the changes, as the changes constituted technical alterations.

4.0 Relevant Site History

Reference	Description	Outcome
18/1491/S73	Section 73 application to vary condition 4 of permission	PERM

	APP/Q0505/A/07/2052528 (Change of use from retail to Adult Amusement Centre) to extend the opening hours until 11pm Monday to Saturday and until 8pm on Sunday.	
17/1564/S73	Retrospective application under Section 73 to remove condition 4 (Opening Hours) of planning permission 07/0517/FUL, decided by appeal APP/Q0505/A/07/2052528, to operate on a 24 hour basis.	REFUSED
09/0726/ADV	Installation of one externally illuminated fascia sign and one externally illuminated projecting sign.	PERM
07/00024/REFUSL (APP/Q0505/A/07/2052528)	Change of use from retail to Adult Amusement Centre.	ALLOWED
07/0517/FUL	Change of use from retail to Adult Amusement Centre.	REFUSED

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act 2010

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 12: Fitzroy/Burleigh Street/Grafton Area of Major Change

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 58: Altering and extending existing buildings

Policy 73: Community, sports and leisure facilities
Policy 79: Visitor attractions
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Sustainable Design and Construction SPD – Adopted January 2020
Grafton Area Masterplan and Guidance SPD (2018)

5.5 Other Guidance

N/A

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 No objection, no recommended conditions.

6.3 Environmental Health – No Objection

6.4 Initial Response: There is insufficient information and inadequate assessment of potential noise impacts to allow an informed decision to be reached on the suitability of this site for extended hours and it has not been demonstrated that significant or any other adverse noise impacts can be avoided or reduced and minimised to an acceptable level.

6.5 Following the initial comments from Environmental Health Officers, the applicant provided an updated Noise Impact Assessment.

6.6 Secondary Response: Considering internal noise levels and plant associated within the premises, as detailed and calculated within the HAR, we have no objections to the application.

6.7 Police Architectural Liaison Officer – No Objection

6.8 Thank you for the opportunity to comment on this planning application, I have viewed associated documents in relation to crime, disorder, vulnerability of crime and the fear of crime, I have spoken to the local policing team and Police licensing officer for this location.

6.9 There are no issues around this venue, and we are supportive of the application.

7.0 Third Party Representations

7.1 No representations have been received.

8.0 Member Representations

8.1 Cllr Martinelli has made a representation objecting to the application on the following grounds:

- Noise/Amenity Impacts
- Antisocial Behaviour
- Proposed opening hours are not consistent with surrounding premises.

8.2 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.

9.0 Assessment

9.1 Planning Background

9.2 The site has been subject to several applications to vary the opening times of the Adult Amusement centre.

9.3 The most recent application, 18/1491/S73, allowed for the opening hours to be extended to 11pm Monday-Saturday, and until 8pm on Sunday.

9.4 Principle of Development

9.5 The application seeks to amend conditions applied to a previously consented permission, the principle of development has been established under application reference APP/Q0505/A/07/2052528, and this report outlines the assessment of the proposed changes only.

9.6 Character and Context

9.7 Policies 55, 56, and 58 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.

9.8 The application seeks S73 to vary conditions 2 relating to the use of the premises. These changes are set out in the table below:

Condition no.	18/1491/S73 (extant)	Proposal	Additional
External rear restricted hours Condition 2	8pm – 11pm Mon - Sun (no use between these hours)	8pm – 2am Mon- Sun (no use between these extended hours)	N/A
Inside hours Condition 3	9am – 11pm Mon-Sat	9am – 2am Mon-Sat	+3hrs
	11am – 8pm Sun	11am – 2am Sun	+6hrs

9.9 This will allow the premises to remain open between 9am and 2am Monday to Saturday, and between 11am and 2am on Sundays.

9.10 This would allow for the rear of the premises to be used throughout the proposed opening hours, with access to the rear restricted from 8pm to 2am each day.

9.11 Concerns have been raised by a member that the proposed extension to opening hours for the Adult Amusement Centre is not consistent with the prevailing character of the area. The comments received have highlighted that Burleigh Street is primarily used for daytime shopping and that the extended opening hours of the business would be out of keeping with the perceived character of Burleigh Street.

9.12 Whilst the application site is within the Primary Shopping area, and is identified as a Shopping Frontage, the existing use of the site as an Adult Amusement Centre is established, and the area is subject to several leisure/entertainment uses.

9.13 The application site is situated within the Fitzroy Street/Burleigh Street/Grafton Centre Area of Major Change, meaning policy 12 is triggered. Policy 12 states that the identified area of major change is supported as a location for expansion and/or redevelopment for retail and leisure use. The Grafton Centre SPD states at paragraph 2.3.6 that “town centres are also becoming increasingly important locations for leisure, hospitality and evening economy uses, shifting the mix of uses that are occurring within high streets’

9.14 Burleigh Street currently hosts both The Six Six Bar and WT’s Sports Bar.

9.15 The Six Six Bar is a bar and live music venue, remaining open until 1am Sunday-Wednesday, and until 2am Thursday-Saturday.

9.16 WT’s Sport Bar is a sports bar catering for Pool, Snooker, Poker and Adult Amusement Games, remaining open between the hours of 12pm-2am Monday-Saturday, and closing at 12am on Sunday.

9.17 The above sites, their use, and their opening hours, is evidence of leisure/entertainment based enterprises with late opening hours operating within the immediate context of Burleigh Street, and act as precedents in support of the proposed extension to business hours for the proposal site.

9.18 The proposed development, constituting an extension to opening hours of an adult amusement arcade, is therefore considered as in keeping with the character of Burleigh Street, and is considered as compliant with the provisions of policies 12, 55 and 56, and is therefore supported.

9.19 Highway Safety and Transport Impacts

9.20 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.

9.21 Para. 115 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.

9.22 The proposed variations to the previous consent do not require any physical works on site, and will not lead to any changes on site with regards to access, parking or highway concerns. The development is therefore not considered to allow for any adverse impacts on highway safety. The Highways Officer shares this view, and recommends no conditions.

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

9.24 Amenity

9.25 Policy 35 seeks to protect amenity impacted by noise and disturbance. There are residential properties above and surrounding the site including to the rear.

9.26 Neighbouring Properties

9.27 Concerns have been raised by a member with regards to the potential adverse impacts on the amenity of neighbouring occupiers which may arise from the proposed extension to business hours.

9.28 The application seeks to extend the opening hours of the Adult Amusement Arcade on site. This would allow for the site to be operational

between the hours of 9am and 2am Monday to Saturday, and between 11am and 2am on Sunday.

- 9.29 The councils EHO was not initially satisfied with the information provided that neighbouring occupiers would not be subject to exacerbated issues with noise stemming from the proposed extension to operational hours.
- 9.30 Following this objection, the applicant has provided an updated noise impact assessment to address the concerns of the EHO and avoid any potentially adverse impacts on the amenity of neighbouring occupiers.
- 9.31 The EHO was formally consulted on the revised document, and has removed their objection, stating: *Considering internal noise levels and plant associated within the premises, as detailed and calculated within the HAR, we have no objections to the application.*
- 9.32 Additionally, the applicants set out in their supporting planning statement that:

'Luxury Leisure has undertaken surveys of visitor numbers across a range of AGCs [Adult Gaming Centres] which operate 24 hours a day. This data was collected from 67 AGCs from the North-West, Midlands, London and the South-East and the East of England over a 2-week period in January 2022. These are included at Appendix 6. Generally, this demonstrates that on average there are less than 7 visitors per hour during the period between 8pm and 1am'.

and:

'It is important to note that no alcohol is sold or allowed at any of Luxury Leisure's AGCs. Anyone under the influence is refused entry. This is very clear in Luxury leisure's licence and differs from other similar operations such as bingo halls/casinos etc.'

and further that:

'Luxury Leisure AGCs generally appeal to a wide demographic of customers, and this is something that is regularly recorded and monitored by the company. Surveys of Admiral customers suggest that generally there is 35% male/65% female split with a high proportion of customers being between the ages of 45 and 55. Based on experience and anecdotal evidence many visitors between the hours of midnight and 2am are those working shifts or anti-social hours and those working within the hospitality industry. These often include chefs, waiters, bar workers, taxi and delivery drivers. The majority of these customers arrive alone and are not part of larger group.'

9.33 Given the support from Environmental Health Officers and the indicative low intensity and nature of use between these later times, there is no reason to believe that the proposed alterations to the business hours of the adult gaming centre would allow for adverse impacts on the amenity of neighbouring occupiers.

9.34 No objections have been received, and the proposal adequately respects the amenity of its neighbours and is considered that it is compliant with Cambridge Local Plan (2018) policy 35.

9.35 Other Matters

Crime/Anti-social Behaviour

9.36 Concerns have been raised by a local member with regards to the potential increase in anti-social behaviour and crime in the area, stemming from the proposed increase in opening hours.

9.37 Cambridgeshire Constabulary's *Designing out Crime Officer* has been formally on this application. They have viewed associated documents in relation to crime, disorder, vulnerability of crime and the fear of crime, and have discussed the application with the local policing team and Police licensing officer for this location.

9.38 They do not consider that there are any issues around this venue, or the proposed extension to opening hours, and are supportive of the application.

9.39 The proposed alterations to opening hours are therefore considered appropriate for the site and surrounding area, and it is not considered to allow for exacerbated levels of crime and/or anti-social behaviour, and is considered compliant with the provisions of policy 56.

9.40 Planning Balance

9.41 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).

9.42 The proposed changes will allow the premises to remain open between 9am and 2am Monday to Saturday, and between 11am and 2am on Sunday, and would allow for the rear of the premises to be used throughout the proposed opening hours, with access to the rear restricted from 8pm each day.

9.43 The proposed alterations to opening times are considered appropriate for the character of the area, given the proximity of other late opening

leisure/entertainment businesses, and so the development is compliant with the provisions of policies 12, 55, 56 and 58.

- 9.44 The proposed alterations are not considered to allow for any adverse impacts on the amenity of neighbouring occupiers. The council's EHO shares this view, and the development is seen as compliant with the provisions of policies 35, 56, and 58.
- 9.45 The Designing Out Crime Officer has provided their support for the development on behalf of the policies, stating there are no concerns that the development would cause an increase in crime or anti-social behaviour within the area. The development is therefore seen as compliant with policy 56.
- 9.46 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, subject to conditions.

10.0 Recommendation

10.1 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 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.

2 - The external area to the rear of the premises shall not be used by patrons of the premises between the hours of 8pm and 2am Monday to Sundays.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55, 57/58).

3 - The use hereby permitted shall only be operated from the premises during the hours of 9am to 2am Monday to Saturday and 11am to 2am on Sundays.

Reason: To protect the amenities of the occupiers of adjacent properties.
(Cambridge Local Plan policy 35)

4 - The use hereby permitted shall be restricted to the playing of amusements with prizes machines, ancillary catering and ancillary retail sales.

Reason - To ensure that the use makes a positive contribution to the vitality, viability and diversity of the City Centre, in accordance with Policy 11 of the Cambridge Local Plan 2018

5 - The ground floor front window of the premises shall at all times contain a retail window display

Reason - To ensure that the use makes a positive contribution to the vitality, viability and diversity of the City Centre, in accordance with Policy 11 of the Cambridge Local Plan 2018

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



Planning Committee Date	7 February 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/04342/S73
Site	45 Leete Road Cambridge Cambridgeshire CB1 9HB
Ward / Parish	Cherry Hinton
Proposal	S73 to vary condition 2 (Approved plans) of planning permission 23/00455/FUL (Change of use to large 7 bed HMO (7 persons) sui generis. Rebuild and extend existing garage to bedroom 7 including change to pitch roof, and two storey rear extension. (First floor rear extension, bedroom 6, previously approved under 20/01261/FUL)) adjustments to accommodate different site boundary and changes to the internal layout.
Applicant	Mr Stephane Lee /Lullox
Presenting Officer	Melissa Reynolds
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Principle of development2. Design, Layout, Scale and Landscaping3. Car parking4. Residential Amenity
Recommendation	APPROVE subject to conditions.

1.0 Executive Summary

- 1.1 The application seeks approval under S73 to make minor material amendments to an extant permission (ref. 23/00455/FUL). The proposals seek to revise the approved drawings referenced in condition 2 (Approved plans). The original permission was for 'Change of use to large 7 bed HMO (7 persons) sui generis. Rebuild and extend existing garage to bedroom 7 including change to pitch roof, and two storey rear extension. (First floor rear extension, bedroom 6, previously approved under 20/01261/FUL). The adjustments are to accommodate slightly smaller site boundary and changes to the internal layout.
- 1.2 Officers recommend that the Planning Committee **approve** the application with conditions.

2.0 Site Description and Context

None-relevant	X	Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1, 2, 3	
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 The application site is a two-storey, end-terraced house located on the west side of Leete Road. The surrounding area is predominately residential and does not fall within a Conservation Area or a Controlled Parking Zone.
- 2.2 Leete Road is a residential area dating from the mid-20th Century. Along the western side of the street is a verge, with crossing to individual access points. This verge is interspersed with ornamental street trees, although this is none outside the application site. The eastern side of the road repeats this arrangement, although opposite the site there is a double verge interspersed with ornamental street trees where the house are set further back from the street. To the rear of the site (west) the site abuts Cherry Hinton Recreation Ground. A treed boundary marks this.

3.0 The Proposal

- 3.1 This application seeks approval of:

'S73 to vary condition 2 (Approved plans) of planning permission 23/00455/FUL (Change of use to large 7 bed HMO (7 persons) sui

generis. Rebuild and extend existing garage to bedroom 7 including change to pitch roof, and two storey rear extension. (First floor rear extension, bedroom 6, previously approved under 20/01261/FUL)) adjustments to accommodate different site boundary and changes to the internal layout’.

3.2 The application seeks to replace plans referenced under condition two of extant planning permission ref. 23/00455/FUL. The revisions sought are:

- Revised design to reflect a corrected red line boundary – a small area at the rear of the existing building has been removed from the red line adjacent to the boundary with the adjoining house at no. 47 Leete Road. This appears, from observations made during the officer’s site visit and from the revised plans, to be part of the property at no. 47. The rear extension will be sited approximately 0.6m away from the main wall of the house at no. 47 to accommodate this revised red line.
- Minor changes to the internal layout including: Stepping bedroom 5 away from the boundary with no. 47 and increasing the depth by 0.3m from approximately 1.3m to 1.6m.
- Minor revisions to the layout of bedrooms and ensuites to rooms 3, 4, and 6 (first floor) to improve the internal layout.

4.0 Relevant Site History

Reference	Description	Outcome
23/00455/FUL	Change of use to large 7 bed HMO (7 persons) sui generis. Rebuild and extend existing garage to bedroom 7 including change to pitch roof, and two storey rear extension. (First floor rear extension, bedroom 6, previously approved under 20/01261/FUL).	Permitted
22/02596/FUL	Change of use to large 7 bed HMO (7 persons) sui generis. Rebuild and extend existing garage to bedroom 7 including changing to pitch roof. First floor rear extension (bedroom 6, previously approved under 20/01261/FUL).	Withdrawn
21/05578/FUL	Change of use to large 7bed HMO (7 persons) sui generis. Rebuild and extend existing garage to bedroom 7 including changing to pitch roof. First floor rear extension (bedroom 6,	Withdrawn

previously approved under
20/01261/FUL).

20/01261/FUL First floor rear extension Permitted

4.1 The application follows approval of a two-storey rear extension in 2020 and subsequent application to change the property from a single dwelling to a Housing of Multiple Occupation (HMO). The application approved under reference 23/00455/FUL has been implemented and this permission is thereby extant.

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Technical Housing Standards – Nationally Described Space Standard (2015)

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding

Policy 48: Housing in multiple occupation

Policy 50: Residential space standards

Policy 51: Accessible homes

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 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

5.5 Other Guidance

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Cycle Parking Guide for New Residential Developments (2010)

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 The conditions sought by the Highway Authority and required by the Planning Authority under application 23/00455/FUL are requested to be re-imposed.

6.3 Environmental Health – No Objection

6.4 The development proposed is acceptable subject to the imposition of a condition for construction hours and informatives re. Housing Health & Safety Rating System, Management of HMOs, and Licencing.

7.0 Third Party Representations

7.1 One representation has been received. The objector raised the following issue:

-Car parking and parking stress

8.0 Member Representations

8.1 Not applicable.

9.0 Local Interest Groups and Organisations / 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.

10.0 Assessment

10.1 Planning Background

10.2 This application seeks minor material amendments to an approved development that has extant planning permission. In line with national guidance and legislation, as this is a S73 application, members should direct their consideration of the application to the merits of the changes between the schemes rather than seek to reconsider all issues afresh.

10.3 Principle of Development

10.4 The principle that the development proposed is acceptable has been established through the granting of planning ref. 23/00455/FUL. The impact of the revised layout is considered below, however, the principle of the development is acceptable and in accordance with policies 3 and 48 of the Cambridge City Local Plan (2018). The existing permission, which established the principle, is extant.

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 the change of use of 45 Leete Road to a large 7-bedroom HMO (7 persons) sui generis. Rebuild and extend existing garage to bedroom 7, including change to pitch roof, and two-storey rear extension.

10.8 The revisions do not change the impact on the adjoining property at no. 47, as the relationship to its closest rear window is not significantly altered by the amended design. A 45-degree angle is maintained from the centre of the closest window to the first-floor rear extension.

10.9 As per the original application, the bin store proposed has not changed. The applicant has demonstrated that there is suitable space for the provision of bins, and so the design and exact siting of the bin stores will be dealt with via condition, as with the extant permission.

10.10 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.

10.11 Highway Safety and Transport Impacts

10.12 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.

10.13 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.

- 10.14 Access to the site is from Leete Road via an existing crossover.
- 10.15 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, which raises no objection to the proposal subject to applying the original permission's highways related conditions. These cover pedestrian visibility splays and driveway construction to avoid water draining onto the public highway.
- 10.16 An informative advising that the grant of permission does not constitute permission or licence for the developer to carry out works in the public highway has also been requested.
- 10.17 The extant permission did not include the requested pedestrian visibility splays. This was on the basis that there is an open setting to the site's frontage and therefore was considered unnecessary. Furthermore, the driveway is existing and serves vehicular parking, so was considered onerous and unreasonable.
- 10.18 The suggested condition relating to driveway levels and materials was added and is again recommended.
- 10.19 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.

10.20 Cycle and Car Parking Provision

- 10.21 Car parking for two cars and cycle parking for eight bicycles is proposed as per the extant approval.

Cycle Parking

- 10.22 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. 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.
- 10.23 The application proposals include a secure cycle store at the front of the site, with parking for eight bicycles. This is sufficient for the proposed seven occupants of the proposed HMO and complies with Policy 82.

Car parking

10.24 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. The site is outside of the Controlled Parking Zone, where 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.

10.25 The application proposes two car parking spaces on-site. This accords with the standard set in Policy 82. It is noted that while the LHA did not object to the previous application it did note that:

‘...as the streets in the vicinity provide uncontrolled parking, and as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets, this demand is likely to appear on-street in competition with existing residential uses.

The development may therefore impose additional parking demands upon the on-street parking and 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.’

Noting the objection received on this matter in relation to the current proposals, the officer’s report previously considered the proposal’s impact on the area and, while not specifically referencing on-street car parking, did note that the increase from a 6-bedroom to a 7-bedroom HMO was unlikely to have any adverse impact on the character of the area and was therefore compliant with policies 48, 55, 56 and 58 of the local plan. As the current proposals do not increase the number of occupants it is considered this remains unaltered.

10.26 The permission for the first-floor rear extension did also address this matter. In the report on that application the officer noted that ‘The applicant has suggested the existing building is currently used for a small HMO which does not require planning permission. Parking provision and impact on existing parking arrangement is not part of material planning considerations for applications for householder extensions. However, during the site visit, officers were aware cars were parking on grass verge on Leete Road. Therefore, an informative would be attached to suggest no vehicles should park on grass verge’. That permission was issued with that informative, which can also be included.

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

Amenity

- 10.28 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.

Neighbouring Properties

The minor revision to the rear first floor extension will not result in a significant impact on the amenities of no. 47, the adjoining house. By stepping the extension away from the boundary, although the depth increases marginally (30cm), a 45-degree angle is maintained. The impact on light and overbearing will not be significantly altered from the original approval.

Future Occupants

- 10.29 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).
- 10.30 The gross internal floor space measurements for units in this application are as per the approved proposals and are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	1	1	1	7.5	12.7m	+5.2
2	1	1	1	7.5	7.7	+0.2
3	1	1	1	7.5	8	+0.5
4	1	1	1	7.5	8.6	+1.1
5	1	1	1	7.5	8.5	+1
6	1	1	1	7.5	10.9	+3.2
7	1	1	1	7.5	12	+4.5
HMO	7	7	2	130.5	140.7	+10

- 10.31 Policy 50 paragraph 6.32 states that residential units created through conversions should seek to meet or exceed the internal space standards as so far as practicable to do so. All bedrooms meet the space standard.
- 10.32 The proposed communal area is unaltered and is considered sufficient to meet the provisions required by licencing and the space can suitably accommodate seven persons.

Garden Size

- 10.33 The external amenity space proposed is unchanged from the extant permission and measures approximately 154sqm.

10.34 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. which is deemed to be suitable for accommodating table/chairs for maximum occupancy, circulation space and space to hang washing. The proposal is therefore compliant with policy 48 of the Local Plan.

10.35 Summary

10.36 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.

10.37 Other Matters

Bins

10.38 Policy 57 requires refuse and recycling to be successfully integrated into proposals.

10.39 The application proposal is as per the approved scheme. This was considered too tall at 2m high in the streetscene. A condition requiring details to be submitted was included and is considered to still be necessary.

10.40 Planning Balance

10.41 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).

10.42 Summary of harm

10.43 A third-party representation has raised concern that the proposal will increase parking on-street, including on verges along Leete Road. The proposals do not alter the likely impact over that of the extant permission. The dwelling has been in use as a small HMO of six-bedrooms. An additional room is not likely to significantly alter this impact. An additional informative can be added about not parking on verges.

10.44 Summary of benefits

10.45 The proposed development is appropriate for its location and is in keeping with the character of the immediate context while creating a good quality living environment for future occupiers.

- 10.46 The development will positively contribute to the supply of residential accommodation available to the public within Cambridge.
- 10.47 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.

11.0 Recommendation

11.1 Approve subject to:

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

12.0 Planning Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission 23/00455/FUL.

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. Notwithstanding the approved plans, details of the bike and bin stores associated with the development shall be submitted to and approved in writing by the local planning authority prior to commencement of the development hereby approved.

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, 48 and 82).

4. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway and uses a bound material to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall be retained as such.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81).

5. The application site shall have no more than seven people residing within it at any one time.

Reason: A more intensive use would need to be reassessed in interests of the amenity of neighbouring properties. (Cambridge Local Plan 2018 policies 56 and 48).

6. The internal communal areas as shown on the approved drawings shall be provided prior to occupation of the building for the proposed use and retained for communal uses and used for no other purpose(s).

Reason: To ensure adequate internal communal space is provided for future occupants (Cambridge Local Plan 2018 policies 48 and 50).

7. 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).

Greater Cambridge Shared Planning
Cambridge City Council - Appeals for Committee



Appendix 1: Decisions Notified By The Secretary of State

REFERENCE	SITE ADDRESS	DETAILS	DECISION	DECISION DATE	PLANNING DECISION
23/00564/FUL (APP/Q0505/W/23/3324783)	Pavement Outside 24-25 Burleigh Street Cambridge CB1 1DG	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator	Appeal Dismissed	11/01/2024	Refusal of planning permission (Delegated Decision)
23/00565/ADV (APP/Q0505/Z/23/3324784)	Pavement Outside 24-25 Burleigh Street Cambridge CB1 1DG	Installation of 1no 86 inch LCD screen capable of showing illuminated static displays in sequence.	Appeal Dismissed	11/01/2024	Refusal of planning permission (Delegated Decision)
23/00568/FUL (APP/Q0505/W/23/3324788)	Pavement Outside 19-23 Fitzroy Street Cambridge CB1 1PS	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator	Appeal Dismissed	12/01/2024	Refusal of planning permission (Delegated Decision)
23/00569/ADV (APP/Q0505/Z/23/3324789)	Pavement Outside 19-23 Fitzroy Street Cambridge CB1 1PS	Installation of an 86 Inch LCD screen capable of showing illuminated static displays in sequence.	Appeal Dismissed	12/01/2024	Refusal of planning permission (Delegated Decision)
23/00534/FUL (APP/Q0505/W/23/3321735)	Land To The Back Of 52 Wulfstan Way Cambridge Cambridgeshire CB1 8QH	Demolition of existing garage/workshop facing Hulatt road and the construction of two bedroom dwelling	Appeal Dismissed	16/01/2024	Refusal of planning permission (Delegated Decision)
23/02096/HFUL (3329809)	13 Stratfield Close Cambridge Cambridgeshire CB4 3NA	Two storey side and single storey rear extensions.	Appeal Allowed	18/01/2024	Refusal of planning permission

					(Delegated Decision)
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Appendix 2: Appeals received

REFERENCE	SITE ADDRESS	DETAILS	DATE LODGED
23/03417/FUL (3336796)	184 Thoday Street Cambridge Cambridgeshire CB1 3AX	Two storey side and single storey rear extensions and change of use from 6 bed HMO (C3) to large 6 bed HMO (8 people) sui generis, along with bike shed storage to the rear.	15/01/2024
22/03677/FUL (APP/Q0505/W/24/3337163)	104A Flat At Mill Road Cambridge Cambridgeshire CB1 2BD	Alteration to existing maisonette, addition of dormers to second floor, first-floor rear extension and ground floor rear extension to form 3no 1 bedroom self-contained flats	18/01/2024

Appendix 3a: Local Inquiry dates scheduled

NO RESULTS

Appendix 3b: Informal Hearing dates scheduled

NO RESULTS

Appendix 4: Appeals Awaiting Decision from Inspectorate

REFERENCE	SITE ADDRESS	DETAILS	REASON
22/01442/FUL (APP/Q0505/W/22/3311017)	The Seven Stars Public House 249 Newmarket Road Cambridge Cambridgeshire CB5 8JE	Erection of 2no flats with associated works and landscaping on unused land behind The Seven Stars Public House	Refusal of planning permission (Delegated Decision)
20/04261/FUL (APP/Q0505/W/23/3325645)	Jewish Synagogue 3 Thompsons Lane Cambridge CB5 8AQ	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.	Refusal of planning permission (Committee Decision (Area/Main))
22/03766/HFUL (APP/Q0505/W/22/3313253)	45 Gough Way Cambridge Cambridgeshire CB3 9LN	Demolition of single storey side extension. Part two-storey and part single-storey side	Non-determination within

		extension and two-storey and single storey rear extensions.	statutory period
23/00566/FUL (APP/Q0505/W/23/3324785)	Pavement Outside Y59 Grafton Centre Cambridge CB1 1PS	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator	Refusal of planning permission (Delegated Decision)
23/00567/ADV (APP/Q0505/Z/23/3324786)	Pavement Outside Y59 Grafton Centre Cambridge CB1 1PS	Installation of 1no 86 inch LCD screen capable of showing illuminated static displays in sequence.	Refusal of planning permission (Delegated Decision)
22/04089/PRIOR (APP/Q0505/W/23/3321000)	Land Opposite 89A Barton Road Cambridge Cambridgeshire	Removal and replacement of the existing 8 metre high monopole with a new 18 metre high monopole supporting 6 no. antennas with a wraparound equipment cabinet at the base of the column, the installation of 3no. new equipment cabinets and ancillary development thereto.	Refusal of planning permission (Delegated Decision)
23/00962/ADV (APP/Q0505/Z/23/3325985)	3-4 Market Hill Cambridge Cambridgeshire CB2 3NJ	Retention of 2no non-illuminated fascia signs, 2no non-illuminated double sided projecting signs, delivery drivers ID signage, manifestations to entrance doors glazing windows and 4no barrier banners in RAL 2003 with screen printed white logo.	Refusal of planning permission (Delegated Decision)
22/05334/PRIOR (APP/Q0505/W/23/3322932)	Cherry Hinton Road Street Works Cherry Hinton Road Cambridge CB1 7AZ	Installation of a H3G 18m street pole and additional equipment cabinets	Refusal of planning permission (Delegated Decision)
23/01183/FUL (APP/Q0505/W/23/3327514)	11A Garry Drive Cambridge Cambridgeshire CB4 2PD	Conversion and extension of existing double garage to a self-contained 1-bed property and associated works. Resubmission of 21/05255/FUL	Refusal of planning permission (Delegated Decision)
23/00189/FUL (APP/Q0505/W/23/3323330)	100 Perne Road Cambridge Cambridgeshire CB1 3RR	A single storey garden annexe known as an Annexa 745 also classified as a caravan within the curtilage of the property domestic garden. For the proposed occasional use as an air B&B.	Refusal of planning permission (Delegated Decision)
23/01238/LBC (APP/Q0505/Y/23/3327462)	3-4 Market Hill Cambridge Cambridgeshire CB2 3NJ	Retention to install of 2no non-illuminated fascia signs, 2no non-illuminated double sided projecting sign, delivery drivers ID signage, manifestations to entrance doors glazing windows and 4no barrier banners in RAL 2003 with screen printed white logo.	Refusal of planning permission (Delegated Decision)

Appendix 5: Appeals Pending Statement

NO RESULTS

Data extracted at: 2024/01/24 11:24:53