



Cambridge City Council Planning

Date: Wednesday, 7 August 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 some time between 12noon and 2pm. With possible short breaks between agenda items subject to the Chair's discretion.

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

2 Apologies

3 Declarations of Interest

Part 1: Major Planning Applications

- 4 23-04686-FUL Fanshawe Road Addendum committee report (Pages 5 - 76)

Part 2: Minor/Other Planning Applications

5	24-00973-FUL Land To Rear Of 33-39 Paget Road	(Pages 77 - 104)
6	24-01783-FUL 2 Scotland Close	(Pages 105 - 120)
7	24-01907-S73 48 Cavendish Avenue	(Pages 121 - 138)
8	24-01604-FUL Edeva Court	(Pages 139 - 162)
9	24-01408-FUL The Varsity Hotel and Spa, 24 Thompson Lane	(Pages 163 - 190)
10	24-01388-S73 45 Nightingale Avenue	(Pages 191 - 204)

Part 3: General and Enforcement Items

11	Planning Committee Review Project Update Aug 2024	(Pages 205 - 242)
12	Appeals Information	(Pages 243 - 246)

Planning Members: Smart (Chair), Baigent (Vice-Chair), Bennett, Dryden, Gilderdale, Lokhmotova, Porrer, Thornburrow and Todd-Jones

Alternates: Flaubert, Howard, Nestor and Young

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- Email: democratic.services@cambridge.gov.uk
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Planning Committee Date	7 th August 24
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	23/04686/FUL
Site	12 - 34 Fanshawe Road Cambridge Cambridgeshire CB1 3QY
Ward / Parish	Coleridge
Proposal	Demolition of the existing buildings, garages and hardstanding and the erection of 84 residential units, car parking, landscaping and associated works.
Applicant	Cambridge Investment Partnership
Presenting Officer	Aaron Coe
Reason Reported to Committee	To reassess the planning balance with 40% of the development as affordable housing to be secured through the Section 106 Agreement. Cambridge City Council has a direct interest in the application as part applicant.
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Design and scale of the development2. Residential amenity3. Brownfield site in a sustainable location.
Recommendation:	i) Approve planning application reference 23/04686/FUL subject to planning conditions and

informatives as set out below with delegated authority to Officers to settle any amendments to those conditions and informatives prior to issuing of the planning permission;

ii) the completion of a s106 Agreement to secure a policy compliant 40% affordable housing scheme and all other planning obligations set out in the initial Officer report with delegated authority to Officers to settle the final contribution amounts and minor alterations required to the Heads of Terms to secure an Agreement;

iii) authority for the Director of Planning to execute and exchange a Memorandum of Understanding with the Council's Director of Communities which in the event of a further tranche/s of grant funding being awarded by Homes England will seek to secure that all additional affordable units being provided on the development are occupied, managed and maintained in accordance with the Approved Housing Scheme pursuant to the Section 106 Agreement.

Addendum Committee Report

23/04686/FUL- 12-34 Fanshawe Road, Cambridge, Cambridgeshire, CB1 3QY

Background

- 0.0 At the 27th March 2024 Cambridge City Council Planning Committee meeting, Members resolved to approve planning application reference 23/04686/FUL which proposed the *'Demolition of the existing buildings, garages and hardstanding and the erection of 84 residential units, car parking, landscaping and associated works'*. The officer report to the 27th March 2024 Planning Committee is attached as Appendix 1. The application as submitted and presented to committee proposed 45 of the 84 homes as affordable homes (i.e. 54% of the total number of homes to be provided by the development).
- 0.1 Following the Committee approval the applicants have engaged with Homes England regarding the grant funding towards the provision of the additional affordable homes over and above the amount required by planning policy (i.e. 40%

of the total number of homes to be provided by the development). However, during discussions with Homes England, it has been confirmed that the proposed development would not comply with the grant funding criteria because the 11 additional affordable homes were proposed to be secured by the Section 106 legal agreement, as part of the affordable housing offer required to satisfy the Local Plan policy requirement.

- 0.2 The control and delivery of all affordable housing obligations contained in Policy 45 of the Cambridge Local Plan 2018 across the Local Planning Authorities administrative area are secured via a S106 agreement. Homes England's position is that they will not fund any additional affordable homes over and above the amount required by planning policy (i.e. 40%) delivered through such a mechanism as part of the planning permission. The applicants have advised that they are confident that once permission is issued, the scheme could attract additional funding to increase the number of affordable homes on the site. Nevertheless, because of Homes England's approach, officers consider that the current application for Fanshawe Road should be approached based on a policy compliant (40%) affordable housing mix, rather than the 54% mix originally proposed to enable the development to be eligible to apply for the grant funding.
- 0.3 The applicants have submitted amended plans which identify the eleven additional homes which are intended to be delivered as additional affordable homes subject to the funding being granted in due course. As per the capital funding guide, for the purpose of meeting the funding requirements the planning permission cannot secure the delivery of these additional eleven affordable homes through planning obligations. In order to secure these units the applicants have offered a Memorandum of Understanding (MoU) between the Council's Joint Director of Planning and the Council's Director of Communities which will commit the applicants to delivering the additional eleven homes as affordable rented properties. The mechanism for doing so, whilst satisfying the grant conditions, will be captured in the MoU with the advice of the Planning Services Legal advisor. The Memorandum does not represent a planning obligation within the meaning of Section 106, Town and Country Planning Act 1990.
- 0.4 As a result of the proposed changes, the Planning Committee are required to re-consider the application, specifically the planning balance that was struck based upon the weight to be given to the affordable housing delivery with a particular focus on the relevant paragraphs of the original committee report at 11.11 to 11.17, paragraph 11.90 and 11.102 to 11.108.

Affordable Housing Provision

- 0.4 Policy 45 of the Cambridge Local Plan 2018 requires for a scheme of this size for 40% of dwellings to be affordable. The proposed development as now amended includes 34 affordable homes which meets the policy requirement by delivering 40% of the development as affordable.

- 0.5 The Cambridge City Affordable Housing SPD requires developments to include a balanced mix of dwellings sizes, types and tenures to meet projected future household needs within Cambridge.

The affordable housing mix that is to be secured by the s106 is now therefore as follows:

Block	Beds	GIA (sqm)	Tenure	Number
W1	1B2P	84	S106	1
W1	1B2P	73	S106	1
W1	1B2P	57	S106	1
W1	2B4P	91	S106	1
W1	3B5P	87	S106	4
W1	1B2P	50	S106	8
W1	2B4P	76	S106	4
E2	1B2P	55	S106	3
E2	2B4P	72	S106	3
E2	2B4P	73	S106	3
E2	3B5P	91	S106	2
E2	3B5P	94	S106	2
E2	3B5P	109	S106	1

The unit sizes of the 11 additional affordable homes that are now to be treated in the planning balance as market housing is as follows:

Block	Beds	GIA (sqm)	Tenure	Number
W1	1B2P	56	Affordable	8
E2	1B2P	55	Affordable	1
E2	2B4P	72	Affordable	1
E2	2B4P	73	Affordable	1

- 0.6 In terms of the affordable housing tenure proposed, 75% of the affordable dwellings are proposed to be capped at 60% of market rent and 25% of the affordable dwellings are proposed to be capped at 80% of market rent. Each affordable apartment block will provide a combination of properties at varied levels of affordable rent, ensuring a mixed and balanced community is provided within the development.
- 0.7 The external appearance and design of the affordable homes is considered to be tenure blind with no discernible difference in quality between private sale and council rented units which is in accordance with policy and is supported by officers.
- 0.8 Officers are satisfied that as amended the proposed development is in accordance

with the requirements of Cambridge Local Plan 2018 policy 45.

Policy 51- Accessible Homes

- 0.9 Following the proposed amendments the development has been reassessed to ensure the scheme is in accordance with Cambridge Local Plan 2018 policy 51. All of the proposed dwellings comply with the requirements of Part M4(2) of the Building Regulations. Policy 51 seeks to secure 5 per cent of the proposed affordable homes are provided as M4(3) dwellings. The application as amended still exceeds this policy requirement by providing four affordable homes as M4(3) compliant homes which equates to 12% of the affordable provision. All four of the M4(3) units will have an allocated accessible car parking space conveniently located in close proximity to the entrances of the apartment blocks. Conditions 4 and 5 as recommended secure the delivery of the M4(2) and M4(3) homes. The proposed development is considered to be compliant with Cambridge Local Plan (2018) policy 51.

Planning Balance

- 0.10 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).
- 0.11 Whilst noting the applicants clear commitment to deliver the additional affordable homes, over and above the policy requirement in the plan, at this stage that ambition cannot be given any material weight and so the benefit (over and above the provision of new homes) associated with these additional affordable units need to be more qualified. However, notwithstanding this the application as amended continues to meet the requirements of policy 45 by providing 40% of the development as affordable and continues to secure an uplift in the total number of affordable homes on site compared to the existing provision.
- 0.12 Officers are accordingly of the view that the proposed amendment to the scheme does not materially alter their earlier conclusions on the planning balance struck in the original committee report. As amended, the proposal will continue to provide economic and social benefits through an increase in affordable housing in the City and the proposed development will also deliver significant environmental benefits that accord with the three dimensions of sustainable development as set out in the National Planning Policy Framework (NPPF 2023).
- 0.13 Having taken into account the provisions of the development plan, the NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is accordingly recommended for approval, subject to the specific provisions below.

0.14 Recommendation

- i) Approve planning application reference 23/04686/FUL subject to planning conditions and informatives as set out below with delegated authority to Officers to settle any amendments to those conditions and informatives prior to issuing of the planning permission;
- ii) the completion of a s106 Agreement to secure a policy compliant 40% affordable housing scheme and all other planning obligations set out in the initial Officer report with delegated authority to Officers to settle the final contribution amounts and minor alterations required to the Heads of Terms to secure an Agreement;
- iii) authority for the Director of Planning to execute and exchange a Memorandum of Understanding with the Council's Director of Communities which in the event of a further tranche/s of grant funding being awarded by Homes England will seek to secure that all additional affordable units being provided on the development are occupied, managed and maintained in accordance with the Approved Housing Scheme pursuant to the Section 106 Agreement.

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 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 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 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).

- 5 Notwithstanding the plans hereby approved, four dwellings shall be constructed to meet the requirements of Part M4(3) 'wheelchair user 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).

- 6 The proposed access 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.

Reason: for the safe and effective operation of the highway

- 7 Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall service the site only between the hours of 09:00hours- 16:00hours, Monday to Friday.

Reason: in the interests of highway safety.

- 8 No demolition or construction works shall commence (including demolition or preparation works) until a Construction Environmental 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; providing 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 relation to the operation of the adopted public highway.
- v. Contact details for the site manager, including how and where these details will be displayed on site.

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) Policies 35 and 81.

- 9 Prior to the first occupation of the development a Travel Plan Welcome Pack shall be submitted to and approved in writing by the Local Planning Authority, and such arrangements shall be implemented in accordance with agreed details and in accordance with an agreed programme.

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

- 10 Prior to the commencement of the development hereby approved, with the exception of demolition and 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. (Cambridge Local Plan 2018 policies 55 and 57).

- 11 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; 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; 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, details of the proposed watering schedule, watering sleeves and management responsibilities and maintenance schedules for all landscape areas, trees and play spaces.
 - e) Notwithstanding the approved plans the low growing flower bed as shown on page 4 of the waste strategy statement uploaded 4th March 2024 shall be reduced in size to ensure the waste collection process can take place without conflict with the soft landscaping.

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).

- 12 No development shall take place, including archaeology, until the details of all groundworks and soil movement relating to the development are submitted to and approved in writing by the local authority. Details should include a Soils Management Plan detailing protection of ground to be reinstated to open space, sustainable drainage or general landscape, methodology of soil stripping, storage, handling, haul routes, formation level decompaction measures, soil re-spreading and decompaction as well as soil disposal (if necessary).

All groundworks should be carried out in accordance with the approved details and in accordance with the recognised 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' produced by DEFRA and Protecting and Enhancing Soils Policy Position Statement produced by Chartered Institute of Water and Environmental Management (CIWEM).

Reason: To ensure that the details of the groundworks are acceptable. (Cambridge Local Plan 2018; Policies 55, 57 and 59).

- 13 No development 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, 57 and 59).

- 14 Prior to the commencement of any superstructure works the details of the biodiverse (green) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. Details of the green 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,
- c) Where solar panels are proposed, bio-solar 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,
- d) A management/maintenance plan
- e) Evidence of installation shall be required in photographic form prior to handover.

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).

- 15 Unless an alternative trigger is 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;

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)).

- 16 Prior to commencement and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning

authority for its written approval, before any tree works are carried and before equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

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.

- 17 Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager, the arboricultural consultant and LPA Tree Officer to discuss details of the approved AMS.

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.

- 18 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.

- 19 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 Cambridge Local Plan 2018 Policy 71: Trees.

- 20 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 Create Consulting Engineers Limited (ref: JE/VL/P22- 2768/01) dated 9th February 2024 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, 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);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results to confirm infiltration rates;
- f) 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;
- g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- h) Permissions to connect to a receiving watercourse or sewer;
- i) Measures taken to prevent pollution of the receiving groundwater and/or surface water.
- j) Measures taken to recycle rainwater within the development.

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.

- 21 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 dwellings 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 the requirements of paragraphs 169 and 173 of the National Planning Policy Framework.

- 22 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.

- 23 No dwelling shall be occupied until the approved carbon reduction strategy for that dwelling as set out in Energy Statement, Qoda, 5/12/2023 Version P05 has been implemented in full. Any associated renewable and / or low carbon technologies shall thereafter be retained and remain fully operational in accordance with the approved details. Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised approach to meeting the required reduction in carbon emissions shall be submitted to and approved in writing by the local planning authority. The approved revised approach shall be fully implemented and thereafter maintained in accordance with the approved details prior to occupation of any dwelling.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2018, Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 24 Water efficiency measures for the scheme shall be implemented in line with the water efficiency targets as set out in the Sustainability Statement, Qoda, 5/12/2023 Revision P04. Prior to the occupation of the development hereby permitted the final water efficiency specifications shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate achievements of these design standards and 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).

- 25 No development (or phase of) shall commence until a Phase 3 Remediation Strategy based upon the findings of the Tier 2 Geoenvironmental Assessment (Revision P01) by Sweco (ref: 65207740-SWE-XX-XX-T-GE-0002, dated 2nd March 2023), has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

- 27 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).

- 28 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).

29 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).

30 No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, has been submitted to and approved in writing by the local planning authority The development shall be implemented in accordance with the approved scheme.

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

31 No development (including demolition, enabling works or piling shall commence until a demolition/construction noise and vibration impact assessment associated with the development, has been submitted to and approved in

writing by the local planning authority. The assessment shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration on construction and open sites and include details of any piling and mitigation/monitoring measures to be taken to protect local residents from noise or vibration. The development shall be carried out in accordance with the approved measures.

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

- 32 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).

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

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

- 34 The plant / equipment as approved shall be installed and operated in accordance with the principles, design and specifications (including operational noise levels, attenuation / mitigation and the results of the BS4142-type assessment) contained within the submitted Technical Note "Plant and Substation Noise"; Reference BD/VL/P22-2768/02TN, prepared by Create and dated September 2023.

The plant / equipment as approved shall be maintained and retained thereafter.

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

- 35 Prior to the installation of any external 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 external artificial lighting of the site and an external artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. External lighting on the development 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 - GN01/21 (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 nearby properties and future occupiers (Cambridge Local Plan 2018 policy 34).

- 36 Prior to the commencement of development above slab level, a scheme for biodiversity enhancement shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the number, location and specifications of the bird and bat boxes to be installed, hedgehog connectivity, habitat provision and other biodiversity enhancements. The approved scheme shall be fully implemented in accordance with the agreed details unless otherwise agreed in writing by the local planning authority.

Reason: To conserve and enhance ecological interests in accordance with Cambridge Local Plan 2018 policies 59 and 60, Greater Cambridge Shared Planning Biodiversity SPD 2022 and the NPPF paragraphs 8, 180, 185 and 186.

- 37 No development shall take place (including demolition and ground work) until a construction environmental management plan (CEMP: Swifts) has been submitted to and approved in writing by the local planning authority. The CEMP (Swifts) shall include the following:
- a) Risk assessment of potentially damaging construction activities on the known swift nest sites
 - b) 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). Including details of temporary nest site provision, to include a minimum of seven temporary swift boxes.
 - c) The location and timing of sensitive works to avoid disturbance to breeding swifts
 - d) The times during construction when specialist ecologists need to be present on site to oversee works.
 - e) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - f) Use of any necessary protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To conserve and enhance ecological interests in accordance with Cambridge Local Plan 2018 policies 59 and 60, Greater Cambridge Shared

Planning Biodiversity SPD 2022 and the NPPF paragraphs 8, 180, 185 and 186.

- 38 Prior to the occupation of the development hereby permitted an ecological sensitive lighting strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) Identify those areas/features on site that are particularly sensitive to light disturbance for bats and invertebrates
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory
 - c) Demonstrate through building design, material and lighting specification that internal lighting spill from the new development will not adversely impact the areas / features identified as sensitive.

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

Reason: To ensure ecological interests will be fully conserved and enhanced. (Cambridge Local Plan 2018 policy 57).

- 39 No development shall commence, apart from below ground works and demolition, until an updated Biodiversity Net Gain (BNG) Plan (based on the details submitted within the Biodiversity Metric Calculation and Biodiversity Net Gain Plan dated January 2024 produced by MKA Ecology) has been submitted to and approved in writing by the local planning authority. The BNG Plan shall demonstrate how a minimum biodiversity net gain of 10% will be achieved.

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, South Cambridgeshire Local Plan 2018 policy NH/4 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 40 Prior to the installation of any electrical services, an electric vehicle charge point scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall make provision for active charge point(s) for each car parking space. The active charge points should have a minimum power rating output of 3.5kW. The approved electric vehicle charge points shall be installed prior to first occupation of the development.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF 2021) paragraphs 107, 112, 174 and 186, Policies 36 and 82 of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

- 41 Prior to the installation of the underground 'iceberg' bins the specification of the underground bins shall be submitted to and approved in writing by the local planning authority. The underground bin specification shall be compatible with the Greater Cambridge Shared Waste Service underground refuse vehicle.

Reason: to ensure an effective and efficient refuse collection strategy is achieved in accordance with Cambridge Local Plan 2018 policy 57.

- 42 Prior to the commencement of above ground works, a scheme for the provision of fire hydrants shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved details. The approved scheme shall detail the implementation strategy for the fire hydrants (noting the hydrants may be installed in a phased manner across the site). No dwellings shall be occupied until the fire hydrants serving that part of the site have been implemented and installed in accordance with the approved Scheme.

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

- 43 The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with the terrace properties within blocks E3 and W3 have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout of the cycle store. A cycle store proposed with a flat / mono-pitch roof shall include plans providing for a green roof. Any green roof shall be planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick. The cycle store and green roof as appropriate shall be provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

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

- 44 Prior to first occupation, each dwelling shall be fitted with a means for future occupiers to monitor / measure all of their own energy consumption (electric / water / gas) including the extent of the contribution made to energy consumption from on-site renewable energy sources. The fitted device(s) shall be retained and maintained thereafter.

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

- 45 All letter boxes for the proposed residential apartments shall be located and externally accessible from the street unless otherwise agreed in writing by the Local Planning Authority due to individual building layout constraints.

Reason: In the interests of good design and security (Cambridge Local Plan 2018 policy 55)

- 46 Prior to any works above slab level the detailed design of the proposed footpath connections along the northern boundary and to the allotments shall be submitted to and approved in writing by the Local Planning Authority. The agreed design shall then be fully implemented to the satisfaction of the Planning Authority prior to the first occupation of any residential unit.

Reason: In the interest of good design and connectivity (Cambridge Local Plan 2018 policy 55 and 59).

- 47 No building or structure (including temporary obstacles such as cranes) of the development shall be permitted to be erected above 31m Above Mean Sea Level (AMSL).

Reason: Any development that penetrates the Instrument Flight Procedures (IFP's) or Obstacle Limitation Surfaces (OLS) surrounding Cambridge Airport could endanger aircraft movements and the safe operation of the aerodrome. Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) and/or Instrument Flight Procedures (IFPs) surrounding London City Airport and endanger aircraft movements and the safe operation of the aerodrome. If any structure including cranes were to be erected above this height, then a further IFP assessment would be required to be completed by a CAA approved organisation. In accordance with Cambridge City Local Plan 2018 policy 37.

- 48 Development shall not 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'
- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
- 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 (Cambridge City Local Plan 2018 policy 37).

- 49 No cranes or scaffolding shall be erected on the site unless and until construction methodology and diagrams clearly presenting the location, maximum operating height, radius, and start/finish dates for the use of cranes during the Development has been submitted to and approved by the Local Planning Authority, the Local Planning Authority having consulted Cambridge Airport.

It should be noted that no construction equipment shall be permitted to infringe any Instrument Flight Procedures or critical obstacle limitation surfaces, without

further agreement with Cambridge Airport, following completed specialist CNS/IFP assessments.

Reason: The use of cranes or tall equipment in this area has the potential to impact Cambridge Airport operations and therefore they must be assessed before construction. In accordance with Cambridge City Local Plan 2018 policy 37.

INFORMATIVES:

1. Residents parking scheme

Following implementation of any permission issued by the Local Planning Authority neither the existing residents of the site, nor future residents, will qualify for Residents Permits within the existing Residents Parking Schemes operating in surrounding streets.

2. Highway 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, and that a separate permission must be sought from the Highway Authority for such works.

3. Signage

Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.

4. 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.

5. Water efficiency

In response to the water scarcity issues that the Cambridge Water revised draft Water Resources Management Plan, September 2023, is seeking to respond to, the Council seeks to encourage all applicants to achieve a design standard of water use of no more than 100 litres/person/day.

6. Electric cycle charging

The applicant is encouraged to include electric spurs for the charging of electric cycles within the cycle stores approved.

- Rainwater harvesting
7. The applicant is encouraged to install a dual pipe system which offers a rainwater harvesting mechanism for non potable uses.

(23/04686/FUL) Appendix 1



Planning Committee Date	27 March 24
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	23/04686/FUL
Site	12 - 34 Fanshawe Road Cambridge Cambridgeshire CB1 3QY
Ward / Parish	Coleridge
Proposal	Demolition of the existing buildings, garages and hardstanding and the erection of 84 residential units, car parking, landscaping and associated works.
Applicant	Cambridge Investment Partnership
Presenting Officer	Aaron Coe
Reason Reported to Committee	Third party representations have been received which are contrary to the officer recommendation; Cambridge City Council has a direct interest in the application as part applicant.
Member Site Visit Date	N/A

Key Issues

1. Design and scale of the development
2. Residential amenity
3. Brownfield site in a sustainable location.

1.0 Executive Summary

- 1.1 The application seeks planning permission for the demolition of the existing buildings and hardstanding and the erection of 84 homes, landscaping and associated works.
- 1.2 The development would increase the amount of affordable housing that helps to meet an identified demand within the local area.
- 1.3 The proposed development would provide a high quality, sustainable development that would not have any significant adverse impact on the residential amenity of the neighbouring occupiers.
- 1.4 Officers recommend that the Planning Committee grants planning permission subject to the conditions as set out in this report and the completion of a S106 legal agreement.

2.0 Site Description and Context

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

- 2.1 The application site comprises 1.23 hectares in area. The site is located in the Coleridge ward. The site is outside of all designated conservation areas and there are no listed buildings within close proximity to the site. The site currently consists of three large blocks of flats (32 units) and garage buildings. The surrounding area is residential in character. To the north of the site is Coleridge recreation ground and to the north west are the Fanshawe Road allotments. In terms of site constraints part of the site is designated as Protected Open Space. The site is within Flood Zone 1 (low risk). A small part of the site to the north is located in an

area at a medium risk of surface water flooding. There are a number of trees within the site boundary, none of the trees within the site are subject to tree protection orders, however, a number of the trees are category A (high quality and value) / B (moderate quality and value) trees.

3.0 The Proposal

- 3.1 The application proposes to demolish the existing 30 homes on the site (which fall below current nationally described space standards, have very low thermal efficiency, are in poor condition with structural issues) and replace these with the 84 new homes (45 affordable homes, 39 market homes).
- 3.2 The proposal consists of six separate blocks of residential accommodation (E1,E2,E3 and W1,W2,W3).
- 3.3 E1 consists of 17 apartments (16 x 2 bed 4 person and 1 x 1 bed 2 person) which are proposed at 4 storeys in height, located to the east of the site. This block is proposed to step up to 5 storeys in height towards the central landscaped area.
- 3.4 E2 consists of 17 apartments (4x 1 bed 2 person, 8 x 2 bed 4 person and 5 x 3 bed 5 person) which are 3 storeys in height and proposed to the east and south of the site with the block stepping up to 4 storeys in height towards the central landscape area.
- 3.5 E3 consists of 5 terrace properties (3bed 5 person) proposed at 2 storeys in height.
- 3.6 W1 consists of 28 units (19 x 1 bed 2 person, 5 x 2 bed 4 person, 4 x 3 bed 5 person). The entire block is proposed to be 5 storeys in height.
- 3.7 W2 consists of 14 units of accommodation (1 x 1 bed 2 person and 13 x 2 bed 4 person). This block is proposed to be 4 storeys in height.
- 3.8 W3 consists of 3 terrace properties (3 bed 5 person) at 2 storeys in height.
- 3.9 The application is accompanied by the following supporting information:
- Drawings
 - Energy Assessment, Overheating Assessment and Sustainability Statement.
 - Daylight, Sunlight and Overshadowing Assessment;
 - Design and Access Statement;
 - Landscape design statement;
 - Flood Risk Assessment and Drainage Strategy Report;
 - Phase 1 and 2 Geo-Environmental Assessment;
 - Planning Statement;
 - Preliminary Ecological Appraisal and BNG Assessment/ Plan;
 - Statement of Community Involvement;

- Transport Assessment;
- Tree Survey and Arboricultural Impact Assessment;
- Plant and Noise report
- Tier 1 and 2 Geo-Environmental Assessment
- Townscape Visual Impact Assessment
- Daylight, Sunlight Assessment and Shadow study.

4.0 Relevant Site History

4.1 C/63/0564- Erection of 14 garages for Cambridge City Council

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

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

Water Environment (Water Framework Directive) (England and Wales)

Regulations 2017 Regulation 33

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 45: Affordable housing

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 59: Designing landscape and the public realm
Policy 60: Tall buildings
Policy 67: Protected open space
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
Landscape in New Developments SPD – Adopted March 2010
Public Art SPD – Adopted January 2009
Trees and Development Sites SPD – Adopted January 2009

5.4 **Other Guidance**

Cycle Parking Guide for New Residential Developments (2010)

6.0 **Consultations**

6.1 **County Highways Development Management**

6.2 No objection subject to conditions relating to falls and levels, construction vehicles weight/ time limits and traffic management plan.

6.3 **County Transport Assessment Team**

6.4 No objection subject to a mitigation package. The proposed development will increase the pedestrian and cycle flows along the Chisholm Trail route. Therefore, a contribution of £359,000.00 is requested towards the cost of this project. A submitted travel plan is acceptable and no monitoring is required. The application must submit a travel welcome pack for approval prior to occupation and this shall be distributed to the new residents.

6.5 **County Growth Officer**

6.6 The County Council education and Section 106 officers have assessed the proposal and advised that there is sufficient capacity within primary and secondary schools in the surrounding area to accommodate the number of additional children expected from the development. Therefore, no education contributions are sought. A contribution of £1950 towards library infrastructure is requested towards Rock Road library.

6.7 **County Archaeology Officer**

6.8 No objection subject to a condition securing a Written Scheme of Investigation.

6.9 **Urban Design Officer**

6.10 The Council's Urban Design Officer has been involved in extensive pre-application discussions on this site.

6.11 As submitted the officer advised that minor changes and clarifications were required. The applicant has reviewed and responded to the requested minor alterations. The development is considered acceptable in urban design terms subject to conditions securing material details and sample panels.

6.12 **Landscape Officer**

6.13 The Council's Landscape Architect has been involved in extensive pre application discussions and supports the proposed development subject to conditions securing the following information: hard/ soft landscape details, retention of existing vegetation, groundworks, tree pits and green roof details.

6.14 **Tree Officer**

6.15 The Council's Tree Officer has been involved in extensive pre application discussions and has no objection to the application.

The trees of high value have been retained, there is space for significant replacement planting and the trees proposed to be removed help to achieve a scheme that satisfies good urban design principles. Conditions required to secure details of: AMS, TPP, site meeting and replacement planting.

6.16 **Local Lead Flood Authority (LLFA)**

6.17 The LLFA had issued an objection to the proposal, and sought clarification on a number of points. The applicant provided additional information and the LLFA Officer has subsequently removed their objection subject to the imposition of conditions.

6.18 **Sustainability Officer**

6.19 No objection subject to conditions securing compliance with the carbon reduction statement and water efficiency measures.

6.20 **Environmental Health Officer**

6.21 No objection subject to conditions relating to contaminated land, dust, noise/ vibration, lighting, construction and delivery hours.

6.22 **Affordable Housing Officer**

6.23 Raised some concerns with the clustering of affordable housing proposed, which exceeds policy guidance. However, support was expressed for the proposed mix, and the overprovision of affordable homes is welcomed.

6.24 **Development Contributions Monitoring Officer**

6.25 A list of contributions required to mitigate the impact of the proposal are set out below:

Community facilities: £143,416.00 towards improving community facilities and or equipment at Coleridge Recreation ground.

Indoor sports: £55,312.00 towards indoor sports

Outdoor sports: £48,938.00 towards outdoor sports facilities at Coleridge Recreation Ground.

Informal open space: £49,761.00 towards provision of informal open space facilities and equipment at Coleridge Recreation Ground.

Play: Provided on site.

Waste receptacles for the benefit of the new development: £8,640.00

S106 monitoring fee: £2200.00

£500 per obligation that requires written confirmation of obligation discharged.

6.26 **Ecology Officer**

6.27 No objection subject to conditions securing a Construction Ecological Management Plan (which will include details of the temporary swift boxes to be provided during construction), ecologically sensitive lighting, bird and bat box provision, BNG condition to secure on site net gain and 30 years management.

- 6.28 **Anglian Water**
- 6.29 No objection raised.
- 6.30 **NHS**
- 6.31 No objection subject to financial contributions towards expanding the local GP capacity.
- 6.32 **Designing out crime officer**
- 6.33 No objection- standard advice in relation to lighting, natural surveillance, boundary treatments, cycle parking and footpath locations.
- 6.34 **Access officer**
- 6.35 Very pleased with the design of the scheme and the disability panel showed their appreciation for this proposed development. Advisory comments have been made in relation to the internal arrangements of the M4(2) and M4(3) units.
- 6.36 **Greater Cambridge Shared Waste Service**
- 6.37 Acceptable subject to a condition which ensures the low growing flower bed on the western side of the development will not conflict with the waste collection strategy.
- 6.38 **Cambridgeshire Fire and Rescue**
- 6.39 Asks for provision to be made for fire hydrants.
- 6.40 **Design Review Panel Meeting of 7th March 2023** (Please refer to Appendix 1)
- Consider a reduction of amount of stepping within blocks W1 and W2 will create a better building design.
 - An east west connection between blocks W1 and W2 should be tested.
 - General concerns with the scale and massing of the buildings proposed. Particularly the overall bulk of W1/W2.
 - Passivhaus standards should apply to all new homes not only the affordable.
 - Higher biodiversity net gain should be targeted.
 - Clearer pedestrian routes need to be established through the site.

6.41 **Disability Consultative Panel Review Meeting of 30th January 2024** (Please refer to Appendix 2)

-Very pleased with the space for wheelchairs in the communal areas and asked if the seating will have a mixture of heights and handrails/non handrails.

-Content with the inclusivity of the indicative play equipment and its suitability for a range of children with different needs. The final detail to be secured by condition at the detailed design stage.

- The Chair queried the surface of the paths through to the recreation ground. It was confirmed that it will be a resin bound gravel, which is smooth and a light colour.

7.0 **Summary of design changes made through the pre application process and following the Greater Cambridge Design Review panel**

7.1 The design and proposed layout of the development has evolved throughout the pre-application process following on from a number of pre application meetings and workshops with the LPA and as a result of feedback of the presentation of the scheme to the Greater Cambridge Design Review Panel meeting. The main areas of change are summarised below.

7.2 A significant change made as a result of the Design Review Panel involved a detailed review of the scale and massing of the western apartments which was originally proposed as one large block. Following the review this apartment block was separated into two separate buildings which resulted in a reduction in the number of units but improved the scheme by achieving an acceptable design in terms of scale and mass. Breaking the block down into two separate buildings led to a further benefit of a clear east- west connection between the apartment blocks across the site and to the central open space.

7.3 Through the pre application process and as a result of the design review panel comments various alterations were also made to the layout of the central open space to create more legible footpath connections to improve the permeability across the site and provide enhanced routes to Coleridge recreation ground. Other amendments included a reduction and relocation of some of the car parking to minimise the amount of hard surfacing and visual impact of parked cars on the streetscene. The design and appearance of each of the apartment blocks were frequently discussed at the pre application workshops. Additional detailing and material choices were made to add architectural interest of these buildings.

7.4 Throughout the design process the applicants considered and presented various options, building forms, heights and arrangements. As a result of various pre application workshops and discussions with officers the scheme submitted has

responded appropriately to the comments of both officers and the design review panel.

8.0 Third Party Representations

8.1 Representations have been received from 26 addresses.

8.2 Those in objection have raised the following issues:

- Density is too high and is an overdevelopment of the site.
- Buildings are too tall and out of context for the area.
- Insufficient car parking is provided.
- Increase in traffic, particularly during construction.
- Impact on local services (NHS and Schools).
- More affordable homes should be provided.
- Overshadowing impact on the recreation ground and allotments.
- Loss of habitat for bats and swifts.
- Concerned by the lack of affordable homes.

9.0 Member Representations

9.1 None received.

10.0 Local Interest Groups and Organisations

Cambridge Cycling Campaign

10.1 Raises concern as an excessive amount of the site is allocated to car parking. The development should be a car free scheme. If a significant amount of car parking is to be provided this should be located within a belowground car park. Camcycle acknowledges the scheme exceeds the amount of cycle parking required by policy standards but considers there to be a need for additional spaces for the smaller properties. Clarification is also sought in respect of the location of the over sized cycle parking within the development.

10.2 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.

11.0 Assessment

11.1 Principle of Development

11.2 Policy 3 of the Cambridge Local Plan 2018 relates to new residential development in the city and is of relevance in determining the acceptability of the principle of this development proposal.

- 11.3 Policy 3 seeks to ensure that new residential development is appropriately located, and this includes with respect to surrounding uses, accessibility, and access to facilities. The application site is in a location which has other residential uses in close proximity, has good transport accessibility and is on land which already has a residential use.
- 11.4 With the above in mind, it is considered that the proposal is in accordance with policy 3.

Protected Open Space

- 11.5 Policy 67 of the Cambridge Local Plan 2018 is relevant in the assessment of this application as the policies Map 2018 identifies part of the application site as protected open space (A07 and AGS32) within the Open Space and Recreation Strategy (2011). These spaces are considered to be of recreational and environmental importance. A07 runs along the northern boundary of the site to the east of the allotments and consists of private grass amenity areas to the rear of the Fanshawe Road properties, this space has a quality rating of 62.22%. AGS32 is a publicly accessible space which fronts onto Fanshawe Road and this space has a quality rating of 36.84%.
- 11.6 Cambridge Local Plan (2018) policy 67 aims to protect designated open space of environmental and recreational importance. The local plan states that development proposals which would lead to the loss of protected open space will not be permitted unless the open space can be satisfactorily replaced in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost.
- 11.7 Policy 67 states that “Development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless:
- a. the open space can be satisfactorily replaced in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost; and
 - b. the re-provision is located within a short walk (400m) of the original site.”
- 11.8 The applicants have carried out an analysis of the existing site and calculated the total amount of protected open space within the site boundaries to be 0.448ha. The application proposal seeks to introduce a total of 0.4861ha of enhanced open space within the development, this demonstrates an increase in the amount of protected open space.
- 11.9 In terms of the quality of the open space, the proposals seeks to enhance the existing open space provision. The proposed open spaces will introduce new

play spaces, include biodiversity enhancements, landscape improvements and enhanced permeability between Fanshawe Road and the Coleridge Recreation ground through the introduction of new footpaths across the site. The proposed new open spaces will be publicly accessible.

11.10 The proposed development is considered to comply with the requirements of policy 67 of the Cambridge Local Plan 2018.

11.11 **Affordable Housing Provision**

11.12 Policy 45 of the Cambridge Local Plan requires for a scheme of this size 40% of dwellings to be affordable. The proposed development includes 45 affordable homes which exceeds the policy requirement by delivering 54% of the development as affordable.

11.13 Policy 45 and the Housing SPD requires that developments should include a balanced mix of dwelling sizes, types and tenures to meet projected future household needs within Cambridge.

11.14 In respect of dwelling sizes the scheme includes a mix of 1,2 and 3 bedroom properties. This includes the delivery of 9x three bed five person affordable homes. The application is considered to introduce an acceptable mix of dwelling sizes which responds to the local need for affordable homes.

11.15 In terms of the affordable housing tenure proposed, 75% is proposed as affordable rent (capped at 60% of market rent) and 25% is proposed as intermediate (capped at 80% of market rent). This is considered acceptable and in accordance with policy. Each affordable block will also provide a mixture of affordable and intermediate rented accommodation, ensuring a mixed and balanced community is provided in each of the blocks.

11.16 In terms of clustering the application proposes 28 affordable units within block W1 and 17 affordable units within block E2. It is noted that the Council's policy seeks to ensure that affordable housing provision is not clustered in one location. However, given that the scheme proposes an above policy provision of affordable homes it is considered that in this instance exceeding the clustering policy requirement is acceptable. Moreover, the external appearance and design of the affordable homes is tenure blind with no discernible difference in quality between private sale and council rented units which is in accordance with policy and is supported.

11.17 Overall, officers are satisfied that the proposed development accords with the Cambridge Local Plan 2018 policy 45.

Design, Layout, Scale and Landscaping

- 11.18 Policies 55, 56, 57, 58, 59 and 60 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 treatments.
- 11.19 The application has been the subject of a Design Review Panel, a Disability Consultative Panel and extensive pre application discussions with officers.
- 11.20 The immediate area around Fanshawe Road and Coleridge Recreation ground is residential in use and the homes are generally two storey detached and semi-detached houses. Further to the west of the site (approximately 180m) is the Flamsteed Close development (to the west of Rustat Road) which reaches 5 storeys in height. The existing housing on the application site, which is proposed to be demolished, consists of three blocks of accommodation. These are arranged in a semi-circular position, with a centrally positioned long block of approximately 66 metres flanked by two shorter blocks of 22 metres. All blocks are three storeys tall with a pitched roof. The blocks are of shallow depth which means that despite being significantly longer and taller than surrounding houses, they retain a domestic scale and proportion.
- 11.21 A key priority throughout the pre application process was to ensure the scheme delivered an equal or increased amount of protected open space within the application site. As a result of this priority along with the need to increase the number of dwellings on site and make efficient use of the brownfield site, the pre application proposals consisted of various iterations of apartment blocks within the landscape instead of a street based approach. Notwithstanding this, the existing blocks of accommodation on the site are considered to be at odds with the prevailing character along Fanshawe Road and therefore, the addition of buildings of a larger scale/ mass into the site was considered to be acceptable in principle subject to an appropriate design and layout being achieved.
- 11.22 The application proposes 84 homes across the 1.23 hectare site which equates to approximately 68 dwellings per hectare which is considered an appropriate density for the application site and would not be an overdevelopment of the site.
- 11.23 Given the overall size of the site, the sustainable location and the opportunity to introduce a larger enhanced open space within the centre of the site, it is considered to be an appropriate location to introduce taller buildings and a denser form of development that make efficient use of the land.
- 11.24 Along the north east and west boundaries of the site two blocks of two storey terraces are proposed which relate positively to the scale of the surrounding residential buildings along Fanshawe Road. These terrace properties will be accessed via two new access roads which will be well overlooked by both the existing and proposed properties.

- 11.25 Policy 60 (Tall Buildings) of the Cambridge Local Plan 2018 requires the submission of a visual assessment where a structure breaks the existing skyline and/ or is taller than the surrounding built form. The applicants have worked with the Council's urban design and landscape officers to identify the viewpoints that need to be included within the visual impact assessment and the outcome of the assessment has helped to develop the design through pre application discussions (this led to a reduction in massing which was achieved by breaking blocks W1 and W2 into separate blocks of accommodation).
- 11.26 Blocks E2 and W2 are proposed to front onto Fanshawe Road and these views will be the most impactful on the streetscape. The proposed increase in scale and massing has been mitigated along Fanshawe Road by limiting the heights of these blocks to three stories for the elements closest to the street and the inclusion of slipped blocks which have helped create an overall more slender appearance. The buildings are proposed to remain set back from Fanshawe Road and to step up in height further to the north of the site, this has led to the most valuable trees being retained along Fanshawe Road which maintains a street lined street and helps to soften the visual impact of the proposed development when viewed from the surrounding streets.
- 11.27 The tallest buildings within the proposed development are Blocks E1 and W1 which are predominantly 5 storeys in height (16.3m to the top of the parapet). These buildings are proposed to be set against the edge of the Coleridge recreation ground. Each of the blocks have been designed to include slipped building forms which help reduce the overall massing of the blocks. As shown in the majority of the viewpoints the visibility of the blocks will be limited when trees are in leaf but it is likely the blocks would be visible during the winter months. Officers consider the most impactful view is across Coleridge Recreation ground (VP05). It is acknowledged VP05 demonstrates that blocks W1 and E1 will be taller and more visible than the existing buildings on site when viewed from this location. Viewpoint 05 demonstrates that the site is capable of accommodating the addition of these larger and taller buildings without having a detrimental impact on the character of the recreation ground or having an adverse impact on the Cambridge skyline. The scale, height and massing proposed is supported by the Council's Urban Design and Landscape officers.
- 11.28 The proposed open space offers a larger, more accessible and legible landscaped environment which will be well integrated into the proposed development. The landscaped space will run north- south between Fanshawe Road and Coleridge recreation ground and provide clearer pedestrian routes which will benefit existing local and future residents. The development will successfully integrate new planting, biodiversity enhancements and play features within the scheme.
- 11.29 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, 59 and 60 and the NPPF subject to conditions as recommended by Urban Design and Landscape officers.

Trees

- 11.30 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.
- 11.31 The application is accompanied by a tree survey and arboricultural impact assessment.
- 11.32 The submitted Arboricultural Impact Assessment identifies that proposed development would result in the loss of seven category B trees and a number of category C groups and hedges are proposed to be removed to the north of the site. However, all category A trees along Fanshawe Road are proposed to be retained.
- 11.33 The Cambridge City Council tree officer has been consulted on the application and has raised no formal objection from the tree team. The tree officer has acknowledged that the loss of category B and C trees will have a detrimental impact on public amenity. However, the retention of the highest value trees along Fanshawe Road as well as sufficient space for strategic replacement planting within the central open space has resulted in an acceptable scheme.
- 11.34 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

Carbon Reduction and Sustainable Design

Sustainable Design and Construction

- 11.35 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.
- 11.36 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 and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum

requirement associated with BREEAM excellent for carbon emissions.

- 11.37 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.
- 11.38 The application is supported by a Sustainability statement and Energy statement which assesses the proposed development and design in the context of sustainability.
- 11.39 The scheme is proposed to be gas free and will make use of air source heat pumps. All of the proposed affordable homes will all be designed in line with Passivhaus principles to reduce the space heating demand of the properties. For the proposed market housing a fabric first approach is also followed. The proposed development will reduce carbon emissions by 73% site wide compared to the Part L baseline, which significantly exceeds the Local Plan policy requirement. The proposed development will also achieve a maximum water consumption of 99 litres per person per day which exceeds the policy requirement of 110 litres per person per day. The proposed maximum water usage is secured by condition 24). All flat roofs are proposed to have green roofs. The application proposes for all car parking spaces to include active EV charging points.
- 11.40 The information submitted has been assessed by the Council's Sustainability officer and considered the development to be acceptable subject to a condition which ensures the scheme is carried out in accordance with the submitted energy statement and a water efficiency implementation condition to ensure compliance with the maximum water usage of 99litres per person per day is achieved.

Overheating and Ventilation

- 11.41 Twelve of the proposed dwellings provided will be single aspect, however, none of these would be north facing properties. Through the pre application process the applicants have worked to design out and reduce the number of single aspect dwellings where possible.
- 11.42 The application has been subject to formal consultation with the Council's Sustainability Officer who has reviewed the information submitted, including the thermal modelling report. The Council's Sustainability officer has confirmed that all units achieve compliance with the Part O of the Building regulation requirements and this has been achieved through the design of mitigation measures including glazing specifications, depth of window reveals and provision of external shading.
- 11.43 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.

Biodiversity

- 11.44 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.
- 11.45 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal (PEA) and a Biodiversity Net Gain Assessment (BNG).
- 11.46 The PEA identifies a number of ecological enhancements including bird, bat box provision and hedgehog friendly boundaries. The Council's Ecology officer is content with the submission and the proposals are acceptable subject to conditions securing a Construction Ecological Management Plan (which will include details of the temporary swift boxes to be provided during construction), ecologically sensitive lighting, bird and bat box provision.
- 11.47 In respect of Biodiversity Net Gain, the proposed landscape scheme has demonstrated that a net gain of 35.83% is deliverable on site which exceeds the mandatory 10% net gain. A condition which secures the delivery of this net gain and the 30 years management will be imposed.
- 11.48 Overall, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and the scheme will 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).

Water Management and Flood Risk

- 11.49 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.
- 11.50 The site is located within Flood Zone 1, indicating a low level risk of flooding. The site is also at low risk of sewage flooding and surface water flooding.
- 11.51 The applicants have submitted a Flood Risk and Drainage Strategy Report.
- 11.52 The Local Lead Flood Authority had originally raised some concerns, and sought clarification on a number of matters including the overall amount of impermeable

areas and hydraulic calculations. During the course of the application the applicant provided additional information and clarification, and the LLFA have advised that the strategy provided is acceptable subject to conditions securing full details of the drainage strategy, maintenance arrangement and management of surface water during construction.

- 11.53 Anglian Water has raised no objections to the proposal.
- 11.54 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.

Refuse Arrangements

- 11.55 Policy 57 requires refuse and recycling to be successfully integrated into proposals.
- 11.56 The proposed refuse storage arrangements are shown to be of a logical layout, with underground 'iceberg' bin stores located on both the east and west side of the development to serve all of the residential properties across the site. The applicant has engaged positively with the Greater Cambridge Shared waste team through various pre application meetings to agree the waste capacity calculations, the underground refuse vehicle tracking and the drag distances. The applicants have included a standalone waste strategy document within the submission which has been reviewed by the shared waste officers. Following a review of the application the waste team have raised no objection to the development subject to conditions which secure the specification of the underground bins prior to installation and details which demonstrate there is no conflict between the low growing flower bed on the western side of the development and the iceberg bins during collection.
- 11.57 For the reasons given above officers consider the proposals to be in accordance with Cambridge Local Plan (2018) policy 57.

Highway Safety and Transport Impacts

- 11.58 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.
- 11.59 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.

- 11.60 The application is supported by a number of plans demonstrating how the development would be accessed and egressed. This includes swept path analysis which shows safe use by the Greater Cambridge Shared Waste service refuse trucks is possible within and around the site. A Transport assessment has also been submitted. The Cambridgeshire County Council's Local Highway Authority has been consulted as part of the application and has confirmed the development is acceptable subject to conditions relating to falls and levels, construction vehicles weight/ time limits and a traffic management plan.
- 11.61 The County Transport Assessment team has also assessed the application and confirmed they raise no objection to the proposed development subject to a mitigation package which secures a contribution towards the Greater Cambridge Partnership Chisholm Trail project. As originally submitted the County requested a contribution of £359,000.00. However, officers are currently reviewing this contribution request and the calculation methodology. An update on the contribution amount requested will be provided via the amendment sheet ahead of the planning committee meeting.
- 11.62 Subject to the conditions and an appropriate mitigation package being agreed it is considered that the proposals are in accordance with Cambridge Local Plan (2018) policies 80 and 81.

Cycle and Car Parking Provision

- 11.63 Cycle Parking
- 11.64 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 and encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.
- 11.65 Each of the four apartment blocks are proposed to have a secure internal cycle store on the ground floor of the apartment blocks. 145 cycle parking spaces are proposed for the apartment blocks which exceeds the policy requirements by 10 cycle parking spaces. The cycle parking provision is proposed in the form of Sheffield stands and provision has been made for the storage of cargo bikes within all of the apartment blocks. The provision is acceptable and in accordance with the requirements of Policy 82 and appendix L of the Cambridge Local Plan 2018
- 11.66 A further 11 visitor cycle parking spaces are proposed externally which have been conveniently located at the entrances to the apartment blocks.

- 11.67 In respect of the cycle parking provision for the terrace properties (blocks E3 and W3). The proposed site layout has incorporated sufficient space within the frontage of these dwellings for cycle stores. A condition will be imposed to secure the detailed design and appearance of the cycle stores.
- 11.68 Subject to condition the proposals are considered to be in accordance with Cambridge Local Plan 2018 policy 82 and appendix L.

Car parking

- 11.69 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. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped developments are 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.
- 11.70 The application site is located inside the controlled parking zone (Coleridge West) with residents only parking between 10am and 6pm which ensures that only residents are able to park in this area during these hours. The proposal provides a total of 49 car parking spaces to serve the 84 new dwellings – this equates to a ratio of 0.54 spaces per dwelling for the apartments and 1 space per unit for the houses. Four of these spaces would be disabled parking bays and these would be allocated to the M4(3) units. All car parking spaces are to be allocated.
- 11.71 The amount of car parking proposed is considered acceptable as the site is located in a sustainable location, in close proximity of bus stops, railway stations and local amenities. The level of parking provided is considered to adhere to the objectives of national and local planning policy which seek to minimise the use of the private motor vehicles and encourage the shift towards more sustainable transport modes. The amount of car parking proposed is therefore considered acceptable in this instance.
- 11.72 The applicant has submitted a parking survey which has been carried out in accordance with the widely used Lambeth Methodology. The surveys were undertaken at night when the residential owner / occupier parking in the local area would be at its busiest. The results found there to be capacity on surrounding streets. Notwithstanding this, the occupants of the new development will not qualify for residents parking permits within the existing on street parking schemes and as such the future occupants of this development will not have any impact on the existing on street parking capacities along Fanshawe Road or any streets surrounding the development within the controlled parking zone.

- 11.73 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. The proposal exceeds policy requirements as the development proposed 100% of spaces to have EV charging points. This is secured by condition 40.
- 11.74 Subject to conditions including provision of the parking spaces before units are occupied and the provision of EV charging points, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

Amenity

Impact on amenity of neighbouring properties

- 11.75 The application site is adjacent to existing residential properties along Fanshawe Road. Policy 35, 50, 52, 53 and 58 seeks 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.
- 11.76 *Impact on Nos 32 and 34 Fanshawe Road*
- 11.77 The design of the scheme has been developed to reflect the site's context, including the relationship with existing residential properties nearby. The proposal involves the redevelopment of the rear garden spaces of nos.32 and 34 Fanshawe Road, which become part of the proposed terrace block W3. The front elevation of no.32 Fanshawe Road faces east towards the open space, and diagonally across from the proposed southernmost dwelling within proposed terrace properties of W3. It is acknowledged that the positioning of the proposed terrace properties introduces windows which are adjacent to the front elevation of number 32 Fanshawe Road. However, the views between these properties would be very oblique and at such a tight angle it is not considered to be detrimental to the amenity of existing or future occupants in terms of loss of privacy. Moreover, inter-looking between front elevations of properties is not considered to be as sensitive as views into the rear elevations of residential units. Furthermore, there is an existing public footpath which passes the front elevations of this property and views into the ground floor windows are already possible from the public realm as existing. Therefore, the proposed relationship between the south facing terrace property within block W3 and number 32 Fanshawe Road is considered acceptable.
- 11.78 In respect of number 34 Fanshawe Road the proposed windows of the terrace properties within block W3 have been positioned to minimise overlooking towards

the rear elevation and garden space of this existing property. During the course of the application an upper floor bedroom window has been removed to ensure a separation distance of approximately 18.5m is achieved between the nearest window upper floor window and the rear of number 34. Moreover, any views between these properties will be oblique views and the impact on the residential amenity of this property is considered acceptable.

11.79 Impact on number 10 Fanshawe Road

11.80 The proposed east elevation of block E2 faces the side elevation of no.10 Fanshawe Road. The existing property is proposed to be separated from apartment block E2 by a landscape verge with tree planting and the eastern access road. The separation distance between block E2 and the boundary of number 10 Fanshawe Road is 22 metres. It is acknowledged that the design of the scheme includes the addition of windows and two balconies on the west elevation of block E2 which inevitably will result in an element of overlooking towards the property and rear garden space of number 10 Fanshawe Road. However, the application site is in an urban area where an element of mutual overlooking between the properties is often expected. Moreover, the relationship between the existing block of flats and number 10 Fanshawe Road already involves direct views from the existing flats towards the garden space of this property at a distance of approximately 15 metres and therefore, the proposal is not considered to result in further loss of privacy for this property and the proposed relationship is considered acceptable.

11.81 In terms of overbearingness and overshadowing it is considered that the massing of the apartment Block E2 is successfully broken up and achieves a scheme that does not create an overbearing impact on the adjacent properties to the east of the application site. The applicant has submitted a Daylight, Sunlight and Overshadowing Assessment and this demonstrates that the proposal would have an acceptable impact on the daylight and sunlight receipt of existing properties, as well as an acceptable impact with regard to overshadowing.

11.82 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 35, 55 and 56.

11.83 Future occupants

11.84 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).

11.85 The gross internal floor space measurements for units in this application are shown in the table below:

W1 (Affordable Block)

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit (m ²)	Difference in size
1	1	2	1	50	79	+29
2	1	2	1	50	69	+19
3	1	2	1	50	50	0
4	2	4	1	70	89	+19
5	3	5	1	86	87	+1
6	1	2	1	50	50	0
7	1	2	1	50	50	0
8	2	4	1	70	72	+2
9	1	2	1	50	52	+2
10	1	2	1	50	51	+1
11	3	5	1	86	87	+1
12	1	2	1	50	50	0
13	1	2	1	50	50	0
14	2	4	1	70	72	+2
15	1	2	1	50	52	+2
16	1	2	1	50	51	+1
17	3	5	1	86	87	+1
18	1	2	1	50	50	0
19	1	2	1	50	50	0
20	2	4	1	70	72	+2
21	1	2	1	50	52	+2
22	1	2	1	50	51	+1
23	3	5	1	86	87	+1
24	1	2	1	50	50	0
25	1	2	1	50	50	0
26	2	4	1	70	72	+2
27	1	2	1	50	52	+2
28	1	2	1	50	51	+1

E1 (Market Block)

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit (m ²)	Difference in size
1	1	2	1	50	52	+2
2	2	4	1	70	74	+4
3	2	4	1	70	70	0

4	2	4	1	70	74	+4
5	2	4	1	70	70	0
6	2	4	1	70	70	0
7	2	4	1	70	73	+3
8	2	4	1	70	73	+3
9	2	4	1	70	70	0
10	2	4	1	70	70	0
11	2	4	1	70	73	+3
12	2	4	1	70	73	+3
13	2	4	1	70	70	0
14	2	4	1	70	70	0
15	2	4	1	70	73	+3
16	2	4	1	70	74	+4
17	2	4	1	70	73	+3

E2 (Affordable Block)

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m²)	Proposed size of unit (m²)	Difference in size
1	3	5	1	86	109	+23
2	2	4	1	70	73	+3
3	1	2	1	50	55	+5
4	2	4	1	70	72	+2
5	3	5	1	86	94	+8
6	2	4	1	70	73	+3
7	1	2	1	50	55	+5
8	2	4	1	70	72	+2
9	3	5	1	86	91	+5
10	3	5	1	86	91	+5
11	2	4	1	70	72	+2
12	1	2	1	50	55	+5
13	2	4	1	70	73	+3
14	3	5	1	86	94	+8
15	2	4	1	70	73	+3
16	1	2	1	50	55	+5
17	2	4	1	70	72	+2

W2 (Market Block)

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit (m ²)	Difference in size
1	2	4	1	70	74	+4
2	2	4	1	70	70	0
3	1	2	1	50	52	+2
4	2	4	1	70	74	+4
5	2	4	1	70	70	0
6	2	4	1	70	70	0
7	2	4	1	70	76	+6
8	2	4	1	70	74	+4
9	2	4	1	70	70	0
10	2	4	1	70	70	0
11	2	4	1	70	76	+6
12	2	4	1	70	74	+4
13	2	4	1	70	70	0
14	2	4	1	70	76	+6

W3 (Market Block)

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit (m ²)	Difference in size
1	3	5	2	93	98	+5
2	3	5	2	93	98	+5
3	3	5	2	93	98	+5

E3 (Market Block)

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit (m ²)	Difference in size
1	3	5	2	93	98	+5
2	3	5	2	93	98	+5
3	3	5	2	93	98	+5
4	3	5	2	93	98	+5
5	3	5	2	93	98	+5

11.86 All of the proposed units comply with the size requirements for internal space standards under Policy 50 of the Local Plan.

11.87 Amenity Space

11.88 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. All of the proposed flats would have private external amenity space in the form of a ground floor terrace area or a balcony. The sizes of the gardens for the 3 bedroom houses are considered to be generous in size and offer future occupants a high quality usable private external space.

11.89 As well as the private amenity spaces, the development benefits from direct access into the hard and soft landscaped areas that are proposed.

11.90 The development has been assessed to ensure compliance with Policy 51 is achieved. All of the proposed dwellings comply with the requirements of Part M4(2) of the Building Regulations. A condition is recommended to secure this. Policy 51 seeks to secure 5 per cent of the affordable housing component as M4(3) dwellings. The application proposes to exceed this policy requirement by providing 9% (4 affordable homes) as M4(3) compliant homes. All four of the M4(3) units will have an allocated accessible car parking space which have been conveniently located in close proximity to the entrances of the apartment blocks.

11.91 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.

Third Party Representations

11.92 The table below sets out officers’ responses to the third party representations and the relevant paragraphs within the report where these matters are addressed.

Third Party Comment	Officer Response
Density is too high and is an overdevelopment of the site.	Please refer to paragraphs 10.18-10.29
Buildings are too tall and out of context for the area.	Please refer to paragraphs 10.18-10.29
Insufficient car parking is provided.	Please refer to paragraphs 10.69-10.75

Increase in traffic, particularly during construction.	The development would be subject to conditions (Traffic Management Plan, Construction Hours and Construction vehicle size/ hours restrictions). The Cambridgeshire County Council Local Highway Authority and Cambridge City Council Environmental Health officers have reviewed the application and have no objection subject to conditions.
Impact on local services (NHS and Schools).	Please refer to paragraphs 6.5 and 6.30. Contributions are sought from relevant consultees which would serve to mitigate the impact of the development on local services.
More affordable homes should be provided.	The proposal includes 54 per cent of the development as affordable homes equating to 45no. affordable dwellings. The proposal exceeds the amount of affordable homes required by Policy 45 of the Local Plan which requires 40 per cent of the total number of dwellings be provided as affordable housing on sites of 11 dwellings or more. The affordable provision consists of a tenure split of 75% affordable rented and 25% intermediate homes.
Overshadowing impact on the recreation ground and allotments.	A Sun Path Study has been provided to demonstrate the impact of the proposals on the neighbouring allotments and Coleridge Recreation Ground. The evidence submitted demonstrates there will be a slight loss of early morning sunlight in September, December and March but this will not be significant. The evidence also demonstrates there will not be any impact on the amount of light to the allotments during the growing season. The relationship with the allotments and recreation ground is considered acceptable.
Loss of habitat for bats and swifts.	Please refer to paragraphs 10.44-10.48.

Planning Obligations (S106)

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.

11.93 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.

11.94 Policy 85 of the Cambridge Local Plan 2018 states that planning permission for new developments will only be supported/permitted where there are suitable arrangements for the improvement or provision and phasing of infrastructure, services and facilities necessary to make the scheme acceptable in planning terms.

11.95 It is noted that the proposal would result in an increased demand on local facilities and service by virtue of an increase in population. Where these provisions have not been provided on site and where there is not existing capacity to serve the population of the proposed development, the applicants have been asked for a contributions to mitigate the impact of the development. The applicants have agreed to each of the contributions as requested.

Heads of Terms

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

Heads of Terms	Summary	Status
City Council Infrastructure		
Provision for children and teenagers	Play equipment to be provided on site	-
Indoor sports	£55,312.00 towards the provision of indoor sports facilities at Coleridge recreation ground.	Agreed subject to the contribution being allocated to a specific project which complies with the CIL regulations.
Outdoor sports	£48,938 towards Outdoor Sports at Coleridge Recreation Ground.	Agreed subject to the contribution being allocated to a specific

		project which complies with the CIL regulations.
Informal Open Space	£49,761 towards informal open space and equipment at Coleridge recreation ground.	Agreed subject to the contribution being allocated to a specific project which complies with the CIL regulations.
Community facilities	£143,416 towards improvement of facilities at Coleridge Recreation Ground.	Agreed subject to the contribution being allocated to a specific project which complies with the CIL regulations.
Affordable housing	Provided on site	-
Monitoring	£2,200 towards the administration and monitoring of the section 106 agreement, and a further fee of £500 <u>for each obligation</u> where the Council is required to confirm compliance of an obligation	Agreed
County Council – Education / Refuse/ Transport		
Chisholm Trail	Financial contribution towards the Chisholm Trail project. Amount requested to be confirmed.	TBC
Early years	No contributions sought	-
Primary School	No contributions sought	-
Secondary School	No contributions sought	-
Life Long Learning (Libraries)	£1960.00 towards Rock Road library facilities.	Agreed
Strategic waste	£8640 for waste receptacles	Agreed
NHS		
GP services	Contribution towards additional floorspace at Cornford House Surgery and	Agreed

	Mill Road Surgery of £70,834.18	
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- 11.97 The planning obligations listed above 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).
- 11.98 Subject to the completion of a S106 planning obligation to secure the above infrastructure contributions and the provision of affordable housing, officers are satisfied that the proposal accords with Cambridge Local Plan (2018) policies 45 and 68 and the Planning Obligation Strategy 2010.

11.99 **Other Matters**

The Environmental Health Officers have recommended various construction related conditions in order to protect the residential amenity of the nearby occupiers during the construction. Officers accept this recommendation and would add them to any consent granted. This could be in the above section.

The Cambridgeshire County Council Historic Environment Team (Archaeological Officers) have recommended a condition to ensure no development approved by this application takes place until a programme of archaeological works and written scheme of investigation has been submitted and approved in writing by the Local Planning Authority. This is secured by condition 3.

The Cambridgeshire Fire and Rescue team have recommended a condition to secure a fire hydrants scheme. Condition 42 has been imposed to secure these details prior to the occupation of the development.

Planning Balance

- 11.100 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).
- 11.101 In terms of harm, officers acknowledge the development will involve the addition of taller and more visible buildings which will have an impact from short distance public viewpoints from Fanshawe Road and across Coleridge Recreation ground. However, the site is not in a Conservation Area, close to any listed buildings, and the proposals are not visible from sensitive long distance views of the Cambridge skyline (as demonstrated by the submitted VP24). Overall, the development is considered to comply with policy 60 of the Cambridge Local Plan 2018.

- 11.102 Officers also acknowledge that the proposal would involve the loss of some existing trees on site. Whilst some weight should be given to the loss of these trees the development proposals have prioritised the retention of the trees of the highest value and quality (category A) and also proposes the planting of 47 new trees.
- 11.103 In terms of environmental benefits, the proposal would result in the development of an existing brownfield site. The proposal involves the replacement of the existing properties (low thermal efficiency and structural issues) with low carbon and environmentally sustainable homes, this should be afforded a moderate degree of weight as an environmental benefit. The proposal has also demonstrated an uplift (35%) in biodiversity net gain on the site goes significantly above the 20% aspiration sought in the Biodiversity SPD and should also be afforded moderate weight as a benefit.
- 11.104 The proposal would result in economic and social benefits through an increase in affordable housing in the City and the addition of a large publicly accessible open space which will provide new connections to the recreation ground. The development will also promote sustainable forms of transport. These benefits should all be given moderate to significant weight.
- 11.105 Overall, the proposed development will bring significant economic, environmental and social public benefits that accord with the three dimensions of sustainable development as set out in the NPPF. The balance of these benefits is considered to outweigh the harm of the loss of the trees.
- 11.106 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 and the prior completion of a S106 agreement.

11.107 **Recommendation**

11.108 **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 delegated authority to officers to agree the final contribution amounts and minor amendments to the Heads of Terms.

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 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 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 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).

- 5 Notwithstanding the plans hereby approved, four dwellings shall be constructed to meet the requirements of Part M4(3) 'wheelchair user 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).

- 6 The proposed access 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.

Reason: for the safe and effective operation of the highway

- 7 Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall service the site only between the hours of 09:00hours- 16:00hours, Monday to Friday.

Reason: in the interests of highway safety.

- 8 No demolition or construction works shall commence (including demolition or preparation works) until a Construction Environmental 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; providing 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 relation to the operation of the adopted public highway.
- v. Contact details for the site manager, including how and where these details will be displayed on site.

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) Policies 35 and 81.

- 9 Prior to the first occupation of the development a Travel Plan Welcome Pack shall be submitted to and approved in writing by the Local Planning Authority, and such arrangements shall be implemented in accordance with agreed details and in accordance with an agreed programme.

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

- 10 Prior to the commencement of the development hereby approved, with the exception of demolition and 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. (Cambridge Local Plan 2018 policies 55 and 57).

- 11 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; 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; 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, details of the proposed watering schedule, watering sleeves and management responsibilities and maintenance schedules for all landscape areas, trees and play spaces.

e) Notwithstanding the approved plans the low growing flower bed as shown on page 4 of the waste strategy statement uploaded 4th March 2024 shall be reduced in size to ensure the waste collection process can take place without conflict with the soft landscaping.

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).

- 12 No development shall take place, including archaeology, until the details of all groundworks and soil movement relating to the development are submitted to and approved in writing by the local authority. Details should include a Soils Management Plan detailing protection of ground to be reinstated to open space, sustainable drainage or general landscape, methodology of soil stripping, storage, handling, haul routes, formation level decompaction measures, soil re-spreading and decompaction as well as soil disposal (if necessary).

All groundworks should be carried out in accordance with the approved details and in accordance with the recognised 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' produced by DEFRA and Protecting and Enhancing Soils Policy Position Statement produced by Chartered Institute of Water and Environmental Management (CIWEM).

Reason: To ensure that the details of the groundworks are acceptable. (Cambridge Local Plan 2018; Policies 55, 57 and 59).

- 13 No development 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, 57 and 59).

- 14 Prior to the commencement of any superstructure works the details of the biodiverse (green) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. Details of the green 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,
- c) Where solar panels are proposed, bio-solar 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,
- d) A management/maintenance plan
- e) Evidence of installation shall be required in photographic form prior to handover.

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).

- 15 Unless an alternative trigger is 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;

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).

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

- 19 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 Cambridge Local Plan 2018 Policy 71: Trees.

- 20 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 Create Consulting Engineers Limited (ref: JE/VL/P22- 2768/01) dated 9th February 2024 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, 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);

- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results to confirm infiltration rates;
- f) 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;
- g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- h) Permissions to connect to a receiving watercourse or sewer;
- i) Measures taken to prevent pollution of the receiving groundwater and/or surface water.
- j) Measures taken to recycle rainwater within the development.

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.

- 21 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 dwellings 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 the requirements of paragraphs 169 and 173 of the National Planning Policy Framework.

- 22 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.

- 23 No dwelling shall be occupied until the approved carbon reduction strategy for that dwelling as set out in Energy Statement, Qoda, 5/12/2023 Version P05 has been implemented in full. Any associated renewable and / or low carbon technologies shall thereafter be retained and remain fully operational in accordance with the approved details. Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised approach to meeting the required reduction in carbon emissions shall be submitted to and approved in writing by the local planning authority. The approved revised approach shall be fully implemented and thereafter maintained in accordance with the approved details prior to occupation of any dwelling.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2018, Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 24 Water efficiency measures for the scheme shall be implemented in line with the water efficiency targets as set out in the Sustainability Statement, Qoda, 5/12/2023 Revision P04. Prior to the occupation of the development hereby permitted the final water efficiency specifications shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate achievements of these design standards and 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).

- 25 No development (or phase of) shall commence until a Phase 3 Remediation Strategy based upon the findings of the Tier 2 Geoenvironmental Assessment (Revision P01) by Sweco (ref: 65207740-SWE-XX-XX-T-GE-0002, dated 2nd March 2023), has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

- 27 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).

- 28 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).

- 29 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).

- 30 No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved scheme.

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

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

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

- 32 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).

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

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

- 34 The plant / equipment as approved shall be installed and operated in accordance with the principles, design and specifications (including operational

noise levels, attenuation / mitigation and the results of the BS4142-type assessment) contained within the submitted Technical Note "Plant and Substation Noise"; Reference BD/VL/P22-2768/02TN, prepared by Create and dated September 2023.

The plant / equipment as approved shall be maintained and retained thereafter.

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

- 35 Prior to the installation of any external 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 external artificial lighting of the site and an external artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. External lighting on the development 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 - GN01/21 (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 nearby properties and future occupiers (Cambridge Local Plan 2018 policy 34).

- 36 Prior to the commencement of development above slab level, a scheme for biodiversity enhancement shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the number, location and specifications of the bird and bat boxes to be installed, hedgehog connectivity, habitat provision and other biodiversity enhancements. The approved scheme shall be fully implemented in accordance with the agreed details unless otherwise agreed in writing by the local planning authority.

Reason: To conserve and enhance ecological interests in accordance with Cambridge Local Plan 2018 policies 59 and 60, Greater Cambridge Shared Planning Biodiversity SPD 2022 and the NPPF paragraphs 8, 180, 185 and 186.

- 37 No development shall take place (including demolition and ground work) until a construction environmental management plan (CEMP: Swifts) has been submitted to and approved in writing by the local planning authority. The CEMP (Swifts) shall include the following:
- a) Risk assessment of potentially damaging construction activities on the known swift nest sites

- b) 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). Including details of temporary nest site provision, to include a minimum of seven temporary swift boxes.
- c) The location and timing of sensitive works to avoid disturbance to breeding swifts
- d) The times during construction when specialist ecologists need to be present on site to oversee works.
- e) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- f) Use of any necessary protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To conserve and enhance ecological interests in accordance with Cambridge Local Plan 2018 policies 59 and 60, Greater Cambridge Shared Planning Biodiversity SPD 2022 and the NPPF paragraphs 8, 180, 185 and 186.

- 38 Prior to the occupation of the development hereby permitted an ecological sensitive lighting strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) Identify those areas/features on site that are particularly sensitive to light disturbance for bats and invertebrates
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory
 - c) Demonstrate through building design, material and lighting specification that internal lighting spill from the new development will not adversely impact the areas / features identified as sensitive.

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

Reason: To ensure ecological interests will be fully conserved and enhanced. (Cambridge Local Plan 2018 policy 57).

- 39 No development shall commence, apart from below ground works and demolition, until an updated Biodiversity Net Gain (BNG) Plan (based on the details submitted within the Biodiversity Metric Calculation and Biodiversity Net Gain Plan dated January 2024 produced by MKA Ecology) has been submitted to and approved in writing by the local planning authority. The BNG Plan shall demonstrate how a minimum biodiversity net gain of 10% will be achieved.

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, South Cambridgeshire Local Plan 2018 policy NH/4 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 40 Prior to the installation of any electrical services, an electric vehicle charge point scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall make provision for active charge point(s) for each car parking space. The active charge points should have a minimum power rating output of 3.5kW. The approved electric vehicle charge points shall be installed prior to first occupation of the development.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF 2021) paragraphs 107, 112, 174 and 186, Policies 36 and 82 of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

- 41 Prior to the installation of the underground 'iceberg' bins the specification of the underground bins shall be submitted to and approved in writing by the local planning authority. The underground bin specification shall be compatible with the Greater Cambridge Shared Waste Service underground refuse vehicle.

Reason: to ensure an effective and efficient refuse collection strategy is achieved in accordance with Cambridge Local Plan 2018 policy 57.

- 42 Prior to the commencement of above ground works, a scheme for the provision of fire hydrants shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved details. The approved scheme shall detail the implementation strategy for the fire hydrants (noting the hydrants may be installed in a phased manner across the site). No dwellings shall be occupied until the fire hydrants serving that part of the site have been implemented and installed in accordance with the approved Scheme.

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

- 43 The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with the terrace properties within blocks E3 and W3 have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of enclosure, materials, type and layout of the cycle store. A cycle store proposed with a flat / mono-pitch roof shall include plans providing for a green roof. Any green roof shall be planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick. The cycle store and green roof as appropriate shall be provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

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

- 44 Prior to first occupation, each dwelling shall be fitted with a means for future occupiers to monitor / measure all of their own energy consumption (electric / water / gas) including the extent of the contribution made to energy consumption from on-site renewable energy sources. The fitted device(s) shall be retained and maintained thereafter.

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

- 45 All letter boxes for the proposed residential apartments shall be located and externally accessible from the street unless otherwise agreed in writing by the Local Planning Authority due to individual building layout constraints.

Reason: In the interests of good design and security (Cambridge Local Plan 2018 policy 55)

- 46 Prior to any works above slab level the detailed design of the proposed footpath connections along the northern boundary and to the allotments shall be submitted to and approved in writing by the Local Planning Authority. The agreed design shall then be fully implemented to the satisfaction of the Planning Authority prior to the first occupation of any residential unit.

Reason: In the interest of good design and connectivity (Cambridge Local Plan 2018 policy 55 and 59).

- 47 No building or structure (including temporary obstacles such as cranes) of the development shall be permitted to be erected above 31m Above Mean Sea Level (AMSL).

Reason: Any development that penetrates the Instrument Flight Procedures (IFP's) or Obstacle Limitation Surfaces (OLS) surrounding Cambridge Airport could endanger aircraft movements and the safe operation of the aerodrome. Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) and/or Instrument Flight Procedures (IFPs) surrounding London City Airport and endanger aircraft movements and the safe operation of the aerodrome. If any structure including cranes were to be erected above this height, then a further IFP assessment would be required to be completed by a CAA approved organisation. In accordance with Cambridge City Local Plan 2018 policy 37.

- 48 Development shall not 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'
 - maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
 - 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 (Cambridge City Local Plan 2018 policy 37).

- 49 No cranes or scaffolding shall be erected on the site unless and until construction methodology and diagrams clearly presenting the location, maximum operating height, radius, and start/finish dates for the use of cranes during the Development has been submitted to and approved by the Local Planning Authority, the Local Planning Authority having consulted Cambridge Airport.
- It should be noted that no construction equipment shall be permitted to infringe any Instrument Flight Procedures or critical obstacle limitation surfaces, without further agreement with Cambridge Airport, following completed specialist CNS/IFP assessments.

Reason: The use of cranes or tall equipment in this area has the potential to impact Cambridge Airport operations and therefore they must be assessed before construction. In accordance with Cambridge City Local Plan 2018 policy 37.

INFORMATIVES:

8. Residents parking scheme

Following implementation of any permission issued by the Local Planning Authority neither the existing residents of the site, nor future residents, will qualify for Residents Permits within the existing Residents Parking Schemes operating in surrounding streets.

9. Highway 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, and that a separate permission must be sought from the Highway Authority for such works.

10. Signage

Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.

11. 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.

12. Water efficiency

In response to the water scarcity issues that the Cambridge Water revised draft Water Resources Management Plan, September 2023, is seeking to respond to, the Council seeks to encourage all applicants to achieve a design standard of water use of no more than 100 litres/person/day.

13. Electric cycle charging

The applicant is encouraged to include electric spurs for the charging of electric cycles within the cycle stores approved.

Rainwater harvesting

14. The applicant is encouraged to install a dual pipe system which offers a rainwater harvesting mechanism for non potable uses.

Agenda Item 5



Planning Committee Date	3 rd July 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	24/00973/FUL
Site	Land To Rear Of 33-39 Paget Road Cambridge Cambridgeshire CB2 9JF
Ward / Parish	Trumpington
Proposal	Construction of 4 No. dwellings (comprising 4 x 3-bed units) including demolition of existing garages, widening of existing access from Paget Road and associated landscaping.
Applicant	Cambridge City Council Anywhere
Presenting Officer	Dominic Bush
Reason Reported to Committee	Application submitted by a member or officer of the Council
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Principle of development2. Character and appearance3. Neighbouring amenity4. Highways Impacts5. Other Matters
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks permission for the construction of 4 No. dwellings (comprising 4 x 3-bed units) including demolition of existing garages, widening of existing access from Paget Road and associated landscaping.
- 1.2 The existing site comprises a number of current unused council owned garages which are proposed to be demolished to make way for the proposed dwellings as well as small portions of 3 rear gardens of council owned properties along Paget Road. The site is located outside of any conservation area, the entire site is within flood zone 1 and is at low risk of surface water flooding.
- 1.3 The site is currently largely covered by hardstanding, with the exception of the rear gardens of the Paget Road properties. Whilst there are no significantly sized trees within the site, there are a number within close proximity to the sites boundaries.
- 1.4 The provision of 4 houses within the city of Cambridge would provide housing within a sustainable location that makes best use of a currently disused site. The proposal is appropriately designed and would result in a high quality of development that would add to the overall quality of the area and is visually attractive.
- 1.5 Officers recommend that the Planning Committee approve the application subject to conditions.

2.0 Site Description and Context

None-relevant	X	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	
Local Neighbourhood and District Centre		Article 4 Direction	

*X indicates relevance

- 2.1 The site comprises a total of 34 underused domestic garages that are accessed from the western side of Paget Road. The boundary of the site also includes small areas of the rear, residential gardens of 33, 37 and 39 Paget Road that are council owned properties. Each of the proposed dwellings would have associated private garden space and a single car parking space.

2.2 The site is located to the southern end of Scotsdowne Road, whilst the western boundary abuts the properties accessed from Lingrey Court. The surrounding context is almost entirely residential in use with the protected open space of Byron Square located opposite the access from Paget Road to the east.

2.3 There are no listed buildings or buildings of local importance within the immediate surrounding area, nor is the site located within a conservation area. The site is located in Flood Zone 1 (lowest fluvial flood risk) and at low risk of surface water flood risk.

3.0 The Proposal

3.1 Construction of 4 No. dwellings (comprising 4 x 3-bed units) including demolition of existing garages, widening of existing access from Paget Road and associated landscaping.

3.2 The proposed dwellings within the site would be located along a shared central pathway with two dwellings to both the east and west. Private gardens are proposed to the rear of each of the properties with car parking located away from the dwellings to the western end of the access road.

3.3 Each of the properties are of a uniform design, with two pairs of semi-detached, two storey buildings. All with dual pitched roofs with north and south facing gable ends.

3.4 Additional information has been provided throughout the lifetime of the application to overcome concerns raised through consultations. Necessary consultations have been undertaken throughout.

4.0 Relevant Site History

Reference	Description	Outcome
22/50055/PREAPP	Erection of 4 new dwellings on garage land located between Paget Road, Scotsdowne Road and Anstey Way.	Closed

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 5: Sustainable transport and infrastructure

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 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 70: Protection of priority species and habitats

Policy 71: Trees

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

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 No objection to the proposed development subject to conditions regarding:

- Access falls and levels
- Bound materials
- Traffic management plan

6.3 Sustainable Drainage Officer – No comment received

6.4 Sustainability Officer –No Objection

6.5 No objection subject to conditions regarding:

- Carbon reduction
- Water efficiency

6.6 Ecology Officer – No Objection

6.7 Comments 30.04.2024:

6.8 Further information is required

6.9 Comments 10.07.2024:

6.10 Content with the provided BNG Metric which provides more than 10% net gain on site. Conditions are requested regarding:

- BNG
- Ecological enhancement

6.11 Tree Officer – No Objection

6.12 No objection subject to conditions regarding:

- Tree protection compliance
- Replacement planting information
- Tree planting compliance

6.13 Environmental Health –No Objection

6.14 No objection subject to conditions regarding:

- Construction/ demolition hours
- Construction/ demolition collections/ deliveries
- Construction/demolition noise/vibration & piling

- Dust
- External lighting
- Unexpected contamination
- Material management plan

7.0 Third Party Representations

7.1 8 representations have been received.

7.2 Those in objection have raised the following issues:

- Security of surrounding properties
- Impact on surrounding trees
- Visual impact of proposed gable ends
- Overbearing impact to No.40 Scotsdowne Road
- Loss of light to surrounding properties
- Impact on surrounding solar panels
- Overlooking/ loss of privacy to No.40 Scotsdowne Road
- Impact of External Lighting
- Impact on Biodiversity
- Overdevelopment of the site
- Scale of the proposed dwellings in relation to the context

7.3 Those in support raised the following points:

- Making best use of the site

8.0 Member Representations

Not applicable

9.0 Assessment

9.1 Planning Background

9.2 It should be noted that two separate pre-application responses have been provided regarding the development of this site. Only one of these responses has a planning reference that allows public viewing. In both cases, the proposed development was largely similar to that which has been put forward in this application and the responses given were broadly supportive.

9.3 Principle of Development

9.4 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.

- 9.5 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.
- 9.6 This application is proposing the development of a currently underused parcel of land within a sustainable location in Cambridge to provide 4No. market homes. Given the current use of the site, the development to provide housing is considered to be supported by Policy 3 of the Local Plan.
- 9.7 It is acknowledged that the development includes the subdivision of 3 separate gardens, or council owned properties along Paget Road. No's 37 and 39 Paget Road would each have approx. 7 metres of depth taken from the rear of their gardens, whilst No.33 would have approx. 8.8 metres removed. It is considered by officers that this subdivision of these gardens would retain sufficient private amenity space for these neighbouring properties and that the proposed development would comply with the Policy 52 of the Local Plan as will be assessed within the following sections of this report.
- 9.8 The principle of the development is acceptable and in accordance with policies 3 and 52.

9.9 Design, Layout, Scale and Landscaping

- 9.10 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.
- 9.11 The application site, whilst accessed from Paget Road is surrounded essentially by three predominant residential areas. Firstly, the houses that front Paget Road which are located to the east of the site and are distinctly uniform, two storey terraced properties. To the south and west of the site are the properties along Anstey Way and Lingrey Court, these are detached or semi-detached dwellings that are less uniform in their form and layout although also all a full two storey in height. Finally, to the north of the site is the southern end of Scotsdowne Road where there is a pair of link detached dwellings either side of the road. The long access to the main area of the is such that it appears enclosed almost entirely by the surrounding residential properties, which it is acknowledged vary in form and layout.

- 9.12 The proposed layout of the site within this application was previously supported within both preapplication responses for the site and follows extensive consultation with local residents. The four dwellings are split into two pairs of semi-detached properties to the east and west of a central, communal walkway. At its closest point, each of the pairs of dwellings are approximately 6.3 metres apart either side of the central area, this therefore contributes to a close relationship between all of the proposed dwellings with the private amenity areas to the eastern and western boundaries of the wider site. Officers note that this relatively close knit, pair of semi-detached dwellings is not entirely in keeping with the surrounding form of development. However, given the variety in the built form of the surrounding areas detailed above, it is considered that this layout of the dwellings, as proposed makes best use of the site whilst ensuring that it would not appear significantly out of keeping with the surrounding context.
- 9.13 Concerns regarding four dwellings within the site constituting overdevelopment of the site are noted. However, in line with previous pre-application advice given, four dwellings within the site results in an overall density of approximately 30 dwellings per hectare. Considering the relatively urban location and the density of the surrounding context, this number of dwellings within a site of this size is considered to be acceptable.
- 9.14 The proposed car parking and bin storage areas for the proposed dwellings is somewhat separated from the properties themselves, to the south of the site at the end of the access. Whilst the car parking area feels somewhat disconnected from the dwellings, it is noted that a similar layout can be found at the dwellings at the northwestern corner of Paget Road, where the car parking for the dwellings is located on the opposite side of the road to the dwellings themselves. Additionally, in this case, the separation of the car parking from the properties, allows the communal walkway area to retain a more verdant, less urban feel.
- 9.15 Each of the separate units are identical in their footprint, measuring approximately 1.1 metres in depth and 6.3 metres in width. Meanwhile there are all approximately 8.5 metres in height to the ridge and 5.9 metres in height to the eaves. As such the scale of the dwellings, individually and as pairs of semi-detached are considered to be in keeping with the scale of the surrounding neighbouring properties along Paget Road, Anstey Way, Lingrey Court and Scotsdowne Road. Concerns were raised within previous preapplication responses regarding the height and scale of the proposed dwellings, however since this stage, the height of the properties has been reduced by 900mm. As such, it is considered that the development would not be overly dominant when viewed from along Paget Road or Anstey Way behind the frontage properties.
- 9.16 One concern raised previously within the pre-applications at the site was regarding the visual impact of the north facing gable end of the western properties on the views from Scotsdowne Road. This massing of this

gable end has been reduced following the reduction in height of the dwellings, whilst detailing of the flank wall has been introduced that breaks up the visual bulk of the wall. This detailing, in addition to the existing boundary treatment along the north of the site is such that this visual impact upon Scotsdowne Road is considered to be acceptable.

9.17 It is noted that some third-party comments have raised concerns regarding the loss of boundary treatments following the removal of the existing garages. Details regarding the proposed landscaping of the site have been provided which includes the specification of the proposed boundary treatments. For the majority of the boundary of the site, this comprises a 1.8-metre-high close boarded timber fence, officers consider that the proposed boundary treatments are therefore acceptable to replace the existing screening provided by the garages. The approved Landscaping plans also show planting focussed within the communal areas of the site with a combination of wildflower grassland areas and shrubs and hedgerow. Within this urban context, these landscaping details are considered to be acceptable. A condition will be recommended to ensure that all of the flat roof elements of the proposed development are constructed as biodiverse green or brown roofs, in accordance with Policy 31 of the Local Plan.

9.18 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.

9.19 Amenity

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

9.21 Neighbouring Properties

9.22 Impact on No. 40 Scotsdowne Road.

9.23 No.40 Scotsdowne Road is located to the northwestern corner of the application site and is therefore within relatively close proximity to the northwestern most unit (W1). Indeed, at the closest point, the proposed building is approximately 3 metres set away from this neighbouring property. It is noted that concerns have been raised by third parties regarding the impact of the proposed development upon this neighbouring property. Following extensions to No.40, there is a single ground floor window within the front elevation that serves the large living room area that opens out into the dining room to the rear. Given the height of the proposed dwellings, unit W1 would break a vertical 45-degree splay from this window.

- 9.24 However, the siting of the proposed unit is such that it would not be within a direct, immediate line of site from this window, the views from the window would rather be towards the neighbouring property of No.37 Scotsdowne Road immediately to the east. additionally, it is noted that the living room at the ground floor of No.40 Scotsdowne Road is also likely to receive a significant amount of light from the windows within the rear elevation of the kitchen dining room. Therefore, whilst the proposed dwelling, would break both a vertical and horizontal 45-degree splay from this window. As a result of both the window arrangement to this property and the outlook from the front window, it is not considered that the proposed development would result in an unacceptable loss of light or overbearing impact.
- 9.25 Officers also note that there are first floor windows within both the northern and western elevation of W1 that may potentially offer views to the front windows of No.40 Scotsdowne Road. However, given the angle of these windows they would only result in extremely acute views between the two properties, which practically is not considered to result in any significant overlooking harm.
- 9.26 Comments have been received concerning the impact of the proposal on solar panels located on the south facing roof slope of No.40 Scotsdowne Road. Any potential impacts on existing neighbouring solar generation is a consideration for planning approval. In this instance, with the solar panels on the southern roof slope of No.40, the closest built form of the development would be the north facing gable end of W1. The proposed dwelling due to its siting is not due south of No.40 Scotsdowne Road, rather it is off set to the east such that the rear elevation of the proposed dwelling is forward of the front elevation of the neighbouring property. Therefore, whilst it is acknowledged that there would be a minimal impact on the solar panels at No.40 Scotsdowne Road, it is not considered that they will result in any significant impact on the efficiency of the solar panels.
- 9.27 Impact on No.37 Scotsdowne Road
- 9.28 The proposed development and the dwellings are situated a further distance from this neighbouring property. Unit E1 is approximately 5 metres to the south and unit W1 is approximately 8 metres to the southwest. Considering that there are no windows within the southern elevation of this neighbouring property, any impact is likely to be affecting the front windows.
- 9.29 Given the distance between the windows within the front elevation of this neighbouring property and the proposed dwellings, it is not considered that the development would break a vertical 45-degree splay. Therefore, the impact as a result of the proposed development with regards to loss of light and overbearing is considered to be acceptable.

- 9.30 There are no first-floor windows proposed within the northern elevation of E1 that would face onto the neighbouring property of No.37 Scotsdowne Road, whilst any front and rear windows within E1 would only offer extremely acute views to the neighbouring property. It is noted that there are two front facing windows within the first floor of the proposed W1 that would face in the direction of the southern side of No.37 Scotsdowne Road. These windows are a minimum of approximately 8.5 metres from the front elevation of the neighbouring property and the views from the windows would only offer indirect views to the windows within the front elevation of No.37. The views from the front windows of W1 would offer more direct views to the amenity area to the side of No.37, however this is not the primary amenity area for the neighbouring property and therefore any harm from overlooking to this area is considered to not be significant. Considering the above, officers determine that the proposed development would not result in any loss of privacy to this neighbouring property.
- 9.31 Impact on 35, 37 and 39 Paget Road
- 9.32 The proposed development includes the use of parts of the residential gardens of all three of these neighbouring, council owned properties to form the application site. Therefore, consideration must be given to the impact of this on the resulting amenity for these properties. The largest area of garden land is to be taken from No.35, which as a result of the application would retain a private garden space of approx. 7 metres in width and 17 metres in depth. Given that the other two properties would retain larger gardens than this, it is considered that all three properties would still have an acceptable sized area of external amenity space for their size.
- 9.33 The proposed eastern two dwellings are situated approximately 25 metres from the rear elevations of the properties along Paget Road. They would, therefore, not be considered to break a vertical 25 degree splay from any windows within the rear elevations of these neighbouring properties. It is noted that there are first floor windows within the rear elevation that would face towards to the properties fronting Paget Road. However, given the distance between the elevations of the neighbouring properties and the primary amenity spaces which are patio areas, immediately to the rear of the properties. It is considered that the proposed development would not result in any loss of privacy to these neighbouring properties.
- 9.34 Impact on No.30 Lingrey Court
- 9.35 The proposed dwellings within this application are not considered to cause any undue harm to the amenity of this neighbouring property. Despite this, it is noted that the area for car parking is located within very close proximity to this neighbouring dwelling, and its rear garden. The noise impacts resulting from the car use for the site, is likely to have a certain level of impact on the amenity of this neighbouring property. However, given the level of car parking proposed, and the relatively low level of comings and goings expected of a scheme of this size, it is not considered

that this would result in significant levels of disturbance through noise created.

9.36 Impact on 31 and 32 Lingrey Court

9.37 The proposed southwestern unit of W2 is situated such that there would be moderate level of amenity impact between this and the neighbouring residential property of No.31 Lingrey Court. This neighbouring property has a number of rear facing windows that look onto the application site, including a conservatory at ground floor and a dormer window within the roof slope.

9.38 Within the provided daylight sunlight report, it is shown that the proposed development, and the closest unit would not break a vertical 25-degree splay from the conservatory at ground floor. Therefore, the impact of the development on this and the first and second floor windows is considered to be acceptable with regards to loss of light and overbearing. Officers note that there is a single south facing window within the first floor of unit W2 that would face towards No.31 Lingrey Court. As highlighted within the proposed site plan, this window is approximately 19 metres from first floor windows within the rear elevation of the neighbouring property. The conservatory windows would be slightly closer to the proposed dwelling, however given the difference in height the overlooking impact would be less significant. Given the distance between the two dwellings, officers consider that the development would be acceptable with regards to loss of privacy to No.31 Lingrey Court.

9.39 The impact of the proposed development on No.32 Lingrey Court is considered to be minimal compared to No.31. No.32 is located a further distance from the boundary of the site and the siting of unit W2 is such that there would not be direct views between it and this neighbouring property. Therefore, the impact of the development on No.32 Lingrey Court is considered to be acceptable.

9.40 Impact on 34 Lingrey Court

9.41 The adjacent neighbouring property of No.34 Lingrey Court immediately adjoins the western boundary of the application site. Indeed, the eastern elevation of the neighbouring property is set approximately 1 metre from the shared boundary on the other side of which is the rear garden of unit W1. There are two first floor windows within the eastern elevation of 34 Lingrey Close that are both believed to serve habitable rooms these windows are set away from the rear elevation of W2 by approximately 12.4 metres.

9.42 Whilst there are no ground floor windows within the eastern elevation of No.34 Lingrey Court, the proposed western semi-detached properties would be visible from the first-floor windows of the neighbouring property. However, by virtue of their height, in addition to the height of the proposed units, they would not break a vertical 25-degree splay from the windows of

No.34. As such the impact of the development in terms of loss of light and overbearing is considered to be acceptable.

9.43 There are three windows within the western elevation of units W1 and W2 at first floor level. Two of these windows serve bathrooms and one serves a bedroom of W1. A condition is suggested to ensure that the bathroom windows within this elevation are obscure glazed to ensure there would be no inter-overlooking. However, given that the window to the bedroom is the primary window this could not reasonably be obscure glazed. The siting of W1 and the location of the window are such that it is slightly north of the northern most window within No.34 Lingrey Court. As such, a combination of the distance between the windows and the off-set nature which would ensure that there are no direct views between the windows. Therefore, the proposed development is considered to be acceptable with regards to any overlooking impact on No.34 Lingrey Court.

9.44 Future Occupants

9.45 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).

9.46 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	3	5	2	93	93.4	+0.4
2	3	5	2	93	93.4	+0.4
3	3	5	2	93	93.4	+0.4
4	3	5	2	93	93.4	+0.4

9.47 Garden Size(s)

9.48 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.

9.49 The proposed development provides a private residential garden for each of the four proposed dwellings. For the eastern pair of units, E1 has a private garden that is approximately 80sqm in size, whilst E2 has a private amenity area approximately 63sqm in size. For the western dwellings, the private amenity area for W1 is approximately 94sqm whilst W2 is approximately 182sqm. Therefore, with regards to their size, the private amenity areas for each of the dwellings are considered to be acceptable.

- 9.50 The location of the private amenity areas for the eastern units is such that there would be a minimal impact in terms of overlooking from the properties that front Paget Road. These neighbouring properties are significantly set away however, the closest rear elevation to the eastern boundary is at No.37 Paget Road which is approximately 15.5 metres away. As such it is not considered that the private amenity spaces for the eastern properties would be significantly overlooked by any neighbouring properties.
- 9.51 The amenity areas for the western properties are more constrained in terms of the surrounding neighbouring properties. No.34 Lingrey Court is located immediately to the east, No.40 Scotsdowne Road is immediately to the north and No. 31 and 32 Lingrey Court are further to the south. No.40 Scotsdowne Road does not have any south facing windows that would look onto the rear garden of W1, whilst the neighbouring properties of 31 and 32 Lingrey Court at approximately 10 metres from the boundary would not be considered to significantly overlook the private garden area of W2. The eastern first floor windows within No.34 Lingrey Court would be approximately 1 metres from the western boundary of the gardens of W1 and W2. However, with W1 the views from the window of the neighbouring properties would not be direct onto the garden, rather at an oblique angle, whilst regarding W2, it is considered that an area to the south of the garden would remain outside of the direct views from the neighbouring property. As such officers consider that the private amenity areas of the Western units would also have acceptable levels of privacy from neighbouring properties.
- 9.52 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. The Design and Access Statement submitted states the proposal would comply with these standards a condition will be attached to any permission to ensure compliance with these standards.
- 9.53 Construction and Environmental Impacts
- 9.54 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.
- 9.55 The Council's Environmental Health team have assessed the application and have raised no objection to the proposed development subject to a number of conditions regarding construction/ demolition hours, construction delivery hours, noise attenuation dust, external lighting and a material management plan. Given the scale of the proposed development and the proximity of the site to surrounding neighbouring properties, these conditions are considered acceptable and reasonable.

- 9.56 Given that the site is brownfield in nature, there is a potential risk for contaminated land. Information has been provided to assist in determining this risk. This information is considered to be acceptable, a condition relating to unexpected contamination is however requested due to the nature of the site.
- 9.57 Officers note that the provided documents state that air source heat pumps are proposed for each of the units within the rear gardens. The Councils Environmental Health officer has commented on the addition of these in this location and the location of the proposed units is considered to be a sufficient distance from neighbouring properties, that they are acceptable subject to a condition requiring a noise impact assessment for their impact. This condition is both reasonable and necessary to ensure that the amenity of neighbouring properties is protected from any noise emitted from the units.
- 9.58 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.

9.59 Trees

- 9.60 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.
- 9.61 The application is accompanied by an Arboricultural Impact Assessment that includes suggested tree protection measures.
- 9.62 Whilst the application site itself only includes a small number of trees, there are a number that surround the site boundary, some of which are considered to hold public amenity value. It is noted that a number of third-party representations have been received with regards to the impact of the proposed development on these surrounding trees.
- 9.63 The proposed development includes the proposed removal of three trees from within the application site. These are classified within the provided arboricultural impact assessment as two category U trees and one category C. The councils tree officer has been consulted on the application and has raised no objection to the proposed development subject to conditions regarding compliance with the provided tree protection measures, details of proposed tree planting and compliance with these details when provided. Given the nature of the proposed development, the loss of trees within the site and the trees surrounding the site, these conditions are considered to be reasonable and necessary to ensure that the development is acceptable with regards to its arboricultural impact.

9.64 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

9.65 Carbon Reduction and Sustainable Design

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

9.67 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 and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.

9.68 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.

9.69 The application is supported by a sustainability statement which sets out an aspiration to meet the Passivhaus low energy building strategy. The statement provided highlights the use of air source heat pumps which contribute to a carbon reduction between 64.2% and 66.3%.

9.70 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal subject to conditions relating to carbon reduction technologies and water efficiency. A joint condition regarding both of these aspects is recommended.

9.71 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.

9.72 Biodiversity

9.73 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.

- 9.74 The application has been subject to formal consultation with the Council's Ecology Officer, who initially objected to the proposal due to the lack of DEFRA metric being provided, as well as further information required regarding bat survey validity, bat roost potential of trees and confirmation of ownership of trees within the site.
- 9.75 Further information has been provided through the process of the application in the form of an updated DEFRA metric to take into account those trees that are within private gardens and those which are within public space. Confirmation of the validity of the ecology survey and bat roost potential of the existing trees has also been received.
- 9.76 Following this, the ecology officer, in more recent comments has raised no objection to the proposed development subject to conditions regarding Biodiversity Net gain and ecological enhancement. With the provision of a 31% increase in habitat units and 12% hedgerow units, the proposed development is considered to be acceptable subject to these conditions.
- 9.77 In consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57 and 70 of the Cambridge Local Plan (2018).

9.78 Water Management and Flood Risk

- 9.79 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.
- 9.80 The application site is located within flood zone 1 (Low risk) and includes a small area within the middle of the site that is within 1 in a 1000 year surface water flood risk.
- 9.81 Surface water drainage calculations have been provided with the application, which, given the level of development and the low flood risk of the site is considered to be acceptable subject to conditions regarding water efficiency and foul water drainage.
- 9.82 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.

9.83 Highway Safety and Transport Impacts

- 9.84 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.
- 9.85 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.
- 9.86 The application is supported by a Highway and access technical note as well as vehicle tracking plans.
- 9.87 Access to the site would be through the existing access for the garages within the site, which at its narrowest point is only approximately 2.3 metres in width. The proposed development utilises this same access but proposes to widen the access road to a minimum of 4.8 metres in width. It should be noted that for a scheme of multiple dwellings, access width of at least 5 metres is usually a requirement. However, in this case, given that the existing use for car garages is likely to result in a greater number of vehicle movements, in comparison to the proposed development. The proposed widening to 4.8 metres width is considered acceptable.
- 9.88 The Local Highways Authority have raised no objection to the proposed development and the use of the existing access for residential use. This is subject to a number of conditions regarding, falls and levels of the access, bound materials of the access and a traffic management plan. These conditions are considered reasonable and necessary to ensure that the proposed widened access is of sufficient standard and that the proposed development would not harm highway safety.
- 9.89 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

9.90 Cycle and Car Parking Provision

9.91 Cycle Parking

- 9.92 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.

- 9.93 The provided plans show that cycle parking for each of the proposed dwellings would be located within a shared store to the south of the communal area of the site. Full details of this storage area have not been provided, however it is stated within the design and access statement that there is provision of 3 cycle parking spaces for each dwelling which would comply with the requirements of Appendix L and policy 82. This location for cycle parking is considered to be more convenient for future occupiers of the site than the car parking which is a greater distance from the properties. A condition requiring details of the cycle store will be attached to any permission granted.
- 9.94 Car parking
- 9.95 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. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. 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.
- 9.96 The application site is located outside of a controlled parking zone and the proposed development includes the provision of 4No. car parking spaces, one for each dwelling, with a single additional visitor car parking space. The car parking is provided in an area away from the dwellings themselves at the western end of the access road. The quantity of car parking spaces proposed is considered to comply with the maximum standards as set out in Policy 82 and Appendix L, whilst the location of the car parking is considered to be acceptable in this context.
- 9.97 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.
- 9.98 The provided site plan shows that each of the allocated car parking spaces is provided with electric vehicle charging facilities. Whilst the single visitor space does not have this EV charging, the provision of EV charging is considered to comply with the Greater Cambridge Sustainable Design and Construction SPD. The requirement for EV charging points is covered by building regulations under approved document S. Given this

requirement within building regulations is for a minimum of 1 space per dwelling, it is not considered reasonable to also require this within a planning condition.

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

9.100 Other Matters

9.101 Bins

- 9.102 Policy 57 requires refuse and recycling to be successfully integrated into proposals.

- 9.103 The proposal includes individual refuse storage areas to the rear and side of the proposed dwellings, with a collection area located behind a 1.8m high curved fence within proximity to the proposed car parking. The provided information and tracking diagrams show that access for refuse vehicles to this point is achievable and therefore the drag distance between the storage and collection points is considered to be acceptable. Given that details of the bin storage areas have not been provided, a condition regarding this is recommended.

9.104 Permitted development rights

- 9.105 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 constrained 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. For example under Class E the dwellings would have the potential for the construction of an outbuilding covering up to 50% of the amenity space for each of the plots under permitted development. Which for each of the units would likely result in an unacceptable level of external amenity space. The same applies for Class A, whilst Class B would potentially allow for the construction of rear facing dormers which could evidently directly overlook neighbouring properties.

- 9.106 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).

9.107 Planning Balance

- 9.108 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).

- 9.109 The proposal would not cause harm to the character and appearance of the area. 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
- 9.110 Minor harm to the amenity of neighbouring and future occupiers is acknowledged however, it is not considered that the proposal would result in a significant level of harm that is unacceptable in this instance.
- 9.111 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 #

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.

- 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.

- Location Plan - (2435 PL B 001 P1)
- REVISED PROPOSED SITE PLAN - (2435 PL B 003 P2)
- NORTH SOUTH SITE ELEVATIONS PLAN - (2435 PL B 006 P1)
- PROPOSED GROUND FLOOR PLAN - (2435 PL B 100 P1)
- PROPOSED FIRST FLOOR PLAN - (2435 PL B 101 P1)
- PROPOSED ROOF PLAN - (2435 PL B 102 P1)
- PROPOSED NORTH ELEVATION - (2435 PL B 200 P1)
- PROPOSED EAST ELEVATION - (2435 PL B 201 P1)
- PROPOSED SOUTH ELEVATION - (2435 PL B 202 P1)
- EAST SEMI PROPOSED WEST ELEVATION - (2435 PL B 203 P1)
- WEST SEMI PROPOSED NORTH ELEVATION - (2435 PL B 204 P1)
- WEST SEMI PROPOSED EAST ELEVATION - (2435 PL B 205 P1)
- WEST SEMI PROPOSED WEST ELEVATION - (2435 PL B 207 P1)

- EAST WEST SITE ELEVATION - (2435 PL B 007 P1)
- LANDSCAPE GENERAL ARRANGEMENT SITE PLAN - (LP2363 FIR XX XX DR L 0001)
- LANDSCAPE PLANTING PLAN PART SITE - (LP2363 FIR XX XX DR L 5001)

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

- 3) No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The Highway Authority requests that the TMP be a stand-alone document separate from any Environment Construction Management Plan or the like, as the risks and hazards associated with construction traffic using the adopted public highway are quite different from those associated with the internal site arrangements. 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)
 - 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)
 - iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.

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

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

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

- 5) No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, has been submitted to and approved in writing by the local planning authority.

The development shall be implemented in accordance with the approved scheme.

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

- 6) No dwelling shall be occupied until a Carbon Reduction and Water Efficiency Statement, setting out how the proposals meet the requirement for all new dwelling units to achieve reductions as required by the 2021 edition of Part L of the Building Regulations has been submitted to and approved in writing by the local planning authority. The Statement shall demonstrate how this requirement will be met following the energy hierarchy of Be Lean, Be Clean and Be Green. Where on-site renewable, low carbon technologies and water efficiency measures are proposed, the Statement shall include:
- a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design;
 - b) Details of any mitigation measures required to maintain amenity and prevent nuisance;
 - c) Details of water efficiency measures to achieve a design standard of water use of no more than 110 litres/person/day.

The approved measures shall be fully implemented prior to the occupation of any approved dwelling(s) or in accordance with a phasing plan otherwise agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions does not give rise to unacceptable pollution and to make efficient use of water (Cambridge Local Plan 2018, Policies 28, 35 and 36 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 7) 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).

- 8) Prior to the installation of any Air Source Heat Pumps (ASHPs) a noise impact assessment and any noise insulation/mitigation scheme as required for the ASHPs shall be submitted to and approved in writing by the local planning authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.

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

- 9) 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 planting. Details are to include number of replacements, species, size, location and approximate date of planting. The planting shall be carried out in accordance with the approved details.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity. (Cambridge Local Plan 2018 Policy 71 and Section 197 of the Town and Country Planning Act 1990).

- 10) No development above ground level shall take place until an ecological enhancement scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include details of bat and bird box installation, hedgehog provisions and other ecological enhancements. The approved scheme shall be fully implemented prior to first occupation or in accordance with a timescale agreed in writing by the local planning authority.

Reason: To conserve and enhance ecological interests in accordance with Cambridge Local Plan policies 57, 59 and 70 and the Greater Cambridge Planning Biodiversity Supplementary Planning Document (2022).

- 11) The development, hereby permitted, shall not be occupied until the two proposed first floor windows in the western elevations of W1 and W2 shown to serve the bathrooms 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 (Cambridge Local Plan 2018 policies 55 and 57).

- 12) No development, other than demolition, shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation program agreed in writing with 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).

- 13) The development shall not be occupied, or the permitted use commenced, until details of the bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.

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

- 14) The proposed widened access 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: for the safe and effective operation of the highway, in accordance with Policy 81 of the Cambridge Local Plan (2018).

- 15) The proposed widened access shall be constructed using a bound material 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).

- 16) 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).

- 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. (Cambridge Local Plan 2018 policy 35).

- 18) No external lighting shall be provided or installed other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried as approved and shall be retained as such.

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

- 19) 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).

- 20) The approved tree protection methodology shall 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.

Reason: To ensure that trees to be retained will be protected from damage during any construction activity, including demolition

(Cambridge Local Plan 2018 Policy 71 and Section 197 of the Town and Country Planning Act 1990).

- 21) If within a period of 5 years from the date of planting of any trees or shrubs, or 5 years from the commencement of development in respect of any retained trees and shrubs, they are removed, uprooted, destroyed, die or become seriously damaged or diseased, replacement trees and shrubs of the same size and species as originally planted shall be planted at the same place in the next available planting season, or in accordance with any variation agreed in writing by the Local Planning Authority.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interests of visual amenity (Cambridge Local Plan 2018 Policy 71 and Section 197 of the Town and Country Planning Act 1990)

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

- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 mm thick.
- b) Provided with suitable access for maintenance.
- c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

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

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

- 23) Notwithstanding the approved plans, the dwellings 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)

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

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

26) 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)

Statutory BNG condition

27) Development may not be begun unless: (a) a biodiversity gain plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.

Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).



Planning Committee Date	7 August 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/01783/FUL
Site	2 Scotland Close
Ward / Parish	East Chesterton
Proposal	Change of use from a small scale 6 person HMO (Use Class C4) to Sui Generis 8 bedroom 8 person HMO.
Applicant	Mr Edmund Sturdy
Presenting Officer	Phoebe Carter
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Parking Stress 2. Noise
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks the change of use from a small scale 6 person HMO (Use Class C4) to Sui Generis 8 bedroom 8 person HMO.
- 1.2 The current permission is for the increase the maximum occupancy from six individuals in six bedrooms to eight individuals in eight bedrooms. The proposed extensions to the dwelling have previously been approved under planning permission 21/00381/FUL on the 19th May 2021 for a roof extension (including raising of ridge line) hip to gable enlargement and front and rear dormers at 1, 1a and 2 Scotland Close were approved under planning permission. The permission has been implemented as the proposed extensions are currently under construction.
- 1.3 Officers conclude that the development would provide a good quality living environment for future occupiers without causing harm to the character of the area or surrounding residential occupiers. The site is located in a highly sustainable location with good access to bus and cycle links, alongside local shops and facilities located in the Chesterton High Street Neighbourhood Centre within walking distance (approx. 200m away). Therefore, officers consider that the site is in a location conducive to HMOs. Cycle parking is proportionate to the number of occupiers of the HMO and is safe, secure and conveniently located. With these factors in mind, officers therefore consider that the proposed development would be acceptable.
- 1.4 Officers recommend that the Planning Committee approve the application.

2.0 Site Description and Context

None-relevant	X		
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*X indicates relevance

- 2.1 The site is situated on a residential cul-de-sac accessed off Scotland Road. The cul-de-sac has dwellings on the west side of the highway and the eastern side of the road, separated by a low fence, adjoins Scotland Road Recreation Ground and a public footpath connecting Scotland Road to High Street, Chesterton. 2 Scotland Close was originally a pair of semi-detached properties, however 1A Scotland Close was added adjoining no. 1 Scotland Road following application 10/0280/FUL which was allowed at appeal in 2010.
- 2.2 To the west of the site, adjacent to the rear boundary are residential properties on Wilding Walk, a cul-de-sac. The dwellings on Wilding Walk front the highway and given the road layout the side elevation of the dwellings front the rear boundary of the site.
- 2.3 There are no site constraints.

3.0 The Proposal

- 3.1 The application seeks planning permission for the change of use from a small scale 6 person HMO (Use Class C4) to Sui Generis 8 bedroom 8 person HMO.
- 3.2 Subject to minor internal alterations, the proposed change of use would not require any additional extensions to increase the occupancy of the HMO from six persons to eight persons, changing the use to a large scale HMO (Use Class Sui Generis). The extensions to the dwelling, currently being undertaken, were permitted under application reference 21/00381/FUL.
- 3.3 An amendment to the description was undertaken as the dwelling was a small scale HMO and not a dwelling house. A revised block plan was also submitted showing that a cycle store is proposed to the rear of the property.

4.0 Relevant Site History

1, 1A And 2 Scotland Close

21/00381/FUL – Roof extension, including raising of ridge line, hip to gable enlargement, front and rear dormers. – Permitted

16/1129/FUL – Roof extension, including raising of ridge line at 1, 1A and 2 Scotland Close, hip to gable enlargement and rear dormers. – Permitted

2 Scotland Close

C/91/1053 – EXTENSION TO DWELLING (TWO STOREY SIDE EXTENSION TO FORM NEW GARAGE AND BEDROOM). – Permitted

C/91/0376 - EXTENSION TO DWELLING (ERECTION OF TWO STOREY SIDE EXTENSION). (AMENDED BY LETTER DATED 01.07.91 AND ACCOMPANYING DRAWINGS). – Permitted

1 Scotland Close

10/0280/FUL - Erection of 1 two-bed dwelling. – Refused and Allowed at Appeal.

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 30: Energy-efficiency improvements in existing dwellings

Policy 31: Integrated water management and the water cycle

Policy 32: Flood Risk

Policy 35: Human health and quality of life

Policy 48: Housing in multiple occupation

Policy 50: Residential space standards

Policy 55: Responding to context

Policy 58: Altering and extending existing buildings

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 No significant adverse effect upon the Public Highway should result from this proposal.

6.3 Whilst the Local Highways Authority have no objections to the proposals it is worth noting that as the streets in the vicinity of the application site 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 on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

6.4 Environmental Health – No Objection

6.5 The development is acceptable subject to the imposition of conditions regarding construction hours.

6.6 Informatives are recommended to ensure the applicant is aware that they follow the requirements for an eight person HMO and will be required to apply for a HMO licence variation to vary the license.

7.0 Third Party Representations

7.1 6 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Overdevelopment of Scotland Close (number of bedrooms)
- Residential amenity impact (noise and disturbance, odour, private amenity space)
- Anti-social behaviour from Air B&b's/short term rentals
- Loss of a family dwelling house
- Construction impacts
- Highway safety
- Car parking and parking stress
- Emergency services access to the street
- Cars blocking other drives on the Close
- Not in a sustainable location
- Noise Impact
- What is the noise management plan?
- Number of occupants
- Can the Cycle store be built under Permitted Development?
- Raised objections regarding noise, parking, odour, emergency service vehicles, loss of light and potential large scale HMO on previous application (21/00381/FUL)
- Change of use not part of previous application
- Previous application approved inappropriate
- Incorrect consultation on previous application
- When did the property change to Use Class C4 (small scale HMO)?

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 48 states that proposals for large houses of multiple occupation will be supported where the proposal: does not create an over-concentration of such a use in the local area, or cause harm to residential amenity or the surrounding area; the building or site (including any outbuildings) is suitable for use as housing in multiple occupation, with provision made, for example, for appropriate refuse and recycling storage, cycle and car parking and drying areas; and will be accessible to sustainable modes of transport, shops and other local services.

8.4 A review of the Council's evidence and site visit by the case officer indicates that there are a limited number of large HMOs within the vicinity. Therefore, the proposal would not create an overconcentration of large HMOs in the area.

8.5 The proposal for a large HMO would not significantly harm the residential amenity of neighbours; this is discussed in paragraphs regarding Amenity below.

8.6 Officers consider that adequate provision has been made for cycles, car parking and refuse which will also be discussed further in the relevant sections of the report.

8.7 The site is located in a highly sustainable location, situated within a short walking distance of local amenities and transport links which provides access to the rest of the city and surrounding area. As such the location is appropriate for HMO development.

8.8 Taking the above into account, the principle of the development is acceptable and in accordance with policies 3 and 48 of the Cambridge Local Plan (2018).

8.9 Design, Layout, Scale and Landscaping

8.10 Policies 55 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.

8.11 Scotland Close is a narrow cul-de-sac accessed off Scotland Road with a mix of two storey dwellings most of which have been previously extended. No. 2 Scotland Close, originally a semi-detached dwelling, now forms an end of terrace property with car parking to the front and a private amenity space to the rear. The property has been previously extended including a roof extension, at the same time as 1 and 1A Scotland Road, and to the side and rear.

8.12 The application proposes no external alterations to the dwelling and therefore would not alter the appearance of the dwelling on the streetscene and is in accordance with Policy 55 and 56 of the Local Plan 2018.

8.13 Biodiversity

8.14 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.

8.15 Given that the proposal is for a change of use application the proposal is not required to provide Biodiversity Net Gain. Taking the above into account, the proposal is compliant with 69 and 70 of the Cambridge Local Plan (2018).

8.16 Water Management and Flood Risk

8.17 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.

8.18 The proposed extensions will utilise the existing drainage connections to the host dwelling and the scheme will allow for minor changes to the existing garden. Therefore, it is considered unnecessary to request surface or foul water drainage schemes in this case.

8.19 The proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

8.20 Highway Safety and Transport Impacts

- 8.21 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.
- 8.22 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.
- 8.23 The Local Highways Authority have no objections to the proposal. Access to the site would remain the same as the existing arrangements and therefore no concerns on highway safety stem from the proposed access arrangements. The applicant has submitted additional information regarding parking and highway safety however this has not been consulted as this does not overcome any concerns from the Local Highway regarding Parking Stress set out below.
- 8.24 Third parties have raised concerns regarding the narrowness of the highway, junction onto Scotland Road and emergency vehicle access. The proposal is not seeking to narrow or alter the existing highway or access to the dwelling. The drop kerb is existing and the off-street parking arrangement is not being altered as part of this application. The proposal would accommodate an additional two occupants above what is currently being achieved. It is not considered that the movements of two people, given the parking arrangements, predominately by sustainable transport means, would give rise to a harmful level of movements or impact the safety of the public highway.
- 8.25 Whilst officers acknowledge the concerns regarding emergency services access, the City Council could not now or in the future control where people choose to park and if blockage of the highway results, this is a matter for residents to manage between themselves informally or failing that an issue for the police or the highway authority.
- 8.26 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

8.27 Cycle and Car Parking Provision

8.28 Cycle Parking

- 8.29 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. While there is no specific standard for HMOs, officers consider that the need for provision is greater than the standard outlined for residential dwellings given

the nature of the use. These cycle spaces should be located in a purpose-built area, preferably to 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.

- 8.30 The current arrangement appears to be that there are secure cycle rings to the side of the dwelling. A block plan has been submitted indicating the proposed cycle store to the rear of the dwelling, accessed via the side passageway. This would provide sufficient cycle parking for all occupants. Additionally secure cycle rings have been recommended to the front for visitors.
- 8.31 Whilst it is noted that secure covered cycle parking is preferred to the front of the dwellings this would remove a car parking space. Officers have noted that parking stress has been raised by many local residents given the layout of the Scotland Close. Officers therefore consider that, in this instance, have cycle parking to the rear of the property would be acceptable. It is also noted that the communal area is accessible from the rear of the property.
- 8.32 Officers recommend a condition to provide details of the store and ensure a cycle store is provided prior to the occupation of the large HMO providing eight covered and secure cycle parking spaces. This equates to one cycle parking space per bedroom and occupant, which is considered acceptable.
- 8.33 Car parking
- 8.34 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 2 spaces per dwelling for 3 or more bedrooms.
- 8.35 The proposal to retain the two car parking spaces to the front of the dwelling. The Highway Authority, and local residents, expresses concerns regarding the additional car parking pressure on surrounding residential streets arising from the increase in the number of occupants at the address. Officers are satisfied that the proposal is situated in a sustainable location as it is sited within walking distance of a neighbourhood centre (approx. 200m), cycling distance of the city centre and close proximity to public transport. Car dependency is therefore considered to be limited. In addition, a condition is recommended to ensure adequate number of cycle parking spaces are provided. Therefore, the lack of car parking access is not considered, in this instant, to warrant a reason for refusal, and the proposal would not result in a significant increase in parking stress locally.
- 8.36 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. As the development is not creating a new dwelling, there is not a policy requirement to deliver EV charging on site. Officers consider that a condition to secure this would not be reasonable to impose.

8.37 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan.

8.38 Amenity

8.39 Policy 35, 48 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.

8.40 Neighbouring Properties

8.41 The application is not proposing any external alterations to accommodate the increase in occupancy. Officers therefore do not consider that the proposal would give rise to any harm to the adjacent neighbours in terms of overlooking, loss of light or overbearing impact.

8.42 Future Occupants

8.43 While the National Space Standards as detailed under policy 50 are not a requirement for HMOs, the below table shows the size of the bedrooms in comparison to the space standards:

Bedroom	Policy Size requirement (m²)	Proposed bedroom size (m²)	Difference in size (m²)
1	7.5	16.5	+9
2	7.5	11.75	+4.25
3	7.5	8.7	+1.2
4	7.5	9.3	+1.8
5	7.5	11.6	+4.1
6	7.5	11.8	+4.3
7	7.5	16	+8.5
8	7.5	21	+13.5

8.44 Predominately HMO occupiers, given the nature and pattern of use, are more dependent on their respective bedrooms for amenity than communal rooms. With this in mind, officers consider that the bedrooms provide a good level of amenity for future occupiers. The communal spaces comprise a combined kitchen/dining/living room, which total 31m². This is considered sufficient to accommodate the proposed number of occupiers (8) without occupants spilling out into the rear garden and creating a harmful impact to adjacent residential occupiers. The garden is moderate in size (approx. 55sq metres) and would be sufficient size to cater for the needs of the future occupants.

8.45 A condition is recommended to ensure that the occupancy of the HMO is restricted to eight persons.

- 8.46 Construction and Environmental Impacts
- 8.47 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. No external alterations are proposed as part of this application. Whilst Environmental Health Officers have recommended a construction hours condition, it is noted that no external alterations are proposed as part of this planning permission. Officers therefore do not consider it necessary in this instance to restrict construction hours.
- 8.48 The General Permitted Development Order permits a dwelling (in C3 use) to change to a six person HMO (C4 Use) without the need for planning permission. Therefore, the noise impact arising from the development is assessed on the additional two people beyond what you can do without planning permission. The design enables sufficient space for occupiers internally, minimising the use of outside spaces. However, Officers acknowledge that the noise impact may be greater than a C3 or C4 use given the nature of the use and number of occupiers and therefore a condition is recommended to seek a management plan for the property. Given the local concerns it is considered justified for the number of people residing at the property. Cumulatively, officers consider that the noise impact would not be significant to warrant a refusal of the application.
- 8.49 Third party comments have been received regarding the noise impacts of the existing construction works. This is not something that can be considered as part of this planning permission for the change of use as there is limited construction work. The noise impacts would relate to the permission for the build and any noise complaints would be a civil matter.
- 8.50 Furthermore, comments have been received regarding the noise impacts by short-term rentals and Air B&B's. The proposed application is for neither of these uses and therefore these impacts cannot be assessed as part of this application as they appear to be in relation to other properties in the vicinity. These concerns are a civil matter and would need to be dealt with outside of this planning permission.
- 8.51 The Council's Environmental Health team have assessed the application and have raised no objections to the proposals. Informatives regarding the change to the HMO license, health and safety and management requirements for an eight person HMO which Officers considered reasonable and necessary to add to the proposal.
- 8.52 Comments have been raised concerns regarding odour. Whilst no details have been provided as part of the application Officers consider that there is sufficient external space for the storage of bins, in accordance with the RECAP Guidance. Details of a bin store will therefore be subject to condition.
- 8.53 In regards to odour caused by cooking, it is not considered that an HMO would require any extraction units over and above what would be required

by a dwelling house. An informative is proposed to ensure that the property would meet the requirements for an HMO for eight persons which would require the kitchen to be fitted to meet the required standards. It is therefore not considered that the proposal would give rise to any odour

8.54 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, 48 and 58.

8.55 Other Matters

8.56 Bins

8.57 Policy 58 requires refuse and recycling to be successfully integrated into proposals. The bins are currently stored to the side of the dwelling. No details have been provided regarding a bin store for the proposed occupants in accordance with the RECAP Guidance. Therefore, given that there is sufficient external space, officers recommend a condition to provide these details and ensure a refuse store is provided prior to the occupation of the large HMO.

8.58 Summary

8.59 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, 48 and 58.

8.60 Third Party Representations

8.61 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
Overdevelopment	The proposal does not include any external development, other than bin and bike stores which have been conditioned. Whilst the internal configuration has been altered it is considered that the internal, and external space, is sufficient for the number of occupants. Previous extensions to the properties will have been assessed by Officers as part of the prior to determination against the relevant legislations.
Character / Loss of a family dwelling house	Officers acknowledge that the proposal would lead to the loss of a dwelling house. However, as set out within the Local Plan it is important to increase the support of all types of housing to meet a wide range of needs. The supporting text of Policy 48 it sets out that HMO's have an important role to play within the local housing market. They provide a range of shared

	accommodation, predominantly occupied by students and young professionals subject to meeting other criteria assessed within the report above.
Noise/Odour/Amenity Space	Assessed within Sections 8.52 – 8.53
Anti-Social Behaviour from Air B&B's/Short Term Rental	Assessed within Sections 8.50
Construction Impacts	Assessed within Sections 8.47 – 8.48
Highway Safety	Assessed within Sections 8.20 – 8.26 Officers note concerns regarding highway safety and proximity to a play area. The proposal does not increase the number of car parking spaces provided or alter the existing access to the parking spaces. The Local Highways Authority therefore do not consider that the proposal would impact highway safety
Emergency Services access to the street	No alterations are proposed to the public highway or existing parking arrangement to the front of the site.
Parking Stress	Assessed within section 8.33 – 8.37 The existing two off street parking spaces are to be retained, which is in accordance with the Local Plan. The site is also considered to be in a sustainable location. It is therefore considered that the additional two occupants would not give rise to a harmful level of parking stress locally.
Blocking other driveways	On-street parking is a civil issue and cannot be assessed as part of the planning application.
Not within a sustainable location	The application is considered to be within a sustainable location, situated within 200m of a Neighbourhood Centre and in close proximity to public transport.
Number of occupants	A condition has been added limiting occupants.
Cycle Store under permitted development	From reviewing the application a cycle store, subject to details, could be achieved under Schedule 2, Part 1, Class E of the General Permitted Development Legislation 2015. Officers have taken into account the previous extensions and consider that a bike store could be achieved under permitted development. A condition has been added to secure details.
Neighbour Notification on application 21/00381/FUL	Officers cannot comment on the neighbour notification for a previous application. The notification would have been carried out in accordance with the Development Management Procedure Order and the Statement of Community Involvement.
When did the property change use to Use Class C4	The Local Planning Authority are unsure when the property changed use from a dwelling house (Use Class C3) to a small scale HMO (Use Class C4). The change of use between use class C3 and C4 falls under the Town and Country Planning (General Permitted Development) Order 2015. Therefore, express planning permission is not required. The Environmental

	Health Team would be required to be notified in regards to HMO licensing.
Previous approval inappropriate and objections raised.	Officers note the comments regarding the previous approval. This application was assessed by Officers and set out within the Officer Report. These comments cannot be taken into account for the current permission.
Change of Use not part of the previous application	Officers can only assess the application submitted. As application 21/00381/FUL did not apply for a change of use this subsequent application has been submitted for Officers to assess on its own merits.

8.62 Planning Balance

- 8.63 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).
- 8.64 Third party representations have raised concern regarding the proposal impact on noise and disturbance to neighbouring occupiers due to the increase in occupancy. Officers consider that the proposed internal amenity space is sufficient in size to accommodate the requirements of licencing for large HMOs. Furthermore, all the bedrooms exceed space standards which reduces the reliance on shared spaces. Overall, it is considered that the increase in two persons will not exacerbate the use of the garden by future occupiers.
- 8.65 Third party representations have also raised concern regarding the proposals impact on the highway with the increase in occupants. The Local Highways Authority have not raised any concerns regarding the proposal and given the siting within a sustainable location Officers consider that the proposal would give rise to a significant level of parking stress. Furthermore, a condition has been added to provide comfort to local residents regarding a Management Plan.
- 8.66 The proposed development is not considered to adversely affect the amenity of neighbouring occupiers.
- 8.67 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. The development will positively contribute to the supply of residential accommodation available to the public within Cambridge.
- 8.68 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Approval.

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 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.

(100 – 10.5.24
OS-02 REV A – 09.07.24)

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

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

Reason: To ensure appropriate provision for the secure storage of bicycles in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.

4. The development, hereby permitted, shall not be occupied, or the use commenced, until a management plan has been submitted to and approved

in writing by the Local Planning Authority. The management plan shall include provisions relating to:

- a) management of the property and how any management issues will be addressed
- b) external display of contact information for on-site management issues and emergencies for members of the public
- c) provision for refuse, cycle and car parking and drying areas etc.
- d) details of guidance for tenants re acceptable standards of behaviour/use of the premises.

The development shall thereafter be managed in accordance with the approved plan.

Reason: In order to ensure the occupation of the site is well managed and does not give rise to significant amenity issues for nearby residents (Cambridge Local Plan 2018 policies 35 and 47).

5. The application site shall have no more than eight [8] 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).

Agenda Item 7



Planning Committee Date	7 th August 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	24/01907/S73
Site	48 Cavendish Avenue Cambridge Cambridgeshire CB1 7UT
Ward / Parish	Queen Ediths
Proposal	S73 to vary condition 2 (approved drawings) of ref: 23/02630/FUL (Demolition of existing dwelling and erection of 1 no 5bed dwelling) Extensions to the north-west corner of the dwelling, in addition to alterations to the fenestration of the building.
Applicant	Mr/Mrs Matthew / Hua Ryan
Presenting Officer	Dominic Bush
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Design and appearance 2. Neighbouring amenity
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

1.1 The application seeks to vary planning conditions attached to planning permission ref. 24/01907/S73 relating to condition 2 (approved plans). The permission granted (Demolition of existing dwelling and erection of 1no 5bed dwelling)

1.2 The revisions sought are:

- Extensions to the northwestern corner of the approved building
- Alterations to the fenestration of the building

1.3 Officers recommend that the Planning Committee approve the application subject to conditions.

2.0 Site Description and Context

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

*X indicates relevance

2.1 The application site as existing contains the two storey semi-detached residential dwelling of No.48 Cavendish Avenue. The site is located on the southern side of Cavendish Avenue where there is a strong prevailing character of mostly pairs of semi-detached dwellings that are uniform within their pairs but with more variation amongst the entirety of the street scene. All of the properties within the immediate context have long rear gardens extending to the south, with multiple examples of larger outbuildings within the bottom of these gardens.

2.2 The surrounding area is almost entirely residential in use with the southern boundary of the site adjoining the northern boundary of the properties that front Hills Avenue to the south. The application site and the existing property of No.48 adjoins the neighbouring property of No.50 to the east, with the detached neighbouring property of No.46 Cavendish Avenue to the west.

3.0 The Proposal

3.1 This application is seeking to vary condition 2 (approved drawings) of ref: 23/02630/FUL (Demolition of existing dwelling and erection of 1no 5bed dwelling).

- 3.2 The main alteration proposed to the previously permitted development is the addition of an extension to the northwestern corner of the proposed replacement dwelling. At ground floor, the footprint of this extension measures approx. 2.1 metres in depth and 3.7 metres in width. The extension includes the addition of a front facing gable end.
- 3.3 This application is also proposing minor amendments to the fenestration of the property, as well as minor changes to the design of the property.

4.0 Relevant Site History

Reference	Description	Outcome
22/05481/HFUL	Two storey side and rear extension, ground floor rear extension, a dormer extension and a reconstructed entrance porch to the front.	Permitted
23/02630/FUL	Demolition of existing dwelling and erection of 1no 5bed dwelling.	Permitted
23/02630/CONDA	Submission of details required by conditions 3 (Surface Water Drainage Scheme), 4 (AMS and TPP), 5 (Dust), 10 (Foul Water Drainage) of planning permission 23/02630/FUL	Discharged in full
24/01906/S73	S73 to vary condition 2 (approved drawings) of ref: 23/01311/HFUL (Demolition of existing garden accommodation and construction of a new detached replacement) and to remove condition 4 (replacement trees).	Pending consideration

- 4.1 There is an extensive planning history at this site in recent years, in this case, the 2022 Householder application and 2023 full application are directly relevant to this proposal.
- 4.2 The 2022 Householder application was approved in 2023 for extensions to the existing property and subsequently, a full application was submitted for the demolition of the existing building and rebuilding to an almost identical design as had been approved within the previous householder application. Due to the fact that the site is not within a Conservation Area and the subsequent lack of control over demolition, this application was approved.
- 4.3 This application has since been submitted for minor alterations to the design of this previously permitted scheme.

5.0 Policy

- 5.1 **National**
National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Technical Housing Standards – Nationally Described Space Standard (2015)

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: Carbon reduction, community energy networks, 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: Protection of human health from noise and vibration
- Policy 50: Residential space standards
- Policy 51: Accessible Homes
- Policy 55: Responding to context
- Policy 56: Creating successful places 3
- Policy 57: Designing new buildings
- Policy 59: Designing landscape and the public realm
- Policy 70: Protection of priority species and habitats
- Policy 71: Trees
- Policy 80: Supporting sustainable access to development
- Policy 81: Mitigating the transport impact of development
- Policy 82: Parking management

5.3 Supplementary Planning Documents

- Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (2001)
- Roof Extensions Design Guide (2003)
- Greater Cambridge Sustainable Design and Construction SPD (2020)
- Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste
- Cambridgeshire Design Guide For Streets and Public Realm (2007)
- Cycle Parking Guide for New Residential Developments (2010)
- Cambridgeshire and Peterborough Flood and Water
- Greater Cambridge Biodiversity – Adopted February 2022

6.0 Consultations

6.1 County Highways Development Management - No Objection

6.2 No objection and requested that the previous conditions continue to apply

6.3 Sustainable Drainage Officer – No comment received

6.4 Tree Officer – No comment received

6.5 Environmental Health – No Objection

6.6 No further comments from the previous application

7.0 Third Party Representations

7.1 8 representations have been received.

7.2 Those in objection have raised the following issues:

-Character, appearance and scale

8.0 Member Representations

Not applicable

8.1 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 As a section 73 application, this proposal can only be assessed in terms of the changes that are proposed to the previously approved full application.

9.3 Principle of Development

9.4 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.

9.5 The principle of the proposed development for a single residential unit within the site has and is not proposed to be changed. The principle of the demolition and replacement of the existing dwelling was approved within the previous full application and therefore is not a matter for determination within this application.

9.6 The applicant has sought to amend the conditions attached to the planning permission by seeking to make a minor material amendment. Paragraph 13 of Planning Practice Guidance advises that there is no statutory limit on the degree of change permissible to conditions under S73, but the change must only relate to conditions and not to the operative part of the permission [Paragraph: 013 Reference ID: 17a-013-20140306] Case law

has established the test which governs section 73 cases is to be found in R v Coventry City Council, ex p. Arrowcroft Group plc [2001] PLCR 7, in which Sullivan J held that, under that section, a local planning authority: "is able to impose different conditions upon a new planning permission, but only if they are conditions which the council could lawfully have imposed on the original planning permission in the sense that they do not amount to a fundamental alteration of the proposal put forward in the original application." (para. 33).

9.7 Where an application under section 73 is granted, the effect is the issue of new planning permission, sitting alongside the original permission, which remains intact and unamended [Paragraph: 015 Reference ID: 17a-015-20140306].

9.8 The principle of development has been established through the extant planning permission for the proposals for which amendments are sought. The development is acceptable in principle and is in accordance with policy 3 of the Cambridge Local Plan 2018.

9.9 Design, Layout, Scale and Landscaping

9.10 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.

9.11 The revisions proposed to the approved development include an extension to the front of the property to the northwestern corner. This extension projects the full height of the building and includes the addition of a large front facing gable end where previously the roof form was a more simple dual pitch with hipped side. Whilst the amendment would alter the form of the roof, the ridgeline of the property is not proposed to be increased from the 8.5-meter height as previously approved. Considering the modest increase in size of the dwelling as a result of this extension, the scale of this amendment is considered to be acceptable.

9.12 It is noted that multiple third party representations have been received regarding the design of the proposed front facing gable end and the impact of this on the character and appearance of the area. Officers acknowledge that the previously proposed appearance of the building was of a simpler form especially when viewed from the front of the site along Cavendish Avenue. However, when assessing the appearance of the proposed design, it is noted that there are a number of other properties within the area with similar front facing gable ends including No.51 on the norther side of Cavendish Avenue which also has a larger front facing gable that is approximately half the width of the dwelling. Therefore, whilst the adjoining properties on the southern side of Cavendish Avenue to the east of the dwelling do not have this design feature, given the location of the site outside of a conservation area, the design of this proposed

amendment, including the front facing gable end is considered to be acceptable.

- 9.13 Other minor amendments are proposed to the design of the replacement dwelling, including the canopy of the front porch which includes a zinc clad canopy. Whilst this material choice would contrast with the white render to the front of the property, given the scale of this element it would not be considered to cause any significant harm to the character or appearance of the area.
- 9.14 The alterations proposed to the fenestration of the building are not considered to significantly alter its appearance or cause any harm to the character of the area.
- 9.15 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 and 57.

9.16 Amenity

- 9.17 Policy 35, 50 and 53 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

9.18 Neighbouring Properties

- 9.19 Impact on No. 46 Cavendish Avenue

9.20 The proposed extension to the property to the northwestern corner is located such that it would have a minor impact on the amenity of No.46 located to the west of the site. It is noted that the forward projection of the proposed extension element would not be located forward of the front elevation of the neighbouring property. The entrance area within the porch has the same forward projection as that previously approved with the footprint of the extension essentially infilling this corner. As a result it is not considered that this extension would break a 45 degree splay from any windows within the front elevation of No.46. The projection of the extension to the west is inline with the side elevation as previously approved, given that the window within the side elevation of this neighbouring property is a high-level window that does not serve a habitable room, the impact of the proposal on this is considered to be acceptable.

- 9.21 It is noted that there are two first floor windows within the western elevation as proposed, a condition requiring any first-floor windows within this elevation to be obscure glazed was attached to the previous FUL application and would be reapplied to any approved S73 application. This

is considered sufficient to ensure that these windows would not lead to any loss of privacy for the neighbouring property.

9.22 The amendments to the fenestration of the building is not considered to lead to any additional loss of privacy for any of the surrounding neighbouring properties.

9.23 Future Occupants

9.24 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).

9.25 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 (m²)	Proposed size of unit	Difference in size
1	5	8	3	134	272	+138

9.26 Garden Size(s)

9.27 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. The proposed private residential would remain significant in its size and is considered to be acceptable for a dwelling of this size in this location.

9.28 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. A condition was attached to the previous FUL application to ensure compliance with M4(2) and this would also be reapplied to any approval.

9.29 Construction and Environmental Impacts

9.30 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.

9.31 The Council’s Environmental Health team have assessed the application and have no objection to the proposed amendments, subject to the conditions that were previously requested and attached to the FUL application. These are also recommended within this application.

9.32 Summary

9.33 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, 53 and 57.

9.34 Trees

9.35 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.

9.36 The previously approved application was supported by an arboricultural impact assessment and there was no objection to this previous proposal from the council's tree officer.

9.37 The amendments proposed within this application are not considered to be within close proximity of any of the trees within the site. Whilst comments from the tree officer have not been received, it is not considered that the proposed amendments would result in any potential additional harm to trees within or surrounding the site. Additionally, conditions were attached and would continue to apply regarding tree protection methodology, and compliance with this information.

9.38 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

9.39 Carbon Reduction and Sustainable Design

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

9.41 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 and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.

9.42 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.

9.43 The previously approved application included two conditions regarding carbon reduction and water efficiency specifications. Both of these

conditions would continue to apply in this instance and are considered to be sufficient to comply with the above policies.

- 9.44 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.

9.45 Biodiversity

- 9.46 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.
- 9.47 The previously approved application for the replacement dwelling was consented with a biodiversity net gain condition attached. Whilst it is not reasonable to vary this condition to require 10% net gain, whilst the condition would be attached to ensure that measurable net gain is achieved. The proposed works are also not considered to potentially result in any additional impact to protected species above that of the replacement dwelling as previously proposed and approved.
- 9.48 Taking the above into account, the proposal is compliant with 57 and 70 of the Cambridge Local Plan (2018).

9.49 Water Management and Flood Risk

- 9.50 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.
- 9.51 The site is in Flood Zone 1 and is at low risk of surface water flooding.
- 9.52 The previous application that was approved for the replacement dwelling was subject to a flood risk assessment. This was considered acceptable at this previous stage, subject to conditions regarding foul and surface water drainage. These conditions would continue to apply and it is not considered that the proposed amendments would significantly increase potential flood risk.
- 9.53 Subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

9.54 Highway Safety and Transport Impacts

- 9.55 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.
- 9.56 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.
- 9.57 The proposed dwelling is to be accessed from Cavendish Avenue and no changes are proposed to the access within this section 73 application.
- 9.58 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 as requested within the previous application.
- 9.59 Subject to conditions the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

9.60 Cycle and Car Parking Provision

9.61 Cycle Parking

9.62 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.

9.63 No changes are proposed to the cycle parking provision which was for a purpose-built store to the front of the replacement dwelling. This provision was considered to be acceptable previously, given that this proposal would not increase the number of bedrooms within the dwelling it is not considered reasonable to require an increase in the provision of cycle parking. The current cycle parking provision is therefore considered to be acceptable.

9.64 Car parking

9.65 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.

9.66 The single car parking space proposed to the front of the dwelling is considered to be acceptable with further on-street car parking available on Cavendish Avenue. Given that the amendments proposed would not impact this provision, it is considered acceptable in this regard.

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

9.68 Planning Balance

9.69 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).

9.70 The proposed development would preserve the character and appearance of the surrounding area, through the high-quality replacement of the existing dwelling. The scheme provides for a high-quality living environment for future occupiers.

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

10.0 Recommendation

10.1 **Approve** subject to:

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission reference 23/02630/FUL (by 20 October 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.

- PROPOSED ELEVATIONS AND SECTION (REV B) *received*
17.05.2024

- PROPOSED FLOOR PLANS SHT 1 OF 2 (REV C) *received 17.05.2024*
- PROPOSED FLOOR PLANS SHT 2 OF 2 (REV C) *received 17.05.2024*
- LOCATION PLAN (A001) *received 07.07.2023*
- REVISED CYCLE STORE AND WASTE DISPOSAL PLAN (A610 REV B) *received 01.08.2023*
- REVISED CYCLE AND BIN STORE DETAILS (A620 REV A) *received 01.08.2023*

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

3. No development 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
- 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.

4. Prior to commencement and in accordance with BS5837 2012, an up to date 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

5. No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, has been submitted to and approved in writing by the local planning authority The development shall be implemented in accordance with the approved scheme.

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

6. 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 policy 59 of the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 7. 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).

- 8. 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).

9. The development, hereby permitted, shall not be occupied until the proposed first floor windows in the western elevation of the development 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 (Cambridge Local Plan 2018 policies 55, 57).

10. 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 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.

11. Two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

Reason: In the interests of highway safety. In accordance with NPPF paragraph 115.

12. The proposed drive way 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: for the safe and effective operation of the highway, in accordance with NPPF paragraph 115.

13. The proposed drive be constructed using a bound material, for the first five metres from the boundary of the adopted public highway into the site, to prevent debris spreading onto the adopted public highway.

Reason: In the interest of highway safety, in accordance with NPPF paragraph 115.

14. 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. 23/02630/FUL Page 7 of 12.

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

15. 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).

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. (Cambridge Local Plan 2018 policy 35)

17. Finished ground floor levels to be set no lower than 300mm above the surrounding ground levels, in accordance with 48 Cavendish Avenue - Flood Risk and SuDS Assessment - reference 1393, prepared by Flume and dated September 2023.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

18. 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

19. Notwithstanding the approved plans, the flat roof on the single storey rear projection of the replacement dwelling hereby approved shall be green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:

- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.
- b) With suitable access for maintenance.
- c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.

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

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: greenrooforganisation.org.

20. Conditions of planning permission 23/02630/FUL shall continue to apply to this permission, and where they have been discharged, the development of 24/01907/S73 shall be carried out in accordance with the terms of discharge and those conditions shall be deemed to be discharged for this permission also.

Reason: To define the terms of the application.

Agenda Item 8



Planning Committee Date	7 th August 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	24/01604/FUL
Site	Edeva Court, Wulfstan Way, Cambridge CB1 8AF
Ward	Queen Ediths
Proposal	Construction of a single storey extension at roof level comprising 4 No. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works
Applicant	Avon Ground Rents Ltd
Presenting Officer	Dominic Bush
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Character and appearance of the area2. Highway Safety3. Parking provision4. Residential Amenity
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks planning permission for the construction of a single storey extension at roof level comprising 4 No. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.
- 1.2 The application follows the previous application at the site that was refused and allowed at appeal for an extension to the roof of the building to create 3No. flats. This application is proposing an identical extension with alterations to the internal layout to provide 4No. additional flats as opposed to the 3 previously allowed.
- 1.3 Officers consider that the proposal respects the character and appearance of the street scene and surrounding area, it would not adversely impact the residential amenity of neighbouring occupiers and provides adequate living conditions for future occupiers.
- 1.4 Officers recommend that the Planning Committee APPROVE the proposal.

2.0 Site Description and Context

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

*X indicates relevance

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

3.0 The Proposal

- 3.1 The application is seeking planning permission for the construction of a single storey extension at roof level comprising 4 No. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.

- 3.2 The extension to the roof proposed would measure approximately 16.8 metres in width such that it is set in from the flank walls of the existing building. The extension would increase the height of the building by approximately 2.8 metres such that the overall height of the building would measure 12.4 metres. The walls of the extension are to be clad in vertical grey zinc cladding.
- 3.3 One new car parking space would be provided within the existing parking area and the gates would be reduced to a width of 3.75 metres to allow this. A new bike store would be provided adjacent to the waste store and a Sheffield stand for visitors along the southern boundary.

4.0 Relevant Site History

Reference	Description	Outcome
12/1616/FUL	Demolition of existing public house building and replacement with new public house including ancillary one bedroom manager's apartment (Use Class A4) and single two bedroom residential apartment (Use Class C3) above, and a separate block of 12 two-bedroom residential apartments (Use Class C3), with associated access, car parking and landscaping.	Permitted
14/1558/FUL	Installation of electric gates at entrance to apartment's car park & updated hard & soft landscaping proposals to the residential developments	Permitted
22/03076/FUL	Construction of a single storey extension at roof level comprising 3 no. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.	Refused Appeal Allowed

- 4.1 The previous application that is most relevant to this application is that which was refused in 2023 and subsequently allowed at appeal. The external appearance and scale of the extension proposed within this application are identical to that previously allowed. The only difference between the two applications is the internal layout of the third floor of the building.

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

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 31: Integrated water management and the water cycle

Policy 32: Flood Risk

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 45: Affordable housing and dwelling mix

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 70: Protection of priority species and habitats

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 **Neighbourhood Plan**

N/A

5.4 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Health Impact Assessment SPD – Adopted March 2011

Trees and Development Sites SPD – Adopted January 2009

6.0 **Consultations**

6.1 **County Highways Development Management – No Objection**

- 6.2 No objection to the proposed development subject to conditions regarding:
- Traffic management plan

6.3 Environmental Health – No Objection

- 6.4 No objection to the proposed development subject to conditions regarding:
- Demolition/ construction hours
 - Construction impacts
 - Noise insulation
 - EV charging

7.0 Third Party Representations

7.1 5 representations have been received.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Density and overdevelopment
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Car parking and parking stress
- Cycle parking provision
- Impact on and loss of trees
- Refuse storage

8.0 Assessment

8.1 Planning Background

8.2 It is important to note that the design and appearance of the proposed extension is identical to that of the previous application allowed at appeal. Whilst the increase in the number of units is a matter for consideration and the impact of this can be assessed. Significant weight must be given to the previous appeal decision which assessed the appearance of the proposed development on the surrounding context.

8.3 Principle of Development

8.4 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.

8.5 The principle of the development is acceptable and in accordance with policies 1 and 3 of the Cambridge Local Plan 2018.

8.6 Design, Layout, Scale and Landscaping

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

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

8.9 The proposed extension to be clad in vertical, grey zinc cladding that would contrast with the brick walls of the existing building. The proposed extension is designed to follow the appearance of the front elevation of the existing building and would be set in from the side elevations by approximately 3 metres. As such it would not be considered, in line with the previous appeal decision to result in a heavy appearance and would therefore constitute an appropriately design addition.

8.10 As a result of the distance from Wulfstan Way, Edeva Court is not the most visually prominent building within the surrounding cluster made up of the shops and the Queen Edith Pub. The proposed extension that would result in an increase in height of the building by approximately 2.8 metres would result in the total height being slightly greater than that of the nearby Dunstan Court building. Considering the appeal decision, the height of the proposed extension is considered to be acceptable and would not result in an overly tall structure dominating the street scene.

8.11 Overall, given that the appearance of the extension is identical to that of the extension allowed at appeal, it is considered that the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Policies 55, 56, 58 and 59 of the Cambridge Local Plan (2018).

8.12 Amenity

8.13 Policy 35, 50 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.

8.14 Neighbouring Properties

8.15 Due to the separation distance from the dwellings along Queen Ediths Way in conjunction with the proposed set in from the side elevation it is

considered that the additional floor would have an acceptable level of impact on the residential amenities of these dwellings in terms of loss of light, loss of outlook or sense of dominance.

- 8.16 There are 4 side windows on Dunstan Court facing Edeva Court at first and second floor level. However, due to the set in from the existing building it is considered that the additional floor would not result in any further impact on these windows with regards to loss of light or overbearing.
- 8.17 In terms of privacy, it is considered that some of the proposed balconies could result in overlooking to the private garden areas of the residential dwellings along Queen Ediths Way. In addition, due to the positioning of the rear balconies, it is considered they could result in overlooking to the existing balconies to the floors below. However, as was determined within the previous application, with suitable screening provided, it is considered that this overlooking can be overcome subject to a condition regarding screening. Of the three windows proposed within the southern elevation of the extension, facing towards Queen Ediths way, two serve as secondary windows, however the middle is the only window serving the bedroom of this corner flat. As was determined within the previous application, given the size of the room is such that it would not lend itself to occupation for extended periods of time, it is considered reasonable and acceptable to condition this window to be obscure glazed with limited opening.
- 8.18 A condition has been requested to ensure that the flat roof areas of the proposed extension, specifically the areas shown as green roofs to the side of the building are not used as balconies or amenity areas for future occupiers. This condition is considered to be necessary to protect the amenity of neighbouring properties from potential overlooking.
- 8.19 Whilst concerns have been raised regarding the impact of any construction on the occupiers of the existing flats within the building. A Draft construction and environmental management plan, that was previously provided has been re-provided within this application. The Councils Environmental Health officer has commented on the application and raised no objection to the proposed development subject to conditions. A condition requested, requiring compliance with the methodology detailed within this CeMP is considered reasonable to ensure the amenity of the occupiers of the existing flats is protected. Officers do appreciate concerns raised regarding the impact of construction on existing residents, however given the temporary nature of works it is considered challenging to refuse any application for this reason alone.
- 8.20 Future Occupants
- 8.21 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).

8.22 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	1	1	39	39	+0
2	1	2	1	50	50.6	+0.6
3	2	3	1	61	63.2	+2.2
4	1	1	1	39	41.7	+2.7

8.23 The proposal complies with the Government's Technical Housing Standards – Nationally described space standards (2015).

8.24 Garden Size(s)

8.25 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers.

8.26 Each of the proposed units would have its own balcony to provide external amenity space for future occupiers. The 1-bed, 1-person flat 13 has a 5sqm balcony, as does the 1-bed, 2-person flat 14. The 2-bed, 3-person flat 15 has a 7.2sqm balcony along with the 1-bed, 1-person flat 16. It is noted that concerns have been raised by third parties regarding the provision of amenity space and that this formed the reason for refusal of the previous application following planning committee. It is noted that paragraph 6.35 of the Local Plan states that dwellings with more than one bedroom would need to take into account space for children to play. It is acknowledged that the balconies would not provide space that is safe and useable play space, with the only additional flat of more than a single bedroom having 7.2 metres of external private space. However significant weight must be given to the appeal decision in which the location of the site within easy and safe walking distance of Nightingale Recreation Ground was noted. The provision of recreation facilities at this part was also considered and therefore the location of the site close to this space is considered to outweigh the conflict with Policy 50 due to the provision of space for children to play.

8.27 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. The lack of provision of a lift is noted and is a policy requirement. However, considering that the building is existing and this proposal is for extensions within the existing building envelope, it is not considered practicable to require compliance with M4(2) within this application.

8.28 Further conditions requested by the Councils environmental health officer regarding construction hours, noise insulation and EV charging. These conditions are considered to be reasonable and shall be attached to any permission.

8.29 Summary

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

8.31 Biodiversity

8.32 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.

8.33 The proposed development is for a roof extension atop the existing apartment building, whilst the site plan shows that where possible the flat roofs of the extension are to be built as biodiverse roofs. Officers therefore consider that the proposal would not result in the loss of any ecology. The proposal is therefore compliant with Policy 70 of the Cambridge Local Plan (2018).

8.34 Water Management and Flood Risk

8.35 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.

8.36 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.

8.37 Considering that the proposal does not include any increase to the footprint of the building and given the relatively small-scale nature of the site the proposed development is considered to be acceptable with regards to potential flood risk.

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

8.39 Highway Safety and Transport Impacts

- 8.40 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.
- 8.41 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.
- 8.42 The application is supported by the transport note that was prepared for the previous proposal for 3 additional units within the identical extension as proposed.
- 8.43 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority. Whilst the Highways Authority note that it may result in additional demand for on street parking, this would unlikely result in an unacceptable risk for Highway Safety and as such have not raised a formal objection subject to a condition requiring a traffic management plan to be provided. However, given this was neither requested nor required at appeal previously, the increase of one additional unit is not considered to make this conditions reasonable or necessary in this case.
- 8.44 The width of the access gates would be reduced as was also proposed within the previous application. However, the gates allow sufficient space for emergency vehicles and refuse vehicles to enter the site. As the gates do not lead directly onto the public highway the reduction in width would not result in a detrimental impact on highway safety.
- 8.45 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

8.46 Cycle and Car Parking Provision

- 8.47 Cycle Parking
- 8.48 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.

- 8.49 The development proposed includes the provision of an additional 6No. cycle parking spaces within a lockable store next to the refuse storage area. It should be noted that this is the same number of additional cycle parking spaces within the same location as proposed within the previous application. This application is proposing an additional 5No. bedrooms within the four flats, therefore the proposed 6No. additional cycle parking spaces is considered to be compliant with the requirement of Appendix L for 1 space per bedroom. In addition, there is a single additional Sheffield stand proposed to the southern extent of the car park to provide 2No. additional visitor cycle parking spaces. Given that no further details of this cycle parking has been provided at this stage, a condition would be attached to any permission requiring these details.
- 8.50 Car parking
- 8.51 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.
- 8.52 The proposal creates one additional car parking space for the four additional units within the third floor. As stated within Appendix L, the standards set are a maximum and therefore the proposal does comply with this requirement. Concerns have been raised regarding the low parking provision and the potential for this to cause further stress to on-street parking. It is noted by officers that the proposal could lead to greater on-street parking demand, however the Local Highways Authority do not consider that this would impact upon Highway Safety. Edeva Court lies within the Wulfstan Way neighbourhood centre and is in close proximity to shops including small convenience stores, pharmacy, takeaways and a public house and it is in close proximity to a doctors surgery. There are bus routes along Wulfstan Way and Queen Ediths Way and the site is within cycling distance to the city centre. Subsequently, it is considered that the provision of only one parking space in this location is acceptable.
- 8.53 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.
- 8.54 It is noted that a condition has been requested by the Environmental Health officer on this application requiring submission of an electric vehicle charge point scheme. Officers also acknowledge that a similar condition

was requested with the previous application initially, within the appeal decision this condition was attached. Therefore, it is considered reasonable to request a condition in this instance.

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

8.56 Trees

8.57 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.

8.58 It is important to note that this application is only proposing extensions to the existing building, with no alterations to the footprint of the existing building. Considering this, it is not deemed that the proposed development would impact any trees that are within or surrounding the application site.

8.59 The proposal would therefore accord with policies 59 and 71 of the Local Plan.

8.60 Other matters

8.61 *Fire safety*

8.62 Due to the height of the proposed building, to ensure that the proposal provides a safe living environment for future occupiers, in line with the previous approval on the site, a condition is recommended requiring a scheme for the provision of fire hydrants.

8.63 *Sustainability*

8.64 The Councils' 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. Policy 28 of the Cambridge Local Plan (2018) requires development to reduce carbon emissions and to achieve a minimum water efficiency to 110 litres pp per day. Considering the above, conditions is proposed requiring details of a carbon reduction statement and water efficiency specification, these conditions are reasonable to ensure compliance with the above policy.

8.65 *Bins*

8.66 Policy 57 requires refuse and recycling to be successfully integrated into proposals.

8.67 It is noted that third party representations have been received raising concerns with the proposed refuse arrangement for the scheme. It is considered by officers however, that despite the refuse arrangement for the site not proposed to be changed. The addition of one extra flat over the previous permission is not considered to result in any significant pressures on the existing arrangement.

8.68 Planning Balance

8.69 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).

8.70 Summary of harm

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

8.72 Summary of benefits

8.73 The proposal would result in the net gain of 4 dwellings which would contribute to the housing market. Due to the size of the dwellings they would be considered more affordable than other larger properties which form most of the surrounding housing stock.

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. 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.

- LOCATION PLAN - (1244.29.PA.001)
- PROPOSED GROUND FLOOR PLAN - (1244.29.PA.100 REV A)
- SITE PLAN - (1244.29.PA.001 REV A)
- PROPOSED FRONT AND REAR ELEVATIONS - (1244.29.PA2.200 - A)
- PROPOSED SIDE ELEVATIONS - (1244.29.PA2.201 - A)
- PROPOSED CROSS SECTION - (1244.29.PA.301)
- PROPOSED SECTION AA - (1244.29.PA.300)
- REVISED PROPOSED THIRD FLOOR PLAN - (1244.29.PA2.103 REV A)
- PROPOSED ROOF PLAN - (1244.29.PA2.104)

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

3. The construction methodology, proposed mitigation and monitoring as specified within the Union4 Planning "Draft Construction and Environmental Management Plan" dated November 2022 (Rev 01) shall be fully implemented. Reason:

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

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

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

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

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

Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

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

6. No permanent connection to the electricity distribution network shall be undertaken until a residential dedicated electric vehicle charge point scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate:
 - (i) Dedicated active slow electric vehicle charge points with a minimum power rating output of 7kW to serve a minimum of 50% of the approved communal/courtyard residential parking spaces
 - (ii) Additional passive electric vehicle charge provision of the necessary infrastructure including capacity in the connection to the local electricity distribution network and electricity distribution board, as well as the provision of cabling to parking spaces for all remaining residential car parking spaces to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required.

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

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

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

Reason: To ensure the safety of future occupiers against fire risk (Cambridge Local Plan policies 55, 56, 57 and 58).

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

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

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

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

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

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

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

11. The development, hereby permitted, shall not be occupied until the proposed third floor windows in the southern elevation of the development 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 (Cambridge Local Plan 2018 policies 55, 58).

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

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

13. 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).

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

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

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Appeal Decision

Site visit made on 30 October 2023

by **J Pearce MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 December 2023

Appeal Ref: APP/Q0505/W/23/3322240

Edeva Court, Wulfstan Way, Cambridge CB1 8AF

- 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 Avon Ground Rent Ltd against the decision of Cambridge City Council.
 - The application Ref 22/03076/FUL, dated 20 June 2022, was refused by notice dated 10 February 2023.
 - The development proposed is the construction of a single storey extension at roof level comprising 3 no. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.
-

Decision

1. The appeal is allowed and planning permission is granted for the construction of a single storey extension at roof level comprising 3 no. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works at Edeva Court, Wulfstan Way, Cambridge CB1 8AF in accordance with the terms of the application, Ref 22/03076/FUL, dated 24 August 2022, subject to the conditions in the attached Schedule.

Main Issue

2. The main issue is whether suitable living conditions would be provided for future occupants of the development, with regard to outlook and external amenity space.

Reasons

3. The appeal site consists of a three-storey building to the rear of the Queen Edith public house. The building comprises twelve apartments, with the upper floor units each being provided with balconies to the front and rear elevations. The building is finished with a flat roof and has a parking area to the front.
4. The proposal would extend the building upwards to create three additional flats. The proposed third floor would comprise two two-bedroom flats and a one-bedroom flat. The larger two-bedroom flat would have two balconies, which the parties agree would total 12.2 square metres, whilst the other two flats would have one balcony each, comprising 7.2 and 5.0 square metres.
5. Policy 50 of the Cambridge Local Plan (CLP) does not include specifications of the amount of space required to be provided but requires space to allow effective and practical use by residents, including space for children to play for dwellings with more than one bedroom. Given the modest size and limited layout, the balconies serving the two-bedroom flats would not provide sufficient

space for children to play whilst there is no shared external space at the site. As a result, there is in a conflict with CLP Policy 50.

6. The existing upper floor flats, which include two-bedroom flats, are each only served by a single balcony with no shared external space, limiting the potential for children to play at the site. However, the site is within easy and safe walking distance of Nightingale Recreation Ground accessed via a pedestrian crossing on Queen Edith's Way. The recreation ground includes a well-equipped play area for younger children alongside further recreation facilities including sports courts and an outdoor gym. The location of the site close to a play area with suitable provision of play equipment and other facilities offers a reasonable provision to offset the lack of on-site provision.
7. I note that the Council has referred to the South Cambridgeshire District Design Guide 2010. This guide relates to a different authority and therefore its content is not relevant for the purposes of this appeal.
8. The window, which would serve bedroom 2 of flat 15 is not indicated to be obscure glazed. Given the separation distance from the window to the properties fronting Queen Edith's Way, I consider that it is not necessary for the windows to be obscure glazed. On this basis, the provision of a window within the bedroom would provide an adequate outlook for future occupants of the property.
9. I conclude that suitable living conditions would be provided for future occupants of the development. Although the proposal conflicts with CLP Policy 50, the material considerations of the play provision in the locality outweigh this conflict. In addition, the development accords with CLP Policies 56 and 59, which require dwellings to provide appropriate and inclusive amenity space for all users.

Other Matters

10. The proposal would be a sensitive, upwards extension of the building adding three dwellings to the supply of housing within Cambridge. The design and materials have been considered to be acceptable by the council and I have no reason to disagree with this conclusion.
11. The development would not include the provision of affordable housing. CLP Policy 45 requires proposals of fifteen units or more to provide 40% of developments as affordable housing. As the proposal is for three units, the development does not meet the threshold and a provision of affordable housing is therefore not required.
12. The proposal would be above and close to residential properties and includes windows and balconies. I see no reason to disagree with the Council that the living conditions of the occupants of neighbouring properties, with regard to privacy, would not be harmed by the proposal. Whilst I appreciate that everyone has the right to respect for their private and family life and their home, given my conclusions the proposal would not impinge on these rights.
13. The proposal would result in the addition of a car parking space. I note that car parking standards within CLP Policy 82 are maximum standards. Furthermore, the site is an area that is accessible and close to everyday facilities and services reducing the need to travel by car. Based on the details before me, I see no reason to disagree with the Council's conclusion in respect of parking.

14. I note the concerns in terms of fire and structural safety, provision of utilities and whether a lift would be required. However, based on the evidence before me, the relevant requirements are capable of being appropriately addressed through the Building Regulations. A condition is included requiring the provision of fire hydrants.
15. There have been concerns raised in respect of the development and its effect on the leasehold. Whilst I acknowledge this issue, this is a civil matter to be resolved between the relevant parties as opposed to a planning consideration.
16. Comments were raised in respect of a perceived lack of consultation. Whilst consultation prior to the application is encouraged, it is not a formal requirement. The Council, as far as I am aware, publicised the application in the usual manner, thus allowing for third parties to comment.

Conditions

17. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interests of certainty.
18. Conditions requiring adherence to the Construction and Environmental Management Plan, the submission of a noise assessment for construction and working hours are required to safeguard the living conditions of local residents and to prevent adverse impacts on the local road network during the construction phase.
19. To preserve the living conditions of local residents and future occupants of the proposal, a condition is included in respect of noise insulation and attenuation, the submission of details of screens to the proposed balconies and to prevent use of areas of flat roofs as balconies, roof gardens or similar amenity areas. A pre-commencement condition is required to ensure that the development is constructed incorporating any specific noise insulation and attenuation measures.
20. In order to deliver biodiversity enhancements and reduce carbon dioxide emissions, conditions are included requiring the provision of green roofs, electric vehicle charging point, and the submission and implementation of a Biodiversity Net Gain Plan and Carbon Reduction Statement, which is required prior to commencement to incorporate any on-site measures into the development.

Conclusion

21. The proposal would accord with the development plan as a whole and there are no material considerations, which would indicate that a decision should be made otherwise. Therefore, for the reasons given, I conclude that the appeal should succeed.

J Pearce

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1244.29.PA.101, 1244.29.PA.102, 1244.29.PA.200, 1244.29.PA.201, 1244.29.PA.300, 1244.29.PA.301, 1244.29.PA.001 Rev A, 1244.29.PA.105, 1244.29.PA.100 Rev A, 1244.29.PA.103 Rev A, and 1244.29.PA.104 Rev A.
- 3) The construction methodology, proposed mitigation and monitoring as specified within the Union4 Planning "Draft Construction and Environmental Management Plan" dated November 2022 (Rev 01) shall be fully implemented.
- 4) No operational plant, machinery or equipment shall be installed until a noise assessment and any noise insulation/mitigation as required has been submitted to and approved in writing by the local planning authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.
- 5) No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
- 6) Prior to the commencement of development, a noise insulation / attenuation scheme as appropriate, detailing the acoustic / noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced internally at the residential units as a result of high ambient noise levels in the area shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the external and internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.
- 7) No permanent connection to the electricity distribution network shall be undertaken until a residential dedicated electric vehicle charge point scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate: (i) Dedicated active slow electric vehicle charge points with a minimum power rating output of 7kW to serve the proposed parking space. The approved scheme shall be fully installed before the development is occupied and retained as such.
- 8) No development 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.
- 9) No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and

approved in writing by the local planning authority. The BNG Plan shall target how a minimum net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:

- i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
- ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the appropriate DEFRA metric in force at the time of application for discharge;
- iii) Identification of the existing habitats and their condition on-site and within receptor site(s);
- iv) Habitat enhancement and creation proposals on the application site and/or receptor site(s) utilising the appropriate DEFRA metric in force at the time of application for discharge;
- v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

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

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

The green biodiverse roof(s) shall be implemented in full prior to the use of the extension and shall be maintained in accordance with the Green Roof Organisation's (GRO) Green Roof Code (2021) or successor documents.

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

base being no less than 80 millimetres thick. The cycle store and green roof as appropriate shall be provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

- 12) The development shall not be occupied until a scheme for the screening of the balconies has been submitted to and approved in writing by the Local Planning Authority. The balconies shall be constructed in full accordance with the approved details and shall be retained as such.
- 13) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
- 14) No dwelling shall be occupied until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include SAP calculations which demonstrate that all dwelling units will achieve carbon reductions as required by the 2021 edition of Part L of the Building Regulations. Where on-site renewable or low carbon technologies are proposed, the Statement shall include:
 - a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and
 - b) Details of any mitigation measures required to maintain amenity and prevent nuisance.

The proposed renewable or low carbon energy technologies and associated mitigation shall be fully implemented in accordance with the measures set out in the Statement prior to the occupation of any approved dwelling(s).

- 15) No dwelling 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.

End of Schedule

Agenda Item 9



Planning Committee Date	7 th August 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference	24/01408/FUL
Site	The Varsity Hotel And Spa, 24 Thompsons Lane, Cambridge
Ward / Parish	Market
Proposal	All Weather Retractable Roof Canopy with Living Meadow Walls and Associated Works
Applicant	Mr Will Davies
Presenting Officer	Charlotte Peet
Reason Reported to Committee	Called-in by Cllr Mark Ashton (Cherry Hinton)
Member Site Visit Date	TBC
Key Issues	<ol style="list-style-type: none">1. Principle of Development2. Context of Site, Design and External Spaces3. Heritage Assets4. Residential Amenity5. Highway Matters/ Parking6. Other Matters7. Third Party Representations
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks permission for an all Weather Retractable Roof Canopy with Living Meadow Walls and Associated Works.
- 1.2 The proposal would introduce a new structure to the rooftop of the building, comprising a steel frame with living wall and climbing plant elements. The retractable elements comprise a retractable awning system within the roof area and guillotine/ telescopic windows that open in the sides. The rest of the structure would remain as a permanent structure above the roof of the existing building.
- 1.3 The report details that this application follows three previous applications for a similar structure on the rooftop; all of which were refused with one being dismissed at appeal. This application has been amended since the previous application to set back the western side of the structure and introduce a new materiality in the form of the living walls.
- 1.4 The report outlines that whilst the proposal has been amended the proposal does not overcome the previous reasons for refusal and therefore cannot be supported. The report raises significant concerns about the proposed living wall approach in terms of the visual impact, the longevity of the proposal and the sustainability of such an approach. It is explained that the proposal would result in a poor-quality, incentive addition to the Cambridge skyline which would contrast with the existing historic, delicate features through its scale, bulk, mass, height, appearance and materiality. In addition, the proposal is considered to result in harm to the River Cam corridor and to several important heritage assets within the city including the Central Conservation Area and various listed buildings and building of local interest. The public benefits have not been altered from the previous application and would not overcome the significant harm resulting from the proposal.
- 1.5 Officers recommend that the Planning Committee **REFUSE** the application.

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The Varsity Hotel is a seven-storey building used as a hotel and restaurant within the centre of the city adjacent to the quayside area. The Glassworks gym occupy the converted warehouse which adjoins the application site to the north. Other than this, to the northeast of the site, the character is predominantly residential and defined by consistent rows of two-storey terraced properties which are designated buildings of local interest. To the southwest, the character shifts, and is defined by taller, commercial use buildings which form part of the quayside area. Beyond this, is the River Cam.
- 2.2 The proposal is located with the Central Conservation Area, within the setting of a number of listed buildings and buildings of local interest which are summarised in the heritage section of this report.

3.0 The Proposal

- 3.1 The application seeks planning permission for all weather retractable roof canopy with living meadow walls and associated works.
- 3.2 The Design and Access Statement outlines that this application has been submitted in response to the refusal of the planning application second application on the site (ref. 23/01137/FUL). This application was submitted before the third application was determined (ref. 24/00488/FUL).
- 3.3 It comprises an amended design in order to decrease the footprint of the structure and introduce new living meadow walls. To achieve this the applicant has reconsidered the structural arrangement of the roof of the building and seeks to replace part of the ring beam in order to step the structure away from the west side of the building. The structure would then follow the same format as the previous proposals with a fabric retractable roof and horizontal retractable windows. The meadow walls have been proposed to provide flow between the lower floor and the roof terrace in attempts to soften the framework. It seeks to use a meadow cladding system by Vertical Meadow that would accommodate a mix of wild grasses and wildflowers. The seeds inserted would be require replacement every 5-10 years, however the watering and monitoring integrated into the system.
- 3.4 This application follows three previous applications for a similar structure on the roof terrace.
- 3.5 The first application submitted comprised a glass structure to cover the entire roof of the building, with glass walls and a pitched roof (ref. 22/00778/FUL). This application was refused on its adverse impact to the Cambridge skyline and the harm that would result to important heritage assets within the city. The application was appealed to the inspector and the appeal was dismissed a copy of which is in appendix 1 of this report.
- 3.6 The inspector described the proposal as a development that would be highly at odds with the prevailing pattern of development within the city.

They expand that this would provide a jarring addition to the skyline and this would be exaggerated by illumination at night in the darker months of use. The inspector states that the proposal would fail to represent a high quality addition to the Cambridge skyline and to the character and appearance of the Conservational, the buildings of local interest and would result in harm to Magdalene College. The benefits of the scheme were not considered to outweigh the harm.

- 3.7 Following this, a second application was submitted (ref. 23/01137/FUL). The proposal continued to comprise a structure made of glass and steel to be installed on the roof, but with an amended design. This application was presented to Planning Committee, it also refused due to harm to the skyline and heritage assets.
- 3.8 Most recently, a third application was submitted which retained the previous design, however submitted additional information including details roof sections (ref. 24/00488/FUL). This application was refused 1st May 2024, for the same reasons as the previous application as it was not considered to have addressed these reasons for refusal.

4.0 Relevant Site History

Reference	Description	Outcome
22/00778/FUL	Installation of a new all weather lightweight retractable roof canopy and associated Works	Appeal Dismissed Following Refusal 04.10.2023 (Committee)
23/01137/FUL	Installation of a new all weather lightweight retractable roof canopy and associated works	Refused 06.10.2023 (Committee)
24/00488/FUL	All Weather Retractable Roof Canopy with Living Meadow Walls and Associated Works	Refused 01.05.2024 (Delegated)
24/02238/FUL	Installation of a new all-weather lightweight retractable roof canopy and associated works.	Application Returned 09.07.2024

- 4.1 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
 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 7: The River Cam
Policy 10: The City Centre
Policy 35: Protection of human health from noise and vibration
Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding
Zones
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 60: Tall buildings and the skyline in Cambridge
Policy 61: Conservation and enhancement of Cambridge’s historic
environment
Policy 62: Local heritage assets
Policy 77: Development and expansion of visitor accommodation
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development

5.3 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020

5.4 **Other Guidance**

Cambridge Historic Core Conservation Area Appraisal (2017)
Cambridge Hotel Futures Study” (2012)

6.0 **Consultations**

6.1 **Conservation Officer**

6.2 Summary:

6.3 The additional height of the proposed roof structure, its form and its materials, would be a harmful intrusion on the character and appearance of Cambridge’s central conservation area and to the settings of Listed buildings including the Pepys Library, St John’s College Chapel, and the Bright’s building.

6.4 Commentary:

- 6.5 The frame would step-in from the West elevation by 7 metres. “Living Meadow” cladding panels would be hung onto the broader new structural elements and onto the existing 1m section of the zinc top of the sixth floor. Frame elements such as the chamfer steels would be too narrow for these cladding panels so instead would have climbing plants along them (D&A Statement p.14). Window frames in the canopy would be finished in a green colour. Thus, the top of the building would actually comprise a mixture of finishes – not really the uniform look suggested in the elevation drawings.
- 6.6 The “Living Meadow” walls are intended to link in with the trees in the foreground of views and the meadow and grass area in front of the river at Magdalene College. Their impact would vary from closer to broader area views. From closer views* such as from Magdalene Bridge, and past the corner in front of the Pepys Library, and from behind the Pepys Library, the top of the building would not be seen against trees or grass and would stand out as an uncharacteristic, intrusive feature. From a distant view such as from Castle Mound the green cladding may have some benefit. *including views in the submitted HIA (appdx 2) Plates 5; 12; 14; 16; 22; 24; 25;52; 60
- 6.7 The views from Jesus Green avenue and from Magdalene Bridge demonstrate that the extra height and materials would add to the unfortunate prominence of the building in the conservation area and the way it competes with St John’s Chapel and the cupola of New Court.
- 6.8 The extra height would also make the building become visible over roof tops viewed from the front of the terrace of Grade II Listed cottages on Lower Park Street (from circa No.34).
- 6.9 Whilst the intention of the West elevation set-back is understood, a consequence is that it must limit the applicants claims to be unifying the extension with the existing building as it breaks the extruded form so that it is not contiguous or unified. The extension would be visible and intrusive from points within Magdalene College.
- 6.10 The applicant’s submitted HIA fails to conclude about impact on Madalene Bridge.
- 6.11 Heritage Assets:
- 6.12 The application site is within the Central conservation area, and also forms part of the settings of statutory and locally listed buildings, including the Grade I Pepys Library and First Court buildings at Magdalene College, the Chapel at St John’s College, also Grade I, the Bright’s building at Magdalene College, and Magdalene Bridge, which are both listed Grade II, and the Buildings of Local Interest on the east side of the north section of Thompson’s Lane, both sides of St John’s Street, and the west side of Park Parade.

- 6.13 The conservation area is significant for the relationship of the river Cam with open spaces such as Jesus Green and for views of historic buildings. The proposed roof canopy would not make a positive contribution nor be a neutral feature.
- 6.14 Conclusion:
- 6.15 There would be significant harm to conservation area which taking into account the additional building height, uncharacteristic appearance, and increased presence of a lit all-year round top floor, would be at more than a minor level of NPPF “less than substantial harm”. The weight given to the heritage assets affected in the planning balance needs to be particularly great (“the more important the asset, the greater the weight should be”) as they include highly graded Listed buildings and the historic core of Cambridge.
- 6.16 **Urban Design Officer**
- 6.17 Background
- 6.18 Three previous applications—Application Nos: 22/00778/FUL, 23/01137/FUL, and 24/00488/FUL—for a lightweight all-weather canopy on the roof of the hotel have all been refused on the grounds that the proposals failed to create a high-quality addition to the Cambridge skyline and harm to heritage assets.
- 6.19 Comment
- 6.20 The current proposals indicate that the structure supporting the retractable canopy is of a similar form to one previously proposed (Application 24/00488/FUL), but with the frame set back approximately 7 meters from its most westerly elevation. Additionally, the structural frame will be cloaked with meadow grass planting. These changes aim to mitigate and reduce the impact of the framed structure on views of the skyline.
- 6.21 Urban Design raised no objections to Application 24/00488/FUL, considering that the added structural elements and canopy at roof level, which also removed the different canopy designs at the sixth floor, formed a visually coherent design. The current application’s proposal to set back the frame from the west elevation will not compromise the design and is an appropriate response to concerns about the impact of the previous proposals on views from Magdalene Bridge. However, there are concerns that introducing a different treatment (meadow grass) to the facades, which contrasts with the zinc cladding below, offers a more fragmented approach to the treatment of the upper floors of the hotel. The added depth of the planted columns and cross beams is also of concern, as this may make the framed structure appear thicker and less elegant, drawing undue prominence to the upper storeys of the hotel.

6.22 In conclusion, while the setback of the framing is acceptable, the living meadow wall cladding on the structural elements of the canopy and façade will result in a less unified and refined appearance for the elevations, and I cannot support the application.

6.23 **Cambridge Airport**

6.24 The airport safeguarding team has assessed the proposal in accordance with the UK Reg (EU) No 139/2014 (the UK Aerodromes Regulation) and it does not conflict with the safeguarding criteria for the airport. We, therefore, have no objection to this proposal.

6.25 Due to the site being within 6km of Cambridge City Airport the crane operator is required to submit all crane details such as maximum height, operating radius, name and phone number of site manager along with installation and dismantling dates to the CAA Airspace Coordination and Obstacle Management Service (ACOMS) system.

6.26 **Mystery of Defence:**

6.27 The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

6.28 I can confirm that, following review of the application documents, 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.

7.0 **Third Party Representations**

- 7.1 The representations in objection can be summarised as follows:
- The application fails to address the fundamental problems of the previous application
 - Scale, height and position of hotel is already incongruous to Conservation Area
 - Plants would not mitigate bulk of structure, but would make it more obvious and would add bulk, mass and incongruity
 - Insensitive addition to skyline and negative contrast with historic features within Central Conservation Area
 - Harm to grade I and grade II listed buildings, Conservation Area and buildings of local interest
 - The proposal adds height and prominence to the building and skyline
 - Detrimental to skyline

- Creation of enclosed eighth storey
- Incongruous appearance
- Proposal will make building more prominent (particularly from Jesus Green)
- Inspector raised concerns about the previous structure and impact to heritage assets
- Scale, height, bulk, appearance and lighting fails to respond positively to surroundings
- Increased traffic and congestion along Thompsons Lane and surrounding area
- Noise and light pollution, particularly if used for partying
- Views from Beaufort Place flats, proposal dominates skyline
- Varsity is already tall compared to surrounding buildings

7.2 The representations in support can be summarised as follows:

- The application supports a local business and creates a local venue in town centre
- The proposal has addressed concerns of Conservation Officer by stepping away from college buildings
- The economic benefits of job creation should not be underestimated
- The proposal takes an environmental approach
- Permanent jobs created for local people
- Benefits to hotel guests
- Lighting appears muted
- Living wall is attractive from outside and softens appearance
- Innovative design
- Support rooftop venue for visitors
- More in keeping than new car park being built

The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 Member Representations

8.1 Cllr Mark Ashton (Cherry Hinton) has made a representation to call in the application to planning committee on the following grounds:

- Magdalene College End remove so as to not overlook college
- Materials used for structure redesigned to give " Living Meadow Wall "

9.0 Assessment

9.1 Principle of Development

9.2 As explained in the proposal section of the report, this application follows three previous applications, one of which was refused and dismissed at appeal, another application which was refused at planning committee and

a final application which was refused under delegated powers in May this year. This application has been submitted to attempt to address the previous reasons for refusal.

- 9.3 Cambridge Local Plan (2018) policy 10 seeks to ensure Cambridge expands its role as a multi-functional centre through supporting a mix of retail, leisure and cultural development in order to add to the viability and vitality of the city centre.
- 9.4 Policy 77 of Cambridge Local Plan (2018) supports the development and expansion of high quality visitor accommodation in city centre locations.
- 9.5 The “Cambridge Hotel Futures Study” (2012) identifies the importance of achieving a high quality and distinctive hotel offer in Cambridge City Centre and that around 1,500 new hotel rooms may be required up to 2031. High quality visitor accommodation is therefore important to the Cambridge economy if it is to remain competitive as a visitor destination.
- 9.6 The NPPF (2023) paragraph 90 states that planning policies should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 9.7 The proposal would seek to create a new structure to cover the existing rooftop level, which is currently used as a rooftop terrace as part of the restaurant on the floor below. The applicants explain in the information submitted with the application that the lack of cover on the existing rooftop means that the rooftop use is uncertain and limited due to weather variation, which limits both patron usage and employment certainty for staff. The proposal seeks to cover the roof to allow resilience to weather conditions (both rainfall and heat). The information submitted with the application explains that this would enhance the operational capacity of the rooftop and allow increased numbers of and more consistent staffing opportunities.
- 9.8 In principle, enhancing the rooftop facility is considered a reasonable response to the limitations set out by the applicant. The application is subject to all other considerations within policy 10 which will be discussed in the following section of the report.
- 9.9 **Context of site, design and external spaces**
- 9.10 Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 9.11 Cambridge Local Plan (2018) policy 60 seeks to ensure that the overall character and qualities of its skyline is maintained and, where appropriate, enhanced as the city continues to grow and develop. The proposal states

that any proposal for a structure to break the existing skyline and/or is significantly taller than the surrounding built form should be assessed against the criteria listed in parts (a) – (e) of the policy.

- 9.12 Cambridge Local Plan (2018) policy 7 outlines that development within the River Cam corridor should preserve and enhance the unique physical, natural, historically and culturally distinctive landscape of the River Cam.
- 9.13 The NPPF (2023) paragraph 131 seeks to support the creation of high quality, beautiful and sustainable buildings. It states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 9.14 Appendix F (Tall Buildings and the Skyline) of the Cambridge Local Plan 2018, states that Cambridge has a distinctive skyline that combines towers, turrets, chimneys and spires with large trees with notable buildings including St John's College Chapel and others forming some of the important view to Cambridge.
- 9.15 It defines a tall building as any structure that breaks the existing skyline and/or is significantly taller than the surrounding built form, and states that within the historic core any proposal with six storeys or more and a height above 19 metres would need to address the criteria set out the guidance. The application meets this guidance and therefore is expected to address these considerations.
- 9.16 This application continues to present a structure to enclose the roof terrace that would made with a steel framework, retractable glazed windows and a retractable fabric roof, however it has been amended from the previous application submitted so that it is stepped in from the western edge of the building and comprises green/ living walls over the frame and a portion of the elevation on the floor below. The height and form with the chamfered design has been retained with this submission.
- 9.17 The application follows three previous refusals based on the impact of the proposal to the skyline and heritage assets, the most recent application was refused for the following reasons (ref. 24/00488/FUL):
- Policy 60 of the Cambridge Local Plan 2018 requires that any proposals for a structure that breaks the existing skyline and/or is significantly taller than the surrounding built form must demonstrate that the proposal would result in a high-quality addition to the Cambridge Skyline, that complements the character of the surrounding area. The proposed development is considered to result in a permanent incongruous addition to the Cambridge skyline that would fail to positively respond to the existing delicate and historic features through its height, scale, bulk, appearance and lighting. As such, the proposed development fails to contribute positively to its surroundings and the Cambridge Skyline and is therefore contrary to the National

Planning Policy Framework (2023) and Cambridge Local Plan (2018) policies 55, 56, 58, 60.

- 9.18 The National Planning Policy Framework and policies 61 and 62 of the Cambridge Local Plan 2018 aim to ensure that heritage assets of the City are conserved in a manner appropriate to their significance, including their setting. By virtue of the proposed height, scale, bulk, appearance and lighting, the proposal would result in less than substantial harm to character and appearance of the Central Conservation Area and the setting of listed buildings and would adversely impact the unique, historic landscape of the River Cam. Furthermore, it would also harm the setting of buildings of local interest, which make a positive contribution to the character of the Central Conservation Area. The harm to heritage assets is not outweighed by the public benefits. As such, the proposal fails to preserve or enhance the character and appearance of the Central Conservation Area and the setting of listed and buildings of local interest, contrary to the provisions of the Planning (LBCA) Act 1990, the National Planning Policy Framework (2023) and Cambridge Local Plan (2018) policies 7, 10, 61 and 62.
- 9.19 The first application was a scheme with a more rectangular form on the form (ref. 22/00778/FUL). This was refused for similar reasons regarding impact to the skyline and design and impact to heritage assets. An appeal was lodged against this decision, however this was dismissed by the inspector 2 October 2023. Following this, two further application were submitted with the same design (the latter with additional detailing), these were also refused for similar reasons (ref. 23/01137/FUL, 24/00488/FUL).
- 9.20 In attempt to address the reasons for refusal the scheme has been amended as outlined in the Design and Access Statement submitted.
- 9.21 The proposal has been amended on the western portion of the roof to step the covered framework in and away from the edge of the roof. Previously, the proposed roof structure covered the entire roof area and the balconies below with the structure, however the proposal would now extend only partially on the western leg of the roof terrace, leaving an open space with balustrade beyond this.
- 9.22 In addition to this change, the proposal has been submitted with an alteration to the external appearance of the roof structure, it is now proposed that the framework would comprise 'living meadow' walls. These would be partially living meadow walls, although from the isometric drawing and the Design and Access Statement it appears that this could not be achieved all parts of the structure due to its size and form and therefore some of the structure would be painted green, possibly with growing plants along these parts. From the information submitted, it appears that the steel beams extending horizontally around the bottom and top of the structure would have a living wall, as well as some of the corner beams and the chamfered beams. The beams in between this, extending vertically around the structure appear to just be finished in a

green colour with living plants rather than contain the living elements proposed elsewhere.

- 9.23 The application has been submitted with information about the living walls, outlining that they would use a meadow cladding system that would function either by sitting in front of existing cladding or being used cladding itself. It is slightly unclear to Officers how this would function on the framework of the building and if there would realistically be space on these structures for the panels to be installed, in addition it is not clear how these would sit on the building and if they would project from the structure and elevations.
- 9.24 Notwithstanding this, Officers will make an assessment on the proposal with the information submitted, noting the previous decisions and reasons for refusal as material considerations.
- 9.25 It should be noted that whilst the Urban Design Officer has previously raised no objection to the past applications, in the comments on this application the Urban Design Officer does raise concerns about the current proposal. The Urban Design Officer raises concerns that the proposed living wall material treatment would result in a fragmented appearance to the upper floors of the hotel and outlines that the added depth of the planted columns and cross beams would likely make the structure thicker and less delicate, drawing undue prominence to the upper storeys of the building.
- 9.26 The first reasons for refusal, which is relevant to this section of the report, outlined that the height, scale, bulk, appearance and lighting would adversely impact the Cambridge Skyline and fail to positively respond to the existing delicate and historic features that define it. As part of this application, the proposal has been partially stepped in from the western edge of the building. It is acknowledged that when viewing the proposal from the west that this has resulted in a reduced overall scale, however Officers are not convinced that this would mitigate the harm resulting from the proposal.
- 9.27 From the western views from Magdalene Bridge, Magdalene College and the River Cam corridor, it is acknowledged that there would be a reduction in the length of the structure, which reduce its overall scale. However, this reduction and the addition of a green roof does not mitigate the harm resulting from the proposal. The amendment is considered to have unfortunate consequences for the design, the reduction on this side has reduced the chamfered appearance and creates a square, blocky corner to the structure and on the floor below. Unfortunately, the structure would be finished in a living meadow which adds to its apparent prominence and visibility from this view, it creates regrettable visual bulk from this view, perhaps more so than the previous grey coloured framing proposed which appears closer in tone to the sky. The wrapping around of the living meadow walls on the western edge of the floor below seen from Madgalene Bridge makes this edge perhaps more prominent than existing.

- 9.28 It is in significant contrast with the roofscape within the surrounding area in terms of materiality and form and is not considered to be a successful resolution to the building nor is it characteristic of the delicate and historic features in the skyline. The inspector previously noted that original scheme would have resulted in a stark and highly visible addition to the building, which would have been in contrast to the buildings with pitched roofs and brick walls in this area. Officers find the same conclusion can be drawn in consideration of this scheme, it fails to ultimately address the main concerns about appearance, height and bulk which were previously raised.
- 9.29 The living wall approach is not considered to provide a high-quality appearance to the structure, instead the structure would now have living walls attached, which does nothing to integrate the structure into the existing buildings or surroundings. Officers have significant concerns regarding the living wall approach, especially given that it is difficult to understand how the living wall would fit into the steel frame and how much height, mass and bulk this would add to the structure.
- 9.30 In addition to this, Officers have discussed the proposal informally with the Council's Landscape Officer to understand the approach to green walls in the city and how successful they are likely to be. The Landscape Officers raised substantial concerns about the application, as there are no successful examples of this within the city. They outlined that there is little confidence in the longevity of the living walls and they are not a supported approach. The Officer also highlighted that they require significant irrigation and maintenance, which is not considered to be a sustainable approach. In addition, the applicant has not put any information forward about how the context of the application would impact the living walls. It is a highly exposed building, sitting well above the surroundings buildings and therefore exposed to weather conditions with little to no screening. The Officer also drew on the impact of having the amount of glazing so close to the plants, would this have an unfortunate impact on the plants and potentially scorch them due to the heat island impact.
- 9.31 In addition to the western views, the proposal would remain visible and extremely prominent from other surrounding views in the city. The inspector previously noted that original scheme would have resulted in a stark and highly visible addition to the building, and this remains the case. The proposal, from the surrounding views, has not reduced the height and bulk of the building. It would remain an excessively tall, highly prominent structure that would result in a completely alien feature in the skyline. Whilst, the green walls attempt to find cohesion between the structure and the green nature of the surrounding Jesus Green, this is not a successful approach. The living walls provide a stark and wholly uncharacteristic finish to the structure. It appears fragmented and extremely prominent. The living walls aim to provide a cohesive termination to the building, instead, through introducing another layer of material above the building, create a structure that reads as a tacked-on layer. This is especially

evident in the view from Jesus Green where you can see the horizontal layer of bricks, cladding and living walls. This is unfortunate, given that the chamfered design was created in order to integrate the structure into the floor below.

- 9.32 It is noted that representations have outlined the building would disrupt views from the nearby Beaufort Place flats. Whilst, 'views' cannot be considered a planning matter in this regard, the visual impact and prominence is noted and Officers find that from the public realm, the structure would be highly tall and disruptive to the visual amenity of the area.
- 9.33 It is noted that representations have raised that the design is innovative, in this case Officers find the proposed green walls are not a successful response to the character of the building and therefore this is not an effective approach.
- 9.34 As has been previously set out within the previous reports, the skyline of Cambridge is characterised by discrete incidents above tree lines of delicate spires and turrets. The proposal fails to respond in a positive manner to these features, and instead proposes an entirely incongruous addition that would over dominate and detract from the skyline due to its scale, bulk, height, appearance and illumination. The representations received have reiterated concerns over impact to the skyline due to the height and prominence of the structure and its ill-considered appearance.
- 9.35 The proposal has not addressed the concerns regarding lighting within the reason for refusal on the previous application, instead the same information has been resubmitted. As such, Officers remain substantially concerned about the illuminated nature of the proposal as it would result in a highly visible feature that would dominate the skyline.
- 9.36 Representations have been raised in support of the application; they outline that the illumination is muted. Officers disagree, the illumination adds to the structures prominence and demonstrates in height and incongruity to surrounding structures, including those of heritage value.
- 9.37 The proposal is not considered to be of a high-quality design, and it would fail to preserve the Cambridge Skyline. The proposal remains in conflict with 55, 56, 58, 60
- 9.38 **Impact on heritage assets**
- 9.39 The application falls within the Central Conservation Area (Historic Core). The application is within the setting of a number of listed buildings and other heritage assets both within the surrounding area and within the skyline which are summarised within the table below.
- 9.40 Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a

listed building or its setting, the local planning authority shall 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.

- 9.41 Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.42 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’. Para. 206 states that ‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...’
- 9.43 Policy 61 of the Cambridge Local Plan (2018) aligns with the statutory provisions and NPPF advice.
- 9.44 Policy 62 of the Cambridge Local Plan (2018) seeks the protection of local heritage assets and proposals would be permitted where they retain the significance, appearance, character or setting of a local heritage asset.
- 9.45 The second reason for refusal on the previous scheme, as set out above, was based on the adverse impact to heritage assets within the city. It outlines that the by virtue of the proposed height, scale, bulk, appearance and lighting, the proposal would result in less than substantial harm to character and appearance of the Central Conservation Area and the setting of listed buildings and would adversely impact the unique, historic landscape of the River Cam. Furthermore, it would also harm the setting of buildings of local interest, which make a positive contribution to the character of the Central Conservation Area. The harm was not considered to be outweighed by the public benefits amounting from the scheme.
- 9.46 This application follows the application above, the application has been altered through the reduction on the western aspect of the structure and the change to materials to include finishing the structure and floor below is a living wall/ climbing plants. Officers find that the proposal would continue to result in less-than-substantial harm to several national and locally listed heritage assets.
- 9.47 As part of the appeal decision the inspector made a judgement on the harm to heritage assets (ref. 22/00778/FUL). Whilst, it is appreciated the scheme considered here was different from the scheme presented now, the comments regarding setting, context and impact are useful here.
- 9.48 The inspector outlined that there was no harm to the setting of St John’s College as the experience of this was deprived by the First Court Chapel

and the surrounding college buildings and the views from the backs. The inspector goes on to outline that the proposal would fail preserve the setting of the nearby listed buildings at Magdalene College nor would it preserve the character and appearance of the Conservation Area and would therefore result in a moderate level of less than substantial harm due to its permanent nature and high visibility. The inspector also noted that the proposal would be in stark contrast to the buildings of local interest and their setting.

9.49 Whilst the design has evolved since this consideration, Officers find this a useful indication of the heritage assets that were impacted by the proposal and those which continue to be relevant.

9.50 The inspector outlines that they concur with the assessment made in the Heritage Statement which formed part of the Statement of Case within the appeal which outlines that the proposal would lead to harm due to the intervisibility between the appeal site and Magdalene College, including to the Fellows Garden on the opposite side of the River Cam and their setting. They conclude that the proposal would result in harm to the setting of Magdalene College. As well as recognizing this harm, they also recognize that the proposal would adversely impact the character and appearance of the Central Conservation Area and the buildings of local interest surrounding the site due to a culmination of the height, form, visibility, illumination of the previous proposal.

9.51 The Heritage Statement submitted with the application continues to conclude that the proposal would result in harm to the Fellows Garden at Magdalene College, to the River Cam corridor and to the historic skyline. As was described within the previous application reports (ref. 23/01137/FUL, 24/00488/FUL), Officer conclude that additional harm would result from the proposal of a less than substantial level to assets including: the Central Conservation Area, the Thompson Lane, St John's Street and Park Parade buildings of local interest and the buildings at Magdalene College and Magdalene Bridge. Officers consider that that the harm to the historic skyline should include harm to the setting of the spires of St Johns College and All Saints Church, particularly when viewed from Jesus Green. The proposal would be a highly visible illuminated feature which would be visible in the context of these assets and therefore their consideration of the this impact is highly important.

9.52 The Heritage Statement submitted with the application outlines that the living meadow walls are proposed to ensure the building would read well against the backdrop of the tree canopies and existing meadow and grassland surrounding Jesus Green, Castle Mount, Great St Mary's and Magdalene College. The Conservation Officer does not find this a successful approach and outlines that the top of the building would not be visible against trees or grass and would stand out as an uncharacteristic and intrusive feature. Officers agree with this assessment, it is appreciated that some wider views have greenery in the background of the building,

however from closer views the proposal would stand out as an incongruous and overly prominent structure.

- 9.53 Officers are in agreement with this view. The plates within the submitted Heritage Statement are helpful to understand this, however upon Officers visit to the surrounding area particular views were especially impacted and perhaps more so than shown in the submitted documentation as some visibility is limited by the position of the photograph in reference to trees. The closer views that would be impacted are in Plates 5, 11, 12, 14, 16, 19, 22-25, 32-36, 38, 42, 52, 60.
- 9.54 It is noted that representations, including from Cambridge Past, Present and Future and local residents, have been received raising concerns about the impact to the heritage assets. It is outlined in the comments given that Officers should acknowledge that listed buildings are of the highest significance and that the proposal is in contrast to the skyline and surrounding low level residential buildings. They raise the inspectors previous comments and suggest that the proposed greening would add to the bulk, mass and height of the building, making it incongruous and prominent.
- 9.55 The Conservation Officer outlines that the proposal would be unfortunately prominent from Jesus Green and Magdalene Bridge, impacting views within the Conservation Area and would compete in the Skyline with St John's Chapel and the New Court Cupola. Officers agree with this and have significant concerns about the close view (Magdalene Bridge, Jesus Green, setting of the River Cam), and longer views (Skyline, St John's cupola and New Court).
- 9.56 The inspector, in the assessment of the appeal on the first application (ref. 22/00778/FUL) outlined that the building would represent a stark contrast to the existing building, especially so from Magdalene Bridge. Whilst, the proposal has been reduced on this side, the materials proposed as well as the height, form, scale, illumination of the building continue to make it entirely prominent and incongruous within the setting of these buildings. The Officer outlines that the building is considered to adversely impact the setting of the locally listed buildings along Thompsons Lane, St Johns Road and Portugal Street, Officers share these concerns. The inspector, when considering the first application (ref. 22/00778/FUL) raised the contrast of height with the buildings in this area as a particular concern, suggesting that it would be jarring to the prevailing pattern of development within this setting.
- 9.57 Officers concur with this view. The proposal would result in an incongruous, highly visible addition to the building, that would adversely impact the character and appearance of the Conservation Area, the setting of several listed and locally listed buildings and both the city skyline and River Cam corridor. The level of harm is considered to be less-than-substantial to the heritage assets, in which case the NPPF (2023)

guides that the proposal should be weighed against the public benefits of the scheme.

- 9.58 The harm is given importance and weighting in accordance Section 66 and 72 of the Planning (LBCA) Act 1990, which outlines the special desirability in preserving heritage assets.
- 9.59 The public benefits from the previous application have not been altered. The social, economic and tourism benefits presented are noted, as well as those set out as part of the previous application (ref. 23/01137/FUL, 24/01408/FUL). It is noted that representations have raised this an environmental approach and that the proposal would lead to job creation and economic benefits. The economic benefits and job creation have already been considered due to the information submitted on this previously. Officers are not convinced that the proposed greenery would have significant environmental benefits to change this view and may have a detrimental environmental impact due to the maintenance needs. The benefits are acknowledged, however it remains the case that these are not considered to outweigh the harm of the proposal.
- 9.60 It is considered that the proposal, by virtue of its height, scale, massing, bulk, appearance and illumination would harm the character and appearance of the Conservation Area and the setting of several listed buildings and buildings of the local interest. The proposal would give rise to harmful impact on the identified heritage assets and is not compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.
- 9.61 **Residential Amenity**
- 9.62 Policy 35 seeks to protect human health and quality of life from noise and vibration.
- 9.63 Policy 58 of the Cambridge Local Plan (2018) permits extensions and / or alterations to existing buildings provided they do not unacceptably overlook, overshadow or visually dominate neighbouring properties.
- 9.64 Policy 60 requires the applicant to demonstrate that there is no adverse impact on neighbouring buildings and open spaces in terms of the diversion of wind, overlooking or overshadowing, and that there is adequate sunlight and daylight within and around the proposals.
- 9.65 The applicant has not made an assessment regarding the impact of neighbouring buildings in terms of the surrounding urban microclimate and impacts in regard to wind, overlooking, overshadowing and sunlight and daylight as is required by Policy 60. However, in this case, given that the proposal would be sited on the roof of an existing building it is unlikely to result in significant adverse impacts in terms of microclimate and amenity.

9.66 It is noted that concerns have been raised about noise and light pollution, given the existing circumstances and use of the building, it is not considered that the potential additional noise and light would adversely impact any surrounding occupiers substantially.

9.67 Highway Matters/ Parking

9.68 Policy 80 of the Cambridge Local Plan (2018) seeks to prioritise sustainable transport. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact and paragraph 115 of the NPPF seeks to protect the safety of the public highway.

9.69 The proposal would seek to create a glazed canopy structure over the existing roof-top bar area with green/ living walls to allow for the roof-top to be used year-round. Officers have had regard for the proposal and the potential for increased use from seasonal to potential year-round use and acknowledge that the proposal may lead to an increase in users and therefore to and from the site. It is noted that concerns have been raised regarding additional traffic movements. Noting that the hotel and restaurant is already used year-round and taking into account that the building is sited in the centre of the city where sustainable transport methods are highly available and likely to be used, it is not considered that the proposal would be likely to lead to a significant increase in traffic as to adversely impact highway safety or the surrounding highway users.

9.70 The proposal is considered to be acceptable in highway safety terms in compliance with Cambridge Local Plan (2018) policy 80.

9.71 Other Matters

9.72 The application falls within the Cambridge Airport Safeguarding Zone. In accordance with Policy 37, the airport and MOD have been consulted on the application. No objections area raised to the proposal, however the airport have raised a point regarding crane use. If the application were to be approved an informative to raise this to the awareness of the applicant could be added.

9.73 One representation has raised the impacts to views from Beaufort flats as a concern arising from the proposal, unfortunately the impact to views is not a planning matter and therefore cannot be considered as part of the application.

9.74 Third Party Representations

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

Address	Summary of Matters Raised	Summary of Response within Report
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Comments in Objection		
18 Park Parade, Cambridge	<p>Fails to address fundamental problems with application. The current scale, height and position of Varsity Hotel are already incongruous with the Conservation Area. Proposal expands scale and mass.</p> <p>Potential traffic disruptions.</p>	<p>Officers agree that the proposal has failed to overcome the reasons for the refusal and the impact to the Conservation Area as well as the scale and mass remain a concern.</p> <p>The proposal is not likely to lead to substantial traffic disruption, it is within a city centre location and already operational.</p>
Cambridge Past, Present & Future	<p>This has not overcome to the reasons for refusal. The proposal would compete with the finer, articulated spires and towers, the living wall does not change this and is incongruous.</p> <p>The previous report considered the impact to the heritage assets, the living wall does not overcome this.</p> <p>The inspectors comments are not overcome. The height, scale, bulk, appearance and lighting fails to respond positively to its surroundings. Harmful to Conservation Area, listed buildings, buildings of local interest and landscape of River Cam.</p> <p>Support for visitor attraction does not outweigh harm to heritage assets of the highest significance.</p>	<p>Officers agree with that the proposal would lead to an incongruous form that would result in harm to a number of important heritage assets in the city. The impact to heritage assets should be given special regard and in this case the harm to these is not overcome by public benefits.</p>
Magdalene College	<p>The proposal is an insensitive addition to the skyline which would negative contrast with the existing historic features and Conservation Area. It does not meet policy requirements. By virtue of the scale and bulk of the design substantial harm would result to character and appearance of the Central Conservation Area and listed buildings and BLIs. This is not outweighed by public benefits</p>	<p>Officers agree that the proposal is an insensitive addition to the skyline, the level of harm and balance is outlined in the heritage section, however the benefits are not considered to outweigh the harm.</p>
22 Beaufort Place, Thompsons Lane	<p>None of the views indicate that the plants would mitigate the bulk of structure. The living plants would make the frames thicker, and add bulk and mass and incongruity. The Jesus Green image shows the proposal as</p>	<p>Officers share the concerns that the living wall arrangement would leave to potential additional height and bulk to the structure and would not overcome</p>

	more obvious. Views from Beaufort Place would be impacted.	concerns. Views are not a material planning consideration.
1-50 Beaufort Place	Domination of skyline, impact to views from flats towards St Johns, Adding another storey increases impact and green foliage does not mitigate impact. The submission includes photographs from Beaufort Place and Magdalene College.	Officer agree that the proposal would dominate the skyline from multiple views in the surroundings. Whilst the impact to 'views' from private residences cannot be considered, Officers do note the height and prominence of the structure from the surroundings and agree it is harmful. The photos are helpful to understand the extent of the impact.
Unit 2, The Campkins, Station Rd, Melbourne	Detrimental impact on skyline, lack of consideration regarding traffic increase, noise disturbance	Officers agree that the proposal would continue to be detrimental to the skyline. Given the existing facility and sustainable location, the proposal is not considered to adversely impact amenity or traffic.
Comments in Support		
118 Huntingdon Road	Benefit for hotel guests. The structure takes on an environmental design and the heating system is energy efficient.	The benefits to hotel staff are private rather than public but are noted. The living walls are noted as bring nature into the site, as are attempts to make the heating energy efficient. However the proposal is not considered to be environmentally conscious due to the water demand from irrigation and concerns over longevity. The aspects raised do not add substantial benefit as to alter the planning balance.
52 Natal Road, Cambridge	Supports application.	Noted
11 Apple Close, Brandon	Supports local business and created economic benefits, concerns by Conservation Officer have been addressed.	The benefits to local business and the job creation are noted, however these are not considered to outweigh the harm resulting from the proposal. The set back from the western elevation has been considered, however fundamental issues such as height, scale, bulk, appearance and lighting has not been addressed.

4 The Old School, Norfolk Street, Cambridge	Weather proofing makes sense, living walls will be attractive. Illumination is muted and hospitality industry should be supported.	Officers agree that the weather proofing appears to help meet the needs of the business. The illumination is considered to add substantially to the prominence of the building in the local area and Conservation Area and adds to its competition with historic and skyline features.
31 Westmoor Avenue, Sawston	The building is innovative, buildings in Europe like this work well in Europe. Adds greenery in urban area to match open spaces around.	The idea of a green wall is an interesting proposal, however it does not offer a successful design solution in this case and is harmful to the surroundings. It is not guaranteed that this would be successful and Officers have substantial concerns.
15 The Crescent, Cambridge	The proposal would provide a covered venue to visit with friends, offer more jobs and this is the best design put forward.	The job benefits are recognized but do not overcome the harm.
3 Dodford Lane, Girton	The design is innovative and lots of thought has gone in, environmentally the living meadow is a good approach.	The design is not successful and fails to respond positively to its surroundings. The scheme does not result in environmental benefits, instead concerns are raised about the implications of irrigation and maintenance.
31 Stonefield, Bar Hill	The design fits into the skyline and would create more jobs for local people. It would enhance the hotel and benefit the people in Cambridge.	The design is considered to be a complete intrusion into the skyline. The benefits are not considered to outweigh the harm.
51A Ermine Street North Papworth Everard, Cambridge	Do not agree that there is impact to skyline, from Jesus Green and the car park dominates. The Varsity is not near historic buildings and not taller than the car park. The building looks unfinished at the moment.	The car park is not taller than the Varsity hotel, nor is considered to be of a height to adversely impact the skyline or heritage features. This application is judged by its own merit and considered harmful to the surrounding character.
22 St John's Rd, Cambridge	Living plants soften look from the ground, gardens are popular as leisure spaces in urban areas. The hotel is a popular, safe venue, being in town centre makes it ideal. The hotel managers have studied with care to mitigate concerns to Magdalene College.	The plants are not considered to soften the look, but in fact have the opposite effect, drawing the eye in contrast to the surroundings. The proposal does not create a garden space, plants are applied to the frame, it is not a public space, and there is no leisure offering. The proposal is not considered to have

		addressed the previous reasons for refusal or the impact to Magdalene College.
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10.0 CONCLUSION

- 10.1 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).
- 10.2 The proposal fails to comply with the requirements of the Cambridge Local Plan (2018) policies 7, 10, 55, 56, 58, 59, 60, 61 and 62 and the NPPF (2023).
- 10.3 The proposal is considered to harm the character of the area, the surrounding heritage assets including the Central Conservation Area, listed buildings and buildings of local interest and the Cambridge Skyline and River Cam Corridor. It is not considered to be of a high-quality design that would respond positively to the surroundings context, instead it is considered to be out of place and detrimental to the locality and the prestigious skyline in the city. The living walls approach raises significant concerns in terms of visual impacts and the building's longevity and success.
- 10.4 The proposal has presented limited benefits including private business benefits, and an increase in staff working hours. Additional benefits are noted by Officers including potential tourism benefits; however these are insufficient to overcome the significant harm that would result from the proposal.
- 10.5 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for **refusal**.

RECOMMENDATION

REFUSE, for the following reasons:

1. Policy 60 of the Cambridge Local Plan 2018 requires that any proposals for a structure that breaks the existing skyline and/or is significantly taller than the surrounding built form must demonstrate that the proposal would result in a high-quality addition to the Cambridge Skyline, that complements the character of the surrounding area. The proposed development is considered to result in a permanent incongruous addition to the Cambridge skyline that would fail to positively respond to the existing delicate and

historic features through its height, scale, bulk, appearance and lighting. As such, the proposed development fails to contribute positively to its surroundings and the Cambridge Skyline and is therefore contrary to the National Planning Policy Framework (2023) and Cambridge Local Plan (2018) policies 55, 56, 58, 59, 60.

2. The National Planning Policy Framework and policies 61 and 62 of the Cambridge Local Plan 2018 aim to ensure that heritage assets of the City are conserved in a manner appropriate to their significance, including their setting. By virtue of the proposed height, scale, bulk, appearance, materiality and lighting, the proposal would result in less than substantial harm to character and appearance of the Central Conservation Area and the setting of listed buildings and would adversely impact the unique, historic landscape of the River Cam. Furthermore, it would also harm the setting of buildings of local interest, which make a positive contribution to the character of the Central Conservation Area. The harm to heritage assets is not outweighed by the public benefits. As such, the proposal fails to preserve or enhance the character and appearance of the Central Conservation Area and the setting of listed and buildings of local interest, contrary to the provisions of the Planning (LBCA) Act 1990, the National Planning Policy Framework (2023) and Cambridge Local Plan (2018) policies 7, 10, 61 and 62.



The Planning Inspectorate

Appeal Decision

Site visit made on 23 August 2023

by Mr Cullum Parker BA(Hons) PGCert MA FRGS MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 4 October 2023

Appeal Ref: APP/Q0505/W/23/3319305

**The Varsity Hotel and Spa, 24 Thompsons Lane, Cambridge,
Cambridgeshire, CB5 8AQ**

- 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 Mr Will Davies on behalf of The Varsity Hotel & Spa against the decision of Cambridge City Council.
 - The application Ref 22/00778/FUL, dated 15 February 2022, was refused by notice dated 3 November 2022.
 - The development proposed is described as 'Installation of a new All Weather Lightweight Retractable Roof Canopy and Associated Works'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) Whether or not the proposed development would fail to preserve the settings of nearby listed buildings, the effect of the proposal on the character and appearance of the conservation area, and the effect of the proposal on the skyline of Cambridge city.

Reasons

3. The Varsity Hotel & Spa is a seven-storey building, approximately 21 metres tall, located in Cambridge's city centre close to the Quayside area. The area immediately adjoining the Hotel & Spa is principally residential with some commercial uses forming part of the Quayside area.
4. The appeal site comprises the top floor roof terrace with garden which is used by hotel guests, tourists, and visitors. The top floor is an open roof top terrace with timber deck pathways, timber clad services penetrations, and glazed perimeter guarding. The proposed development would comprise a structure made with a steel frame and glass with a lightweight retractable awning, which would enable the rooftop terrace to be used as an outdoor space when the weather allows, and to be covered when needed. The proposed awning would be similar to that used on the balconies of the hotel on the floor below.
5. The site is located within Cambridge's Central Conservation Area, and within the setting of several listed buildings and buildings of local interest and between the Quayside development and Jesus Green. These include listed

<https://www.gov.uk/planning-inspectorate>

buildings of Magdalene College including Fellow Garden, listed walls (grade II), Pepys Building (grade I), the Bright's Building (grade II), St John's College New Court and the First Court Chapel. Buildings of local interest are located on Thompson's Lane, St John's Road and Park Parade. These various heritage assets are shown in relation to the appeal site on Figure 1 *Designated and Non-Designated Heritage Assets*¹. These assets are the primary focus of the concerns of the main parties, and I see no reason to disagree.

6. The Appellant submitted a *Heritage Impact Assessment* in June 2022, and has also submitted a *Heritage Statement* as part of its *Statement of Case* dated February 2023. This identifies harm arising from the proposal in the form of the intervisibility between the appeal site and Magdalene College, including Fellows Garden which is partly on the opposite side of the River Cam, and to their settings. I concur with that assessment given the contribution the appeal site makes to the riverscape to which it is part of.
7. With regard to the St John's College the Appellant identifies no harm to those heritage assets. The experience of these is principally derived from the juxtaposition of the First Court Chapel against the surrounding buildings within St John's College, and from views from The Backs which would remain unaffected. I concur with the assessment that the proposal would result in no harm to the setting of these listed buildings.
8. With regard to the Central Conservation Area, I saw during my site inspection that its character and appearance in this part derives from the relatively low height of buildings – with most either two or three storey in height. The appeal building by contrast is considerably taller than this, comprising roughly seven storeys. A majority of the buildings have sloped or pitched roofs. The proposal would introduce a large and tall glazed structure on this already tall building. What this means in practical terms is that, from a number of views, the currently open lightweight glass and balustrade appearance of the building would change. Visually it would appear from ground level as an almost unfinished warehouse without side walls due to the highly glazed elements with grey coloured support struts proposed.
9. This is evident in the *Verified Views* dated 15 August 2022, where, for example, the proposed open and closed views from Great St Mary's Tower, Magdalene Bridge, Castle Mound, Central Jesus Green, Jesus Green Café, and Scholar's Garden are shown. It is clear that the proposal would represent a stark and highly visible further addition to the appeal building. This is especially so in the view from Magdalene Bridge, where pedestrians and others would be faced with a large, glazed box on top of a building, which typically in this area are structures with pitched roofed with brick walls.
10. This would be an addition that is at odds with the prevailing pattern of development in this area and would provide a jarring addition to the skyline of the city. This incongruity would be further exacerbated when the enclosed roof area is illuminated at night during the darker months of the year, when currently (according to the Appellant) it is not a usable space. This increase in illuminated activity throughout the year would further diminish the character of this part of the conservation area. The combination of these factors results in the proposal failing to represent a high-quality addition to the Cambridge skyline and also failing to preserve the character and appearance of the

¹ See *Heritage Impact Assessment*, Prepared by Lanpro Services June 22

conservation area. For similar reasons, the proposal would contrast sharply with the prevailing two storey nature of development found at the buildings of local interests.

11. Accordingly, I find that the proposal would fail to preserve the setting of the nearby listed buildings at Magdalene College. It would also fail to preserve or enhance the character or appearance of the Central Conservation Area. I consider that this harm is no greater than less than substantial harm as set out in the *National Planning Policy Framework* (the Framework). This is a position broadly shared by the main parties. Nonetheless, considerable importance and weight should be given the desirability to preserve heritage assets. Moreover, to articulate the degree of harm within less than substantial harm, given the long term nature of the proposal and its potential high degree of visibility within the city skyline at both day and night time this harm would be of a modest degree.
12. Paragraph 202 of the Framework sets out that the less than substantial harm needs to be weighed against the public benefits. In this case I acknowledge that the proposal would result in locally significant economic benefits, including the retention and creation of further jobs. The enclosure of the roof terrace area would also allow it to be used more widely throughout the year providing further economic benefits from visitors to the terrace, hotel and the wider city. However, I do not find that these benefits would outweigh the less than substantial harm to the various heritage assets identified including to their character and appearance and to their settings.
13. Accordingly, I find that the proposal would fail to preserve the settings of nearby listed buildings, would fail to preserve or enhance the character and appearance of the conservation area, and have an adverse effect of the proposal on the skyline of Cambridge city. As such, the proposal would conflict with Policy 60, Policy 61 and 62 of the *Cambridge Local Plan 2018* (CLP) which, amongst other aims, seek to ensure that to ensure the conservation and enhancement of Cambridge's historic environment, proposal should preserve or enhance the significance of the heritage assets of the city, their setting and wider townscape, including views into, within and out of conservation areas.
14. The Appellant has drawn my attention to Policy 79 of the CLP which sets out that visitor attractions will be supported where they complement the existing cultural heritage of the city. However, I have not found that to be the case here, given my findings above, and as such I do not find that this policy is in favour of the proposal.

Conclusion

15. The proposed development would not accord with the adopted development plan, and there are no material considerations that indicate a decision otherwise than in accordance with it. For the reasons given above I conclude that the appeal should be dismissed.

C Parker

INSPECTOR



Planning Committee Date	07 August 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/01388/S73
Site	45 Nightingale Avenue, Cambridge, CB1 8SG
Ward / Parish	Queen Ediths
Proposal	S73 to vary conditions 2 (Approved plans) and 13 (Obscured glazing) of planning permission 17/2261/FUL (Erection of two detached, three storey, four bedroom family homes with single storey elements to the front and rear following demolition of existing detached house and garage) fenestration alterations and addition of roof lantern.
Applicant	Mr Samih Al-Hayek
Presenting Officer	Paulo Tavares
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Residential Amenity
Recommendation	APPROVE subject to conditions.

1.0 Executive Summary

- 1.1 The application seeks to vary conditions 2 (Approved plans) and 13 (Obscured glazing) of planning permission 17/2261/FUL (Erection of two detached, three storey, four bedroom family homes with single storey elements to the front and rear following demolition of existing detached house and garage), fenestration alterations and addition of roof lantern.
- 1.2 The proposed variations include several updates to the fenestration detailing of the consented dwellings and an alteration from a rear stepped landscaped garden to a single level rear garden. These modifications to the original consent are considered acceptable in design and amenity terms and to accord with relevant Local Plan policies.
- 1.3 Officers recommend that the Planning Committee approve the application subject to conditions outlined in the report.

2.0 Site Description and Context

None-relevant	X		
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- 2.1 The application site is currently a two-storey detached dwelling on the south, eastern side of Nightingale Avenue. Nightingale Avenue is tree lined and characterised by detached dwellings which typically fill entire width of the plot. The houses generally have open front gardens. On the opposite site of Nightingale Avenue is Nightingale Recreation Ground.
- 2.2 The site is not within a Conservation Area and falls outside the Controlled Parking Zone.

3.0 The Proposal

- 3.1 This application seeks approval to vary conditions 2 (Approved plans) and 13 (Obscured glazing) of planning permission 17/2261/FUL (Erection of two detached, three storey, four bedroom family homes with single storey elements to the front and rear following demolition of existing detached house and garage), fenestration alterations and addition of roof lantern.
- 3.2 The application seeks to replace plans referenced under conditions two and thirteen of extant planning permission ref. 17/2261/FUL. The revisions sought are:
- Addition of a first floor obscure glazed window to the eastern elevation of the dwellings.
 - Addition of first floor, gable end window to the front and rear
 - Addition of ground floor window to eastern elevation of dwellings
 - Addition of a roof lantern over the rear, single-storey element.
 - Bifold door minor relocation on the rear elevation
 - Rear, stepped landscaping to be single level rear garden.

- Change from eight skylights on the eastern elevation to four.
- It is noted by officers that the juliet balconies are shown as an amendment on the S73 plans, however, officers consider this was originally approved and therefore is not a consideration in this application.

4.0 Relevant Site History

Reference	Description	Outcome
17/2261/FUL	Erection of two detached, three storey, four bedroom family homes with single storey elements to the front and rear following demolition of existing detached house and garage.	Permitted
17/2261/CONDB	Submission of details required by condition 9 (external surfaces) of planning permission 17/2261/FUL	Discharged
17/2261/NMA1	Non material amendment on application 17/2261/FUL for: - Roof Dormer, from zinc cladding to aluminium/composite cladding. - Double Storey Walls, from Red Wienerberger Ewhurst brick to Grey Kirton Chatsworth brick. - Rear Single Storey Walls, from timber oak cladding to Grey Kirton Chatsworth brick. - Fenestration Alterations to walls and roof. - Addition of Roof Lantern over rear single storey element. - Addition of first floor side window. - Rear stepped landscaping to be single level rear garden.	Withdrawn
21/01538/DEMDET	The demolition of an existing detached house and single storey garage	Deemed Consent

4.1 The application follows approval of the erection of two detached, three storey, four bedroom family homes with single storey elements to the front and rear following demolition of existing detached house and garage granted in 2018. The application approved under reference 17/2261/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 3: Spatial strategy for the location of residential development
Policy 35: Protection of human health and quality of life from noise and vibration
Policy 50: Residential space standards Internal 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

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

6.0 **Consultations**

6.1 **County Highways Development Management – No Objection**

Following a review of the documents provided to the Highway Authority as part of the above S73 application the proposed alterations do not change the Highway Authority's original comments and it is requested the conditions set by the Highway Authority and required by the Planning Authority under application 17/2261/FUL be re-imposed.

6.2 **Environmental Health – No Objection**

With regard to the proposals to vary the condition 2 and 13 imposed on planning permission ref.17/2261/FUL we have no concerns and have no additional comments or recommended conditions to make regarding this application.

However, the conditions as recommended in our original planning consultation memo dated the 20th of February 2018 (Planning Ref No:

17/2261/FUL & M3 Ref No: WK/201753288) remain relevant and should be retained / imposed.

7.0 Third Party Representations

7.1 Two representation has been received. The objectors raised the following issue:

- Sets a precedent for the road
- Three Storey dwelling
- Covenant in place for one dwelling
- Own application for three storey dwelling refused in Rotherwick Way (adjacent road) due to overlooking gardens in Nightingale Avenue
- Height of dwellings will be 1m higher than original dwelling
- Rear gable end window will overlook gardens in Rotherwick Way
- Juliet Balconies at first floor will overlook gardens in Rotherwick Way
- Privacy

8.0 Member Representations

8.1 None.

9.0 Local Interest Groups and Organisations / Petition

9.1 None.

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 Planning Practice Guidance states that new issues may arise after planning permission has been granted, which require modification of the approved proposals. [Paragraph: 001 Reference ID: 17a-001-20140306].

10.4 The applicant has sought to amend the conditions attached to the planning permission by seeking to make a minor material amendment. Paragraph 13 of Planning Practice Guidance advises that there is no statutory limit on the degree of change permissible to conditions under S73, but the change must only relate to conditions and not to the operative part of the permission [Paragraph: 013 Reference ID: 17a-013-20140306] Case law

has established the test which governs section 73 cases is to be found in R v Coventry City Council, ex p. Arrowcroft Group plc [2001] PLCR 7, in which Sullivan J held that, under that section, a local planning authority: "is able to impose different conditions upon a new planning permission, but only if they are conditions which the council could lawfully have imposed on the original planning permission in the sense that they do not amount to a fundamental alteration of the proposal put forward in the original application." (para. 33).

10.5 Where an application under section 73 is granted, the effect is the issue of new planning permission, sitting alongside the original permission, which remains intact and unamended [Paragraph: 015 Reference ID: 17a-015-20140306].

10.6 **Principle of Development**

10.7 The principle of development has been established through the granting of planning ref. 17/2261/FUL. The impact of the revisions are considered below, however, the principle of the development is acceptable and in accordance with policies 3 of the Cambridge City Local Plan (2018). The existing permission, which established the principle, is extant.

10.8 **Design, Layout, Scale and Landscaping**

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

10.10 The proposed revisions do not alter the general scale, character or layout of the proposed dwellings to those originally approved as the updated plans seek alterations to fenestration arrangements and other such detailing. The general design and appearance of the proposed dwellings is therefore considered acceptable, with the minor alterations sought to the detailing considered in turn below.

10.11 The gable window to the principal elevation will not impact any other dwelling and is considered an acceptable amendment to the scheme.

10.12 The addition of the roof lantern to the rear single storey elements of the dwellings are considered to be a modern and acceptable amendment to the approved scheme.

10.13 The relocation of the bifold doors is a minor deviation from the approved plans and would fall into the realms of a non-material amendment and therefore considered acceptable by officers.

10.14 The number of skylights now proposed is a reduction to the previously approved scheme and as such would be considered acceptable by officers in design terms.

- 10.15 It is noted by officers that the juliet balconies are shown as an amendment on the S73 plans, however, officers consider this was originally approved and therefore is not a consideration in this application.
- 10.16 The minor changes to the rear garden areas of each dwelling and loss of stepped landscaping in place of single level gardens is considered acceptable and to have no impact on the wider area. This was originally discharged through application 17/2261/CONDA, therefore it is recommended that it is re-discharged within 3 months of this decision as the application has commenced.
- 10.17 Overall, it is considered that these amendments are considered a minor deviation of additional windows and would have a very limited impact on the character and appearance of the area, particularly compared to the existing consent.
- 10.18 The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, and 59 and the NPPF.
- 10.19 **Amenity**
- 10.20 Policy 35, 50, 51, 57 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
- 10.21 The gable window to the principal elevation will not impact any other dwelling and is considered an acceptable amendment to the scheme.
- 10.22 The gable window to the rear is considered to be small in scale and would be set back at the original wall level, giving a distance to the rear boundary of 10m. Views accessed from this distance and size window would be considered moderate and no more impactful than first floor rear windows.
- 10.23 Previously approved plans show a stepped garden. The S73 plans show this removed and a low level garden being proposed. This will reduce any moderate overlooking impacts for the neighbouring properties on all boundaries and is a welcome amendment.
- 10.24 The rooflights to the single storey rear elements, the relocation of bi-fold doors and the reduction in the number of skylights are not considered to impact on the amenities of neighbouring properties.
- 10.25 The juliet balconies proposed were included in the previously approved plans and need not be considered as part of this submission due to planning still being extant.

10.26 Overall, the proposal adequately respects the amenity of its neighbours and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 57 and 58.

10.27 Highway Safety and Transport Impacts

10.28 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.

10.29 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.

10.30 No access alterations are proposed within the application, which has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, who raises no objection to the proposal subject to applying the original permission's highways related conditions.

10.31 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.

10.32 Third Party Representations

10.33 Matters relating to principle of development, impact of the character and appearance of the area, residential amenity and highway safety have been addressed in the body of the report. The remaining third-party representations are summarised and considered in the table below:

Third Party Comment	Officer Response
Own application for three storey dwelling refused in Rotherwick Way (adjacent road) due to overlooking gardens in Nightingale Avenue	Each application is assessed on its own merits; the principle of development on this site has already been established. Potential impacts of overlooking have been considered as part of the assessment of the Section 73 proposal

10.34 Planning Balance

10.35 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).

10.36 Summary of harm

- 10.37 Third-party representations have raised concern that the application sets a precedent for the road with a three storey dwelling, covenants in situ, height of proposed dwellings and juliet balconies presenting the opportunity to overlook. However, the principle of development, including the scale and quantum of dwellings on the site, has been established through extant permission 17/2261/FUL. Matters of covenants fall outside of the planning process and are a legal/civil matter between the relevant parties.
- 10.38 The revised fenestration arrangements are not considered to give rise to any further harm to the amenities of neighbouring properties than has already been consented. The rear gable window overlooking the gardens of Rotherwick Way is not considered to be so detrimental to refuse this amendment noting the views already afforded from first floor level.
- 10.39 Summary of benefits
- 10.40 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.
- 10.41 The development will positively contribute to the supply of residential accommodation available to the public within Cambridge.

Conclusion

- 10.42 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 and informatives as set out below with minor amendments to the conditions as drafted delegated to officers.

12.0 Planning Conditions

1 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:

200 – Proposed Floorplans – 15 April 2024

201 – Proposed Roof and Floorplans – 15 April 2024

220 – Proposed Elevations – 15 April 2024

221 – Proposed Elevations – 15 April 2024

240 – Proposed Site Section – 15 April 2024
241 – Proposed Section – 15 April 2024
280 – Proposed Site Plan – 15 April 2024
17-1002-PL-01 – Location Plan – 29 December 2017

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 Construction Hours

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).

3 Collection during Construction

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.

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

4 Piling

In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 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 details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

5 Dust

The details agreed in 17/2261/CONDA in regards of a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period are to be followed. The development shall be implemented in accordance with the approved scheme.

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

6 Drainage

Details approved in application 17/2261/CONDA which concern the surface water drainage works of the development hereby permitted. The Development shall be carried out in accordance with the approved details.

No building hereby permitted shall be occupied until drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development.

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

7 Access free from Obstruction

Before occupation of the dwelling, the access shall be provided in accordance with the approved drawings and shall be retained in accordance with these details and free of obstruction thereafter.

Reason: In the interests of highway safety (Cambridge Local Plan 2018 policy 81).

8 Sample Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted, are to be in accordance with 17/2261/CONDB. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55 and 57).

9 Cycle Parking

Details of facilities for the covered, secure parking of bicycles for use in connection with the development hereby permitted shall be carried out in conformity of the detail in application 17/2261/CONDA. The agreed

facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles (Cambridge Local Plan 2018 policy 82).

10 Hard and Soft Landscaping

Within 3 months of this decision notice details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design (Cambridge Local Plan 2018; Policies 55, 57 and 59).

11 Permitted Development Rights

Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and 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 enlargement, improvement or other alteration of the dwellinghouse; the construction of dormer windows/roof extensions; and the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling and to protect the character of the area (Cambridge Local Plan 2018 policies 55 and 57).

12 Obscure Glazing

The windows identified as having obscured glass on drawing numbers Proposed Elevations 220 - Rev R1 and Proposed Elevations 221 – Rev 1 shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot

be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 57).

13.0 Informatives

1 Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - Sustainable Design and Construction 2007:
<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction
http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012
http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance
https://www.london.gov/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

2 Housing Act

The Housing Act 2004 introduced the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

Further information may be found here:
<https://www.cambridge.gov.uk/housing-health-and-safety-rating-system>

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GREATER CAMBRIDGE SHARED PLANNING SERVICE

PLANNING COMMITTEE REVIEW

Planning Committee Date August 2024

Report to Cambridge City Council Planning Committee
South Cambridgeshire District Council
Planning Committee
Joint Development Control Planning
Committee

Report by Rebecca Smith, Delivery Manager (DM and
Compliance)

Ward/ Parishes affected All

1.0 Executive Summary

1.1 Main recommended changes from the committee review steering groups are:

- Alignment of committee meeting formats
- Introduce a Delegation Panel for City Committee and review SCDC Delegation Panel
- Amendments to scheme of delegation to align 3 committees
- Increased member engagement in major pre application and applications via briefings
- Updated public speaking guidance and planning code of good practice for members.

2.0 Recommendation

2.1 Officers recommend that the Cambridge City Council / South Cambridgeshire District Council / Joint Development Control Committee:

- (i) Notes this report and the recommendations contained within it.

3.0 Background

- 3.1 Currently the Greater Cambridge Shared Planning Service (GCSP) supports three Planning Committees - Cambridge City Council, South Cambridgeshire District Council and the Joint Development Control planning committees.
- 3.2 The GCSP has been undergoing a period of transformation and this has included a review of the planning committee processes, of both partner Councils.
- 3.3 In 2020, the Planning Advisory Service (PAS) carried out reviews of all three committees, as part of a commitment by the Shared Planning Service to improving and unifying approaches to planning and embodying where possible best practice to support improved community participation and effective and transparent decision making. The purpose of the committee process review was to review those recommendations made as part of the PAS reviews and develop a transformation plan.
- 3.4 Since 2020, and noting pressure on the corporate resource the review has been brought back in house (to the Shared Planning Service) a copy of the timeline set by the Transformation Team at that stage is set out in appendix 1. Following this a new senior manager has been appointed to lead this work, this has involved revisiting the scope of the review, aligning with the PAS best practice in managing the Planning Committee process themes.

Project Objectives

- 3.6 The following were the overarching enabling objectives set within the scope of the project, listed in order of hierarchy:
1. Improve the quality of outcomes of development which flow from sound planning decisions versus the process for determining planning applications –development and decisions
 2. Meet our statutory obligations
 - Referring to national planning policy framework, local plan and guidance
 - Meeting the seven principles of public life (Nolan Principles) and the Canon principles for professionals in local government
 3. Ensure transparency and accountability of the committee’s decision-making process including delegation arrangements and deferred decision protocol, improve communication and collaboration for newly appointed committee members. To review the standing orders of each of the Committees to identify inconsistencies between committee meetings and opportunities to improve transparency, participation and operation of meetings and foster trust of the service
 4. Improve the experience for all “users” of the Planning Committee process for decision making on planning and related applications
 5. Compliance against statutory and service performance indicators (KPIs)
- 3.7 The scope of the project included engaging with members of all planning committees to review their experiences and seek their input into the future role of the planning committee members, committee processes and to consider what makes a successful committee meeting.
- 3.8 An officer working group and separate member working group were set up and have been working together to inform the committee review. The two working groups used the LGA's Probity in Planning guidance and the Planning Advisory Service best practice in managing the Planning Committee process themes to review the current committee practices and make recommendations on the changes identified in this report.
- 3.9 The remainder of this report is split into key areas, the PAS themes within that area that the two working groups reviewed, together with the headline recommendations (*in italics*) for the amendments to be made to ensure that the 3 planning committees are aligned and working to best practice.

4.0 Project Recommendations

Supporting Committee Members

Theme 1: Pre-determination, pre-disposition and bias

- 4.1 An issue that councillors often find confusing is how to differentiate between someone who is pre-determined, pre-disposed or biased. Whilst a councillor who is pre-disposed to a view can still sit on a Planning Committee, a councillor who is pre-determined cannot take part. Therefore, it is important to understand this difference.
- 4.2 *Recommendation R1: A Members Code of Good Practice for planning is produced for all members. This has been drafted to include guidance and appended to this report (Appendix 2). This will sit within the broader range of guidance for councillors and will need to be ratified by each Council in accordance with their own procedures.*

Theme 2: Lobbying of Members

- 4.3 Lobbying of Members of planning committees regularly takes place prior to a meeting as applicants and other interested parties look to persuade the Committee of their point of view. Planning Committee Members are often unsure what to do with the lobbying material that they receive.
- 4.4 *Recommendation R2: A Members Code of Good Practice for planning is produced for all members. This has been drafted to include guidance, this will sit within the broader range of guidance for councillors and will need to be ratified by each Council in accordance with their own procedures.*

Theme 3: Dealing with petitions

- 4.5 It is often difficult to decide the weight given to a petition compared to an individual letter of representation.
- 4.6 *Recommendation R3: Petitions should be separated out in committee report and worded as such - Petition on the grounds of xxx has been signed by 25 residents.*
- 4.7 *This issue has been incorporated within our review of Public Speaking, details of which are set out below.*
- *Petitions treated as written representations - classed as petition if contains over 10 signatures.*
 - *Petitioners allowed to speak up to 3 mins at committee as a separate speaking class.*

Theme 4: Receiving gifts or hospitality

- 4.8 Members of the Planning Committee, as well as Planning Officers, make decisions that impact on people's lives and can either create wealth for individuals or cause financial hardship. Members of the Planning Committee may, on occasion, be offered hospitality, or even gifts by those who are likely to gain or lose from a planning decision.

- 4.9 *Recommendation R4: Ensure that the relevant Codes of Conduct guide councillors and officers on responses they should make if offered gifts or hospitality.*

Theme 5: Officer / Member relations

- 4.10 A well managed Planning Committee that makes sound, defensible planning decisions is dependent on Members who understand the Planning and decision making process and officers who can provide the Members with the advice they need to make those decisions.
- 4.11 *Recommended changes to committee meetings:*
- *R5 - After the publication of the agenda, if any committee members have any questions, they should be sent to officers up to 12 noon 2 days in advance of the meeting – these will be responded to as part of officer presentation (together with any queries raised by Members at the committee site visit).*
 - *R6 - During committee meetings the presenting officer should sit as close as possible to the planning lead officer and the legal advisor.*
 - *R7 - At the end of the debate on each application, prior to the vote, the Chair should summarise the key issues the committee debated; and then the Delivery Manager confirm the officer recommendation together with any changes / additions made by committee.*

Theme 6: Ward councillor involvement in the Planning process – at pre application and application stages

- 4.12 Whilst only Members of the Planning Committee are tasked with making planning decisions, ward councillors are important advocates for their communities in the decision making process. Ward councillors are able to request that an application is referred to Planning Committee (currently in SCDC this is subject to review by the Delegation Panel) and ward councillors are able to speak at the Committee either as an objector or supporter of a proposal. Within SCDC ward members are often referred to as 'local members', however ward member / ward councillor / local member means the same thing at both SCDC and CCC.
- 4.13 *Recommended changes:*
- *R8 - Formalise member engagement at pre application stage through the PPA process – including member briefings, member attendance at design review (DRP) and requiring engagement strategies from developers.*
 - *R9 - Offer ward and parish councillors developer led briefings for major pre apps - – separate to main committee meetings.*
 - *R10 - Offer ward and parish councillors officer led briefings on major applications (not public meetings) – separate to main committee meetings.*

- *R11 - Develop guidance for these briefings - with criteria for when can / can't be suitable for briefings, set out what the purpose of pre app briefings are, criteria on what should be covered in the meeting, length of briefings.*

Committee Meetings

Theme 7: Site visits

4.14 In order that the Planning Committee can make a decision on a planning application the Members of the Committee need to understand the proposal in the context of its location and geography. Officers can help Members understand this through plans, maps and photographs, but a site visit (SV) is included where considered appropriate to help Members of the Committee familiarise themselves with the site. The formal planning committee protocol for officer led site visits was agreed by the three planning committees in December 2022/January 2023. It is important that agreed protocols are followed on the site visit to ensure the impartiality of the Planning Committee is maintained. The current site visit protocols have been in operation since February 2023 and therefore should be reviewed in early 2025, including review of available technologies for carrying out site visits available at that stage.

4.15 *Recommended changes:*

- *R12: Review and ensure SV dates diarised for a year in advance*
- *R13: Review the existing site visit protocol [and extend this to all Planning Committee meetings]*
- *R14: Publish SV protocol on GCSP website*
- *R15: Publish a link on committee agenda to SV protocol*
- *R16: Democratic / Member services send out and include SV protocol on all site visit meeting invites*
- *R17: Democratic / Member services invite local / ward members to attend SV for applications in their wards*
- *R18: Any queries raised as part of site visit answered during officer presentation*

Theme 8: Referral of delegated applications to Planning Committee

4.16 It is really important that the referral process and scheme of delegation is explained clearly to councillors so that they can follow the correct procedure and assist their constituents. There are restrictions in the referral process with regard to timeframes and reasons for referral.

4.17 *Recommended changes:*

- *R19: Review the need for the City Development Control Forum, ensuring the review incorporates the recommendation above in*

theme 6 that members have a greater degree of involvement in the PPA and pre application process.

- *R20: In line with the 2020 PAS recommendation to make the most efficient use of officer and member time at Committees by focusing on the most sensitive / complex application, introduce a delegation panel for City and review SCDC delegation panel*
- *R21: Review threshold and application types in schemes of delegation for committee decisions, including NMAs, S73s, TPOs, Deeds of Variation, prior approvals, certificates of lawfulness, and other application types; and align scheme of delegation for the 3 Planning Committees*
- *R22: Standardise wording for delegation to Delivery Manager for amendments to conditions / informatives / Heads of Terms post committee*

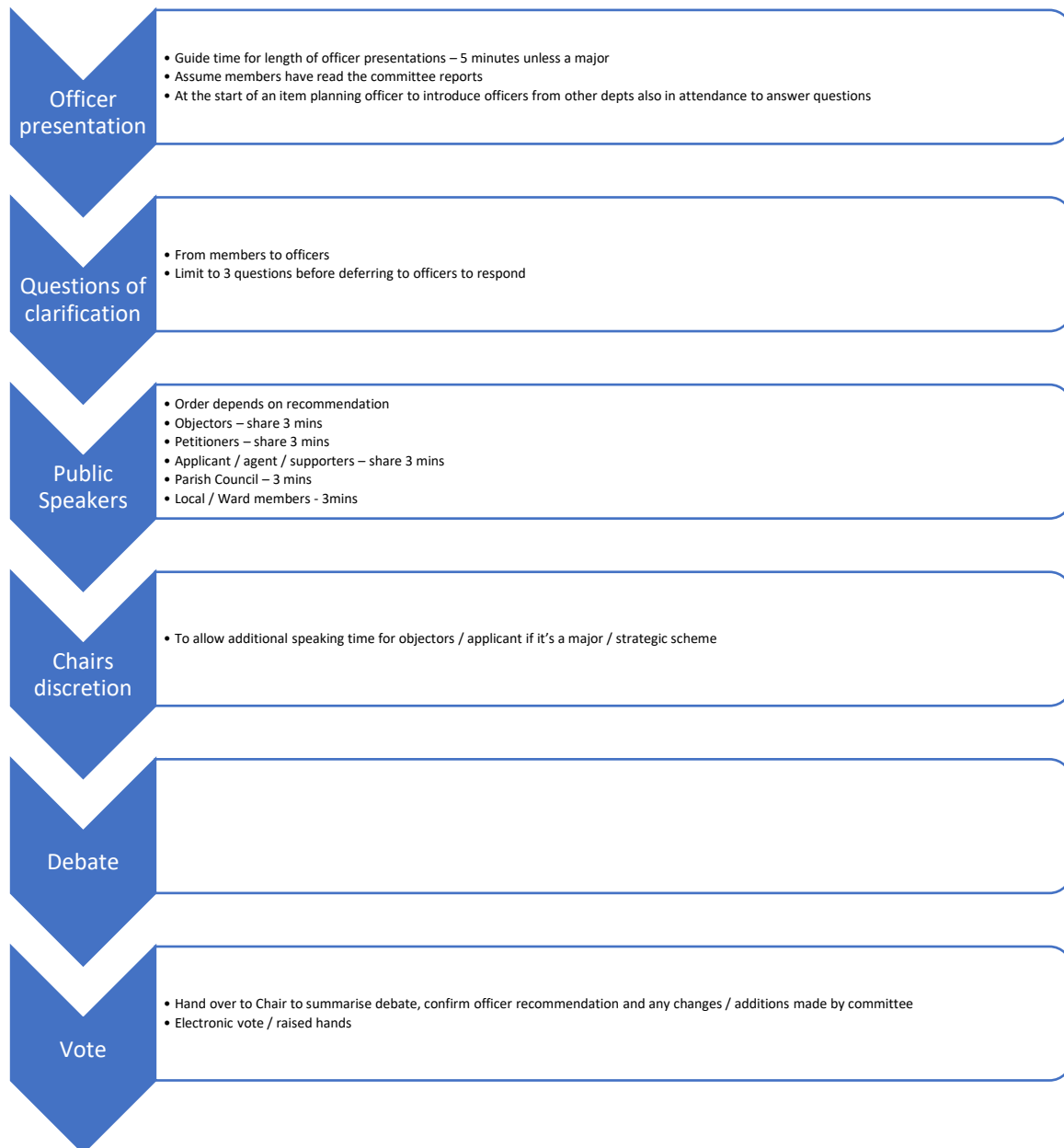
Theme 9: Conducting the meeting

4.18 Every Planning Committee follows a similar order of business as recommended though LGA Probity in Planning document. However, we need to ensure that the process is well understood and transparent, so that Members of Committees can understand and debate a planning proposal and reach a clear, unambiguous decision.

4.19 *Recommended changes:*

- *R23: Work towards sending agendas out 7 working days in advance - to give members more time to read; publish the committee reports on our portal for each application - ensures wider public visibility and reduces end of process work when it comes to issuing decision.*
- *R24: Review the need for hard copy agendas and agenda presentation/ plans packs*
- *R25: Set timing and deadlines for amendment / update sheets*
- *R26: Set dates / times for chairs briefing and diarise for year*
- *R27: Deferrals – those items to be removed from committee without discussion / debate should be dealt with and deferred at the start of the meeting*
- *R28: Deferrals - post / during debate - members have to give specific reasons for deferral which are minuted, these areas are then the main areas to focus on for discussion / debate when item comes back to committee.*
- *R29: Develop guidance on use of and reasons for deferral – including focus on major applications, impacts on constitution*
- *R30: Develop guidance for the submission / circulation of documents during the meeting, considering the option to insert a 5 minute adjournment to allow everyone to read it (including members of the public, applicants, members, officers and anyone else present).*

Format of meetings:



Theme 10: Public speaking

4.20 Public speaking at Planning Committees is a normal practice.

4.21 *Recommended changes*

R31: Update public speaking at planning committee guidance to ensure encompasses:

- *Review public speaking guidelines of the 3 planning committees to align.*

- *Registration deadlines – 12 noon 2 days in advance*
- *3 mins speaking - per category – objector, petitioner, applicant / agent / supporter, parish council, ward member.*
- *There is no need to have made a written representation to register to speak at committee*
- *Speakers can attend in person or virtually*
- *Written representations can be accepted if person can't attend to speak (12 noon 2 days before the meeting deadline); circulated to members by committee services, update as part of additional late representations in officer presentation (summarise text on screen) and case officers redact and upload on public access.*
- *If speakers wish to submit photos without captions/ text in advance of the meeting this should be done so by 12 noon 2 days in advance of the meeting for officer verification.*
- *Install mechanisms within the council chamber to alert public speakers, to assist with speaking time limits – eg Timing, clocks, lights, bells*
- *Chairs discretion to allow more than 3 mins for larger, more complex major applications*
 - *Advice to speakers on what 3 minutes looks like – guidance e.g. how much text on an A4 page, encourage them to time themselves, and reiterate that they will be cut off when their 3 minutes is up.*
 - *If speakers are attending virtually, ensure phone numbers are collected to access speakers if there is a problem.*
- *Add front page to the agenda to set out info for residents on how committee works (for example see appendix 3).*

Theme 11: Decisions contrary to officer recommendation

4.22 The reason why a planning application comes to a Planning Committee is to allow for elected Councillors to apply themselves and their insight to proposals that raise more complex planning issues including matters of policy or whether there is widespread public concern, in public Therefore, Members of the Planning Committee have the ability to overturn an officer recommendation. However, any contrary decision must be made on sound planning reasons listing out clearly their reasons for doing so referring to relevant adopted planning policies..

4.23 *Recommended changes:*

- *R32: Review the need for the Adjourned decision protocol.*
- *R33: As part of chairs notes include a process flow chart outlining process of making decisions contrary to officer recommendation for committee*
- *R34: Standard short adjournment for officers to draft reasons for refusal for minor applications in the meeting before being voted on by members - including legal input on whether defensible/ reasonable. Short adjournment is essential to refine the reasons for refusal and then present back to members to agree / consider*

- *R35: Potential for major applications to be deferred if contrary to officer recommendation first committee (replacing adjourned decision protocol) – link with guidance on deferrals versus refusals*
- *R36: Develop guidance for members refusing versus deferring an item*
- *R37: Overturns to approval – conditions, committee need to agree bespoke condition wording, agree the topic headings for standard conditions*
- *R38: Delegate final wording to relevant Delivery Manager*

Appeals

Theme 12: Councillor involvement at appeals

4.24 Members of the Planning Committee would not normally be involved in a planning appeal and the appeal will be led by the Planning Officers. However, when a Planning Committee makes a decision contrary to the officer recommendation it will need to be clear to all concerned that the Planning Officers and the Planning Committee has a difference in views, as a result, to ensure effective representation of the Councils case, the Shared Planning service may need to use specialist consultants.

4.25 *Recommended changes:*

- *R39: Ensure all members across both authorities are aware of their responsibilities when dealing with case officers on all appeals (to be included in the code of good practice)*
- *R40: Ensure all members have the relevant training/experience, should they wish to get involved, and make representations on an appeal.*

Code of Good Practice

4.26 A Members Code of good practice for planning has been drafted and appended to this report. This will sit within the broader range of guidance for Cllrs and will need to be ratified by each Council in accordance with their own procedures.

4.27 In addition to this code ensure the chairs notes include sample material considerations.

Other changes

4.28 A number of other changes have been recommended which sit outside of the above themes:

- R41: Website changes: *website page to become more user centric - part of the steps in a planning of a planning app, what does committee do, SV protocol, public speaking guidance.*

- R42: Corporate Lounge / Members lounge: *Screen in Members' Lounge to prevent delays with members returning to the chamber after leaving on specific items.*
- R43: Committee Reports:
 - *use standardised format / template*
 - *reduce the length of committee reports*
 - *standardise a consultation grid to summarise to members who has objected or supported, with page references to the details and total number of objectors and supporters (see appendix 4)*
 - *incorporate images/3d modelling into report*
 - *number conditions where referred to in report*
 - *put headings in for conditions*
- R44: MS Teams channel *for planning committee meeting correspondence to reduce emails.*
- R45: Protocol *for what happens if the livestream drops out – including options such as disclaimer saying we will abandon the meeting until it is back; or adjourn for period of time.*
- R46: Guidance for officers – *on the use of amendments sheets, vs verbal updates.*
- R47: Member Training – *annual member training for those on planning committee, together with a digital 'member passport' of training programmed throughout the year.*
- R48: Constitution Changes – *if any changes are needed, they will be implemented for both councils and to sequence with CCC review of constitution project to be completed by April 2025.*
- R49: Standing Orders – *to be updated as required.*

Next steps

4.29 This is recognised as a complex project and therefore, all of the recommendations included within this report will need to be prioritised and a timetable devised for taking forward and implementing the recommendations. This work will be undertaken by the officer working group, in conjunction with the member working group. Smaller working groups will then bring forward the necessary changes and implement once the necessary authority to do so has been sought.

4.30 It is suggested that a review is built in after the changes have been implemented, in a 12 or 18 month timeframe to ensure this is still meeting Members requirements.

4.31 In addition, a further review may consider application types and thresholds for JDCC, recognising the costs of running planning committees versus their importance in the democratic process and residents and community engagement.

5.0 Implications

Financial Implications

5.1 The cost of the Planning Committee meetings are covered within existing budgets. The changes recommended are not anticipated to increase the frequency of Planning Committee meetings or its caseload so as to introduce significant additional costs. The introduction of a delegation panel and changes to the scheme of delegation may reduce the caseload at the committee meetings.

Staffing Implications

5.2 There are no staffing implications arising from this report.

Equality and Poverty Implications

5.3 An Equality Impact Assessment (EQIA) has not been undertaken in respect of this report, because no material changes are proposed to the fundamental operation of the Committee meetings.

Environmental Implications

5.4 None.

Procurement Implications

5.5 None.

Community Safety Implications

5.6 None.

Legal Implications

5.7 The recommended changes do include some implications for amendments to the schemes of delegation, and constitution; these recommendations will need to be embedded into the governance process for each authority.

6.0 Consultation and Communication Considerations

6.1 No formal consultation has been undertaken in the preparation of this report. The review of the committee processes has been carried out in conjunction with a member working party comprising of chairs, vice chairs and spokes of all 3 planning committees operating within GCSP.

7.0 Background Papers

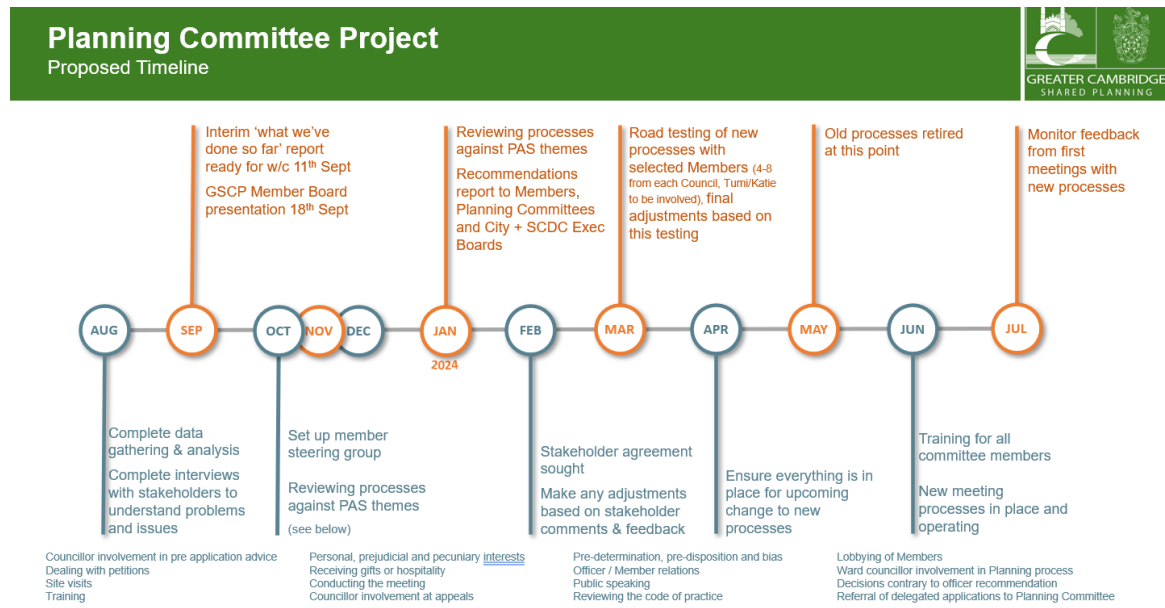
7.1 Background papers used in the preparation of this report:

- PAS report 2020 – Planning Committee Peer Review, Cambridge City Council
- PAS report 2021 – Planning Committee Peer Review, South Cambridgeshire District Council
- South Cambridgeshire District Council Ethical Handbook (May 2020) Ethical Handbook.pdf (moderngov.co.uk) and Constitution. Agenda for Constitution on Thursday, 9 June 2022 (moderngov.co.uk)
- Cambridge City Council Planning Code of Good Practice 2015
- PAS Planning Committee Protocols: [Planning Committee Protocols | Local Government Association](#)
- Planning Committee Site Visit Protocol:
https://councilanywhereorg.sharepoint.com/:b:/r/sites/GCSP_All_Staff/SS/Management/Process_Improvement/Committee%20Site%20Visits/FEB%202023%20FINAL/SVP%20FEB%202023.pdf?csf=1&web=1&e=neKLFb

8.0 Report Author

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Appendix 1: Timeline:



Appendix 2 : DRAFT Planning Code of Good Practice for Members

Appendix 3: Consultation Matrix

Appendix 4: DRAFT agenda front page text

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1. Introduction

- 1.1 This Code offers guidance to Councillors about good practice in the planning process. It supplements the Cambridge City and South Cambridge District Councils' Code of Conduct for Members and aims to ensure that the Councils make and are seen to make planning decisions on proper planning grounds (set out in Appendix 1) and that the Councils make (and are seen to make) decisions properly, openly, impartially, and for justifiable reasons.
- 1.2 This Code applies to Members at all times when involved in the planning process, not just at Planning Committee. It applies to formal decision-making and to less formal occasions, such as informal pre application advice, development control forum meetings, meetings with officers or the public and consultative meetings, planning enforcement matters or site-specific policy issues as well as to the consideration of planning applications. It also applies to all, and any, forms of communication and interaction including online or telephone discussions or meetings, emails, electronic and social media communications, posts, statements and comments.
- 1.3 The purpose of the planning system is to consider development proposals in the public interest. To be successful, the planning system relies on Councillors and officers acting in a way that is fair and clearly seen to be fair and even handed. Councillors have a special duty to their constituents but a wider duty to the communities of Cambridge and South Cambridgeshire. Where planning matters are concerned the interests of the wider public have to be considered as well as the Development Plan and all other relevant material considerations.

2. Relationship to the Members' Code of Conduct

- 2.1 This Code is intended to supplement the two adopted Member Codes of Conduct. It is unlikely that there will be any conflict between the codes but, if there is, the provisions of the general Code will take precedence. An extract from the Code of Conduct relating to General Conduct is set out below:

You must:

- 3.1 provide leadership to the authority and communities within its area, by personal example and
- 3.2 respect others and not bully or threaten or attempt to bully or threaten any person
- 3.3 respect the confidentiality of information which you receive as a Member by-
 - 3.3.1 not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and
 - 3.3.2 not obstructing third parties' legal rights of access to information
- 3.4 not conduct yourself in a manner which is likely to bring the Authority into disrepute
- 3.5 use your position as a Member in the public interest and not for personal advantage
- 3.6 comply with the Authority's reasonable rules on the use of public resources for private and political purposes
- 3.7 exercise your own independent judgement, taking decisions for good and substantial reasons by -
 - 3.7.1 attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups
 - 3.7.2 paying due regard to the advice of Officers, and in particular to the advice of the statutory officers, namely the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer and
 - 3.7.3 stating the reasons for your decisions where those reasons are not otherwise apparent
- 3.8 do nothing that causes the Authority to act unlawfully.

extract from South Cambridgeshire District Council Councillor Code of Conduct

- 3.1 You must treat others with respect.
- 3.2 You must not—
 - (a) do anything which may cause your authority to breach its public sector equality duty as defined in section 149 of the Equality Act 2010 or its obligations under the Human Rights Act, 2000.
 - (b) bully any person;
 - (c) intimidate or attempt to intimidate any person who is or is likely to be—
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings,
 in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
 - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

Extract from Cambridge City Council councillors code of conduct

- 2.2 It is very important that Members are careful to apply both the general Codes of Conduct and this Code in dealing with planning issues. Failure to do this may place the Council at risk of legal challenge or a finding of maladministration and for individual Members the potential for complaint about them to the Monitoring Officer.

3. Development Proposals and Interests under the Members' Planning Code

General points to consider and beware of

- 3.1 You must avoid representing your ward or any local views on a planning matter in which you have a disclosable pecuniary interest. In these circumstances it is appropriate to ask another ward member to take on this role for you.
- 3.2 You must not use your position as a Member to obtain access to planning officers or planning application papers that you submit either as a Member or an agent of an applicant.
- 3.3 You should not lobby other Members of the Council on a planning matter, including the circulation of letters or emails, or by raising the matter in Member group meetings or any other meetings of the Council.

Personal, Prejudicial and Pecuniary Interests

- 3.4 Members and Officers are required to declare any disclosable interests that they hold. Declaration is usually given upon their election or appointment to office; Members are under a duty to maintain that declaration and amend, as necessary within twenty-eight days of becoming aware of any such changes throughout their term of office.
- 3.5 A register of Members' interests will be maintained by the Council's Monitoring Officer of each Council's Democratic Services Team and is available for public inspection.
- 3.6 Members and Planning Officers are also under a duty to declare interests as and when matters arise or prior to Planning Committee. Guidance on any issue may be sought from the Council's Monitoring Officer or the Legal Adviser to the Committee. The decision as to whether an interest ought to be declared rests with the individual Member or Officer involved. *The interest should be declared at the start of the meeting under the agenda item "Declarations of Interest" rather than the start of the relevant item.*

- 3.7 There are three types of interest, 'personal' 'prejudicial' and pecuniary. A Member will have a personal interest in a Planning Committee decision if the matter relates to an interest in respect of which the Member has given notice in the statutory register of Member's interests; or the decision might reasonably be regarded as affecting their financial position or that of a relative, spouse, civil partner, employer or friend. Where a Member considers he or she has a personal interest in a matter, they must always declare it.
- 3.8 A personal interest becomes a prejudicial interest if a member of the public (with knowledge of the relevant facts) would reasonably conclude that the Member's interest is significant and as such that it is likely to prejudice the Member's ability to objectively and impartially consider the application and to take part in the decision making process for that particular application.
- 3.9 Where any Member of the Committee is unsure as to whether they have a prejudicial interest they should discuss their concerns with the Monitoring Officer or the Legal Adviser who to the Committee without delay and where possible in advance of the Committee. The decision to take part in the Committee's determination of the application is a matter for the individual Member's judgement. However, Members are strongly advised to refrain from any participation at any stage in the consideration and determination of the planning application particularly if they have been so advised by either the Monitoring Officer or the Legal Adviser to the Committee. This course of action is intended to reduce the risk of a challenge of the Committee's decision.

Pecuniary Interests

- 3.10 Interests which fall into this category are those which include but are not limited to business, employment, trade, profession, contract and wider financial interests, assets such as land, payments, securities, and shares. Members are encouraged to seek advice from the Monitoring Officer or the Legal Adviser to the Committee where they have any concerns as to whether a pecuniary interest exists. Any Member with a pecuniary interest must, following declaration of the interest at the meeting immediately recuse themselves from the meeting and take no further part in the application. Members can remain in the Chamber should they wish to do so but must sit in the public gallery until the item has been determined.
- 3.11 There are things you should avoid if you have a disclosable pecuniary interest or a personal and prejudicial interest. These include the following:
- You try to avoid representing ward or local views on a matter in which you have such an interest. In these circumstances it is appropriate to ask another ward councillor to take on this role;
 - You should avoid getting involved in the processing of the application by using your position as a councillor to get access to officers or papers;
 - You should not lobby other members of the Council, including the circulation of letters or emails, or by raising the matter in group or similar meetings;
 - You may address the meeting that considers the application or other matter in the same way that members of the public may address the meeting. However you should then withdraw from the meeting (formal or informal) at which the matter is under consideration. You may not sit in at the meeting, even as a member of the public and you may not vote. This is the position even if you are not a member of the committee which is making the decision;
 - If you are submitting your own planning application, or have a disclosable pecuniary interest or a personal and prejudicial interest in a planning application, you should be particularly careful to avoid any impression of either seeking or receiving special treatment. You should also make sure that the relevant Delivery Manager is aware of the interest. You may wish to

consider employing an agent to act on your behalf in dealing with officers and/or addressing the committee. However, as mentioned above, you may exercise the same speaking rights as are afforded to members of the public, provided that you then withdraw from the meeting when the item is considered.

4. Open and Fair decision making

- 4.1 Planning Committee takes decisions on planning matters openly and in public. For a decision to be open and fair:
- Those taking the decision should not be biased or have pre-determined how they will decide;
 - Those taking the decision should not have a prejudicial interest in the outcome;
 - The decision should be consistent with others taken previously unless there are good reasons to decide otherwise; and
 - The reasons for the decisions should be clearly set out, based on proper planning grounds and in accordance with the development plan.

Predetermination, Predisposition or Bias

- 4.2 In addition to declaring personal or prejudicial interests, Members of a Planning Committee must avoid any appearance of bias or of having predetermined their view before taking a decision on a planning application.
- 4.3 Predetermination goes beyond predisposition by failing to weigh up and balance all the relevant factors and taking into account other viewpoints which are reached as a result of the Committee's determination process and importantly includes the Officer's report, the Officer recommendation and presentation and any public participation. Section 25 (2) of the Localism Act 2011 introduced provisions for dealing with allegations of bias or pre-determination. Under the provisions of the Act, a Member is not to be taken to have had, or appeared to have had a closed mind when making the decision just because
- (a) the decision maker had previously done anything that directly or indirectly indicated what view the decision maker took, or what or might take, in relation to a matter
 - (b) the matter was relevant to the decision.
- 4.4 It is permissible for a Member to be *predisposed* towards a particular outcome. There is however a distinction between being predisposed and predetermined and it is this distinction which Members need to be aware of throughout the decision making process. It follows, the fact that a Member may have campaigned for or against a proposal does not automatically mean that they have a closed mind, *but* Members must be extremely careful to ensure that it is clear that they have considered, all relevant information and made their decision in accordance with the principles of openness, transparency and their statutory duty.
- 4.5 Members should be prepared to change their view right up to the point of voting on the application having listened to the application in full.
- 4.6 Members can absent themselves from an application where they wish to represent the views of their constituents as a Ward Councillor and in these circumstances they should take no part in the determination of the application.

Predisposition

- 4.7 A distinction is drawn by the Courts between a Member having clearly expressed an intention to vote in a particular way before a Committee meeting (*pre-determination*) and a *predisposition* on the application having formed a preliminary view where that view has been reached without full knowledge of all the relevant information. Where a Member is clear that they have an open mind and are willing to listen to all the information presented to the Planning Committee before deciding on how to exercise their vote, there will be no predetermination.

Predetermination

- 4.8 If a Member has formed a view before Committee sits, they should consider whether the view they have formed could be regarded as being predetermined. In other words, whether they have already made up their mind (to vote in a particular way) and are unprepared to fully consider the information presented to the Planning Committee before deciding on how to exercise their vote.
- 4.9 If a Member has predetermined their position they must not take part in the decision making for that application for to do so represents a breach of the Member Code of Conduct and leave the decision open to legal challenge by way of Judicial Review.

Bias

- 4.10 Bias is defined as the inclination to favour or disfavour certain people or things especially a personal prejudice.
- 4.11 The test for establishing whether a Member has shown bias is: *“would the fair-minded observer, knowing the background, consider that there was a real possibility of bias?”* It is not the Member’s view of whether they are biased but the view of the independent observer. Perception is important and can lead to judicial challenge in the High Court i.e., Judicial Review proceedings. If a Member believes that their participation would lead a fair-minded observer to consider there is a real possibility of bias, they should not participate in the decision making process and should withdraw from involvement in the application’s determination. The Courts have held it is primarily a matter for the Member to judge on whether to withdraw but given the scope for challenge the Member should always err on the side of caution or if in doubt seek guidance from the Monitoring Officer or the Legal Adviser to the Committee.

Lobbying

- 4.12 Concerns on poor practices within local authorities have often been based on the issue of lobbying. Lobbying can lead to the impartiality and integrity of a Member being called into question, unless care and common sense is exercised. When being lobbied Members should be mindful about expressing an opinion that may be taken as indicating that they have already made up their mind on the planning application before the Committee sits and thus avoid any risk of an accusation of predetermination and/or bias. In such situations, the Member should direct the lobbyist to either speak or write to the relevant planning officer with conduct of the application.
- 4.13 Members of the Planning Committee should not organise support or opposition, lobby other Members or act as an advocate or put pressure on Officers for a particular recommendation.

Avoiding Bias or Pre-determination

- 4.14 It is entirely permissible for Planning Committee Members who are democratically accountable decision makers, to be pre-disposed towards a particular outcome. Nonetheless they must address the planning issues before them fairly and on their merits. That means they can have a view on the application but must not make up their mind on how to vote before formally considering the application and any representations. Planning Committee Members must have an open mind on the merits of a proposal before it is formally considered at the committee meeting. They must be prepared to be persuaded by a different view in the light of any detailed arguments or representations concerning the particular matter under consideration.
- 4.15 If the committee’s decision on a planning application is challenged in the High Court by way of judicial review on the grounds that some of the committee members were biased, or had predetermined the application, the court will assess the case on the basis of what a fair-minded observer, knowing the relevant facts would think.

4.16 Section 25 of the Localism Act 2011 came into effect on January 15 2012 and provides that a decision maker is not to be taken to have had, or appeared to have had, a closed mind when making the decision just because;

- (a) The decision maker had previously done anything that directly or indirectly indicated what view the decision maker took, or would or might take in relation to a matter; and
- (b) The matter was relevant to the decision.

4.17 The position remains the same that Councillors should approach planning applications with an open mind and are able to weigh all the arguments right up to the point at which a decision is made. The safest course is to avoid statements as to support or opposition for an application (that may leave the impression that minds have been made up). If a Member has made such a statement they must be satisfied they can still consider the application with an open mind and be prepared to take into account any matters in favour or against the proposed development until the decision is made.

4.18 Care should be taken with the following, where you are likely to be a decision-maker:

- Making statements in advance of the meeting that you have made up your mind how you are going to vote;
- Taking up a campaigning role for or against an application;
- Acting as an advocate for groups opposed to or supporting the application;

4.19 Issues around bias and predetermination are difficult and getting it wrong can lead to legal challenge and/or reference to the Local Government Ombudsman. Each case needs to be considered on its facts and if you are in any doubt you should seek advice from the Head of Legal Practice.

5. Contact with Applicants, Developers and Objectors

5.1 It is important to recognise that lobbying is a normal and perfectly proper part of the political process and is important to local democracy; those who may be affected by a planning decision will often seek to influence it through an approach to their elected ward member or a member of the Planning Committee. However, unless care is taken, lobbying can lead to the impartiality of a member being called into question and to difficulties for the member participating in the decision.

5.2 When being lobbied, members should have regard to the advice in Section 4 about the dangers of appearing to approach a decision with a “closed mind”. However, unless you have a disclosable pecuniary interest or a personal and prejudicial interest, you can:

- Listen to/receive viewpoints from residents or other interested parties
- Make comments and express views to residents, interested parties, other members or appropriate officers
- Give non-technical advice on planning procedures, including suggesting to those who are lobbying, that they should speak or write to the relevant officer, in order that their opinions can be included in the officers report to Committee
- Seek information through appropriate channels

- Alert the decision-making committee to issues and concerns that have been drawn to your attention.
- 5.3 If you are approached by applicants or others seeking planning, procedural or technical advice, they should be referred to officers.
- 5.4 If you are invited to, or asked to arrange, a formal meeting with applicants, developers or groups of objectors (for instance, residents' associations) or supporters, you should inform the case officer dealing with the application. It is generally better to put formal meetings on an official basis, with Planning Department support and a note taken of the meeting. This applies to all stages of the planning process, including the pre-application stage.
- 5.5 If you receive any approaches which raise new issues or bring new information to light, you should let the case officer know what these are as soon as possible. If a developer offers any planning gain or offers to accept any conditions on development in return for consent, be sure to let the case officer know as soon as possible.
- 5.6 If any approach by a developer or anyone else gives you cause to feel uneasy, please approach the Head of Legal Practice.
- 5.7 In addition, if you consider any issue or fact to be a relevant consideration, and other members may not be aware of it, be sure to raise it when the application is considered. You should not rely on information which is not in the public arena in reaching a decision.
- 5.8 In personal dealings with applicants, objectors etc, you should be mindful of the need to avoid giving a firm commitment to support/oppose the application if you are to participate in the decision. Bear in mind that your overriding duty is to the whole community not just to the people in your ward, that planning decisions need to be taken on planning grounds and that you should avoid the appearance of improperly favouring any person, company, group or locality
- 5.9 You should not accept gifts or hospitality from developers or from any person involved in or affected by a planning proposal including pre-application proposals. If acceptance of some hospitality is unavoidable, it should be kept to a minimum and should be declared and recorded in the Council's hospitality register. The Council's policy is that all hospitality beyond the insignificant (tea and biscuits or similar) should be entered in the register. If significant hospitality is offered, you should seek advice from the Head of Legal Practice before accepting.
- 6. Pre Application Discussions**
- 6.1 Discussions between a potential applicant and the Council prior to the submission of an application can be of considerable benefit to both parties and are encouraged by the National Planning Policy Framework. However, it would be easy for such discussions to become, or to be seen by objectors to become, part of a lobbying process on the part of the potential applicant. For this reason the Council have developed pre-application processes that enables engagement at the pre-application stage.
- 6.2 For major applications the Council offers a service to potential applicants to present their schemes to the Council's Planning Committee. This is the way in which Planning Committee Councillors engage with these schemes and there should therefore be no need to attend any other meeting with potential applicants or their agents/representatives.
- 6.3 In other cases potential applicants may seek to meet Councillors. For minor or household applications these can be treated as a form of lobbying and Councillors, including Planning Committee Members, should follow the advice set out above.

- 6.4 Where the application is more substantial, but not subject to pre-application committee presentations, these meetings will be subject to the following procedures:
- No meeting shall be convened without the presence of a Council planning officer for the entire duration of the meeting.
 - Both this Code and the Members' Code of Conduct will apply when attending such meetings.
 - Any Planning Committee Member involved in such a meeting, who sits on the Committee that subsequently considers any resulting application, should declare their attendance at the meeting in the same way as lobbying would be declared.
 - Officers (and any Councillor, if present) should make it clear from the outset that the discussion will not bind the Council to making a particular decision and that any views expressed are personal and provisional.
 - Any advice given should be consistent and in accordance with the Development Plan and officers should agree, prior to any meeting, on a consistent interpretation of Development Plan policies as applied to the particular proposal.
 - Councillors should not become drawn into any negotiations, which should be done by officers (keeping interested Councillors up to date) to ensure that the authority's position is co-ordinated.
 - A contemporaneous note of the meeting should be prepared by the planning officer attending wherever possible and a copy sent to all parties for their agreement.
 - The final version of the note of the meeting will form part of the planning file and should a planning application subsequently be received, it will thereby be open to public inspection.

6.5 Although the term 'pre-application' has been used, the same considerations should apply to any discussions which occur before a decision is taken.

6.6 Planning Committee Members should not attend pre-application meetings that are not organised through officers.

7. Site Visits

7.1 Individual Planning Committee members may wish to visit a site on which they have been asked to determine an application. If you decide to visit a site, you should avoid putting yourself in a position where you could be accused of partiality by any interested party to the application. It is best to visit a site unaccompanied by the applicant or by objectors. However, if a site visit is carried out in the presence of the applicant and/or their agent, or of residents/objectors, you should bear in mind the advice given in paragraphs 4.14 and 4.15 of this Code. You should avoid being put under undue pressure from any interested party to visit a site.

7.2 You should not enter onto private land or premises without first obtaining the permission of the owner. Where possible, you should seek to familiarise yourself with the site from a public viewpoint. If you go onto a site, you should only do so if satisfied that it is quite safe to do so. You should not, for instance, enter a site where excavations or building works are in progress unless guided by a responsible site manager. If you anticipate a need to ask to enter onto land, you should attempt to make arrangements in advance and should carry (and produce) your Council identity card.

7.3 You should ensure that any information which you gained from the site visit is reported back to the Committee, so that all Members have the same information.

7.4 The decision on whether to carry out a formal committee site visit will rest with the relevant lead Delivery Manager and will be based on

- The complexity or sensitivity of the development proposal.
- The characteristics of the site and its surroundings.

7.5 No formal notes of the site visit will be made. An officer, who will point out any relevant factors and issues concerning the site and its surroundings, will accompany committee members. A site visit is not a meeting to discuss the planning merits of the scheme or to make decisions. The Lead DM or planning case officer will make a record of the date and time of the site visit, attendance and the locations visited. Further information can be found in The Formal Planning Committee Protocol for Officer-Led Site Visits, February 2023.

8. Post submission Documents

8.1 A Planning Committee Member should not usually be involved in discussions with a developer or agent when a planning application has been submitted and remains to be determined. Potentially, these discussions could be interpreted, particularly by objectors to a proposal, as an indicator of predetermination or bias.

8.2 In limited circumstances Planning Committee Members may legitimately engage in post-submission discussions. An example would be in the case of a large-scale development, where it is desirable for there to be a full understanding of the Council's planning and economic objectives. Such meetings will be organised by officers and run under the same procedural rules as pre-application discussions.

8.3 If a Planning Committee Member is contacted by the applicant, their agent or objectors, they should follow the rules on lobbying and consider whether or not it would be prudent in the circumstances to make notes when contacted. A Councillor should report to the Delivery Manager any significant contact with the applicant or other parties, explaining the nature and purpose of the contacts and their involvement in them, so that it can be recorded on the planning file.

8.4 Planning Committee Members should not attend post-submission meetings that are not organised through officers.

9 Public Speaking at Meetings

9.1 You should not allow members of the public to communicate with you during the Committee's proceedings (orally or in writing) other than through the scheme for public speaking, as this may give an appearance of bias or special access to councillors.

9.2 All planning matters will be considered in public session, unless there are specific reasons for dealing with an item as confidential under the provisions of the Local Government Act, 1972, in which case the public will be asked to leave the room.

9.3 Applicants, agents, ward members, parish councils, members of the public and petitioners will be allowed to speak at Planning Committee meetings, but only in accordance with the agreed Council Public Speaking procedures.

9.4 You should avoid overfamiliarity with applicants, objectors and other members of the public when attending meetings, as this is open to misinterpretation.

10. The role of Officers

10.1 Planning officers must act in accordance with the Council's Code of Conduct for Officers and their professional codes of conduct; primarily the Royal Town Planning Institute's Code of Professional Conduct. The views, opinions and recommendations of planning officers may on occasion differ

from the views, opinions or decisions of the Committee or its Members. Officers are there to give professional and impartial advice, to make sure that members have all the information they need for decision making. They are there to advise on the context of the planning application in terms of the development plan and all other relevant material planning considerations. Officers will give a clear, accurate written analysis of the issues and a recommendation with reasons for the decision they are suggesting. Officers are there to advise (other than where the decision has been delegated to them) and to carry out the decisions of the planning committee.

- 10.2 It is critical to the openness and transparency of the planning service that mutual trust between members and their officers is demonstrated and that there is clear understanding of and respect for the other's role.
- 10.3 All members should pay particular attention to the professional advice and recommendations from officers. Planning decisions are not an exact science so interpretations may vary from time to time. You are not bound to follow officers' advice or recommendations, but you should only depart from advice or recommendations where you have good reason to do so, based on clear and legitimate planning grounds. These will need to be voted on and recorded.

11. Decision Making

- 11.1 If, as ward councillor, you ask for a proposal to be determined by Planning Committee rather than be determined through officer delegation, make sure that your material planning reasons are included in that request.. Any such request must state the material, relevant planning grounds, and where possible citing development plan policies, on which it is based.
- 11.2 As Committee Members you should demonstrate through your conduct at the meeting that you are giving careful, fair and balanced consideration to the issues under discussion. It is particularly important that applicants and members of the public have confidence in the way in which decisions are reached. The conduct of members can be important in ensuring that faith in the planning process is maintained.
- 11.3 You should keep in mind your obligation to make decisions in accordance with the Development Plan unless material considerations indicate otherwise, as required by section 38(c) of the Planning and Compulsory Purchase Act 2004.
- 11.4 The Council's own proposals for development must be dealt with on exactly the same basis as applications submitted by members of the public. You should be particularly careful to ensure that any decision on a Council application is based purely on relevant planning considerations.
- 11.5 As committee members you should make a decision only after you have considered all the relevant information needed to make a decision. If you feel you have had insufficient time to digest new information or that you need further information, you should say so and, if necessary, ask for a deferral or abstain.
- 11.6 Committee members should not vote or take part in the meeting's discussion on a proposal unless they have been present to hear the entire debate, including the officers' introduction to the matter.
- 11.7 If, as a committee member, you are expressing a view contrary to officer recommendations or the development plan, you should identify clearly the planning reasons leading you to take a different view.

12. Training and Development

- 12.1 Planning decisions are often complex and differ in nature from some of the other decisions taken by the Council. It is crucial that planning decisions are based on legitimate planning grounds and that appropriate weight is given to possibly competing factors. The Council offers training and development to councillors on planning law and procedure and Members who sit on regulatory committees will need to have had at least minimum planning familiarisation training before they attend their first meeting.
- 102.2 Post hoc review of new development by the Planning or Joint Development Control Committees will be arranged on a bi-annual or more frequent basis to aid ongoing development of Members and officers. Bite sized updates and briefing sessions will be provided on committee days along with thematic training sessions on specific topics each municipal year.

13. Appeals

- 13.1 Appeals into the planning decisions of the Council are heard by a Planning Inspector appointed by the Secretary of State. Any hearing or inquiry will be open to the public and Councillors are able to attend. Councillors are encouraged to attend such hearings, as they can be a good learning experience. This part of the Code is concerned with Councillors who wish to actively participate in these appeals.
- 13.2 If a Councillor wishes to attend a public inquiry or informal hearing as a Ward Councillor or as a member of the public, they are free to do so. It is strongly recommended that they discuss their participation with the Delivery Manager to ensure that they are aware of the process and that they do not act in a manner which compromises their position as a Member of the Council, brings the Council into disrepute or puts the decision made at risk of challenge.
- 13.3 A Member of a Planning Committee cannot attend an appeal on behalf of the Council's Planning Committee, even if they sat on the Committee that made the decision, unless this is as part of the Council's case as decided by the Delivery Manager. The decision of the Committee will be documented in the minute and set out in the decision notice. The planning officer will present the Council's case on its planning merits, in accordance with the Committee's decision. The inspector is required to determine the appeal on its planning merits and therefore all representations should be so directed.
- 13.4 Where the appealed decision was contrary to the officer's recommendation, officers are generally able to present the Council's case in a satisfactory manner. Where this may not be possible, the case will be presented by a planning consultant employed by the Council.

14. Planning Compliance

- 14.1 It is perfectly legitimate for Councillors to bring to the attention of the Planning Service suspected breaches of planning control so that they may be investigated to see whether any action is possible or necessary. They should bring these to the attention of the Planning Compliance Manager via the online reporting tool:

[Report a breach of planning control \(scams.gov.uk\)](https://scams.gov.uk)

- 14.2 The Council's planning compliance service operates to a priority system so that those breaches that cause the most harm are dealt with first. This priority system is designed to produce a fair and responsive compliance service.
- 14.3 For planning committee members, you are advised that when reporting a breach if no opinion on the development / work is given (and you are simply passing on something a resident has reported)

then if a subsequent application is brought to planning committee to regularise the development you are able to sit on the committee. However, if you are considered to be pre-determined by what has been included in breach report then you are advised not sit on the committee when any retrospective application is determined.

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MEMBER GUIDANCE ON REQUESTS TO REFER PLANNING APPLICATIONS TO COMMITTEE

1. The scheme of delegation for planning, allows any Member of the Council and any County Member representing a Ward to request that an application be referred to the Planning Committee for determination, provided the request is made within the timescales set out, that it is in writing, and that it states the planning grounds on which the request is made. Late requests should be avoided.
2. Members are advised to check the progress of the application with the case officer before making a request and also to inspect the application file. This may avoid the need for a referral.
3. It is important that the planning grounds for referral are stated in the written request. An information leaflet entitled 'How to Comment' explains what factors can typically be considered in assessing planning applications, depending on the circumstances of the case. This leaflet is sent out with neighbour notification letters.
4. Relevant material planning grounds can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance and materials
- Government policy
- Disabled persons' access
- Proposals in the Development Plan
- Previous planning decisions (including appeal decisions)
- Nature conservation

In summary, Members should consider whether the development accords with planning policy set out within the development plan; whether the development is appropriate for the area; whether the development would cause harm to neighbouring amenity; whether the proposal would cause traffic congestion or be a danger to highway safety. Loss of view, loss of property value, loss of trade to businesses and moral objections are not material considerations. The case officer can give further advice if required.

5. Members may feel that a particular planning application raises planning issues of the kind described above that ought to be discussed and determined at Committee, rather than being determined under delegated powers. However, in deciding whether to make such a request, it is important that Members consider their role and responsibility in the decision making process.
6. On receipt of a written request by a Member for an application to be determined by Committee, the case officer will acknowledge the request in writing or by telephone. The case officer will also check with the Member that it is necessary for the application to be determined by Committee, rather than under delegated powers. There may be particular circumstances, depending upon the officer recommendation where a committee decision is not necessary; this should be discussed with the planning case officer.

7. Members' representations are summarised in the officer report.
8. It is not appropriate for a Member to request that Committee determines an application if they have a disclosable pecuniary or personal and 'prejudicial' interest in it under the Council's Member Code of conduct.

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6.0 Consultations

6.1 Consultee Summary Grid

Consultee	Support	Object	No response / No comment	Page Reference
Waterbeach Parish Council		✓		92
County Highways Development Management	✓			92
Lead Local Flood Authority		✓		92
Archaeology	✓			93
Waterbeach Internal Drainage Board	✓			93
Environment Agency			✓	93
Anglian Water			✓	93
Senior Sustainability Officer		✓		93
Landscape Officer		✓		93
Ecology Officer		✓		93
Tree Officer		✓		93
Environmental Health			✓	93
Third Party Representations (32)		✓		93-94
Member Representations (1)		✓		94
Local Interest Groups and Organisations / Petition (234)		✓		94
TOTALS	3	9	3	

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Date:

Members of committee

Quorum: 3

Substitutes if needed:

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on.

By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings. The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. PLANNING PROTOCOL

The Planning Committee is one of the Council's Regulatory Committees, bodies which have decision-making powers and report to full Council. A copy of the Council's Code of Good Practice for Members is available on the Greater Cambridge Shared Planning webpage, along with copies of our Site Visit Protocol and Public Speaking Guidelines.

The planning system manages the use and development of land and buildings. The overall aim of the system is to ensure a balance between enabling development to take place and conserving and protecting the environment and local amenities. Planning can also help tackle climate change and overall seeks to create better public places for people to live, work and play.

It is important that the public understand that the committee makes planning decisions in this context. These decisions are rarely simple and often involve balancing competing priorities. Councillors and officers have a duty to ensure that the public are consulted, involved and where possible, understand the decisions being made. Neither the number of objectors or supporters nor the extent of their opposition or support are of themselves material planning considerations. The Planning Committee is held as a meeting in public and not a public meeting. The right to speak from the floor is agreed beforehand in consultation with officers and the Chair. Any interruptions from the public may mean that the Chamber needs to be cleared.

3. APOLOGIES

To receive any apologies for absence.

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs xxx the Planning Code of Good Practice for Members.

5. MINUTES

6. Part 1: Planning Applications

7. Part 2: General and Enforcement Items

Include this text where relevant

Exclusion of Press and Public

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

Notes

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

The Council is committed to improving access to its agendas and minutes for all members of the community. We try to take all circumstances into account, but if you have any specific needs we will do what we can to help you. Please contact Democratic Services on 01954 713 000 or email democratic.services@scambs.gov.uk.

Further information for members of the public can be found at the below link.
[Link to further information for members of the public attending South Cambridgeshire District Council meetings.](#)

If you wish to ask a question or make a statement at a meeting, please refer to the Public Speaking Scheme at the below link.

[Link to the Public Speaking Scheme](#)

Further information for Councillors
[Declarations of Interest – Link to Declarations of Interest - Information for Councillors](#)

Councillors are reminded that Democratic Services must be advised of substitutions in advance of meetings. It is not possible to accept a substitute once the meeting has started.

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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
23/00804/FUL (APP/Q0505/W/23/3323216)	37 Natal Road Cambridge Cambridgeshire CB1 3NS	Erection of 5No. dwellings following demolition of existing bungalow	Appeal Dismissed	12/07/2024	Refusal of planning permission (Delegated Decision)
23/01554/FUL (3335078)	Land Adjacent To Grafton House Maids Causeway Cambridge Cambridgeshire CB5 8DD	Erection of new office building (use class E) and associated development, infrastructure and works	Appeal Allowed	12/07/2024	Refusal of planning permission (Committee Decision (Area/Main))

Appendix 2: Appeals received

REFERENCE	SITE ADDRESS	DETAILS	DATE LODGED
24/00658/FUL (APP/Q0505/W/24/3348170)	36 Peverel Road Cambridge Cambridgeshire CB5 8RH	Erection of two dwellings and associated works	16/07/2024
24/01749/HFUL (3348386)	107 Hemingford Road Cambridge Cambridgeshire CB1 3BY	Raising ridge of the dwelling and widening of existing dormer window.	18/07/2024

Appendix 3a: Local Inquiry dates scheduled

REFERENCE	SITE ADDRESS	APPELLANT	EVENT DATE
EN/00222/23 (APP/Q0505/C/24/3342331)	Charter House 62 - 68 Hills Road Cambridge Cambridgeshire CB2 1LA	Unex (NO.16) Limited	06/08/2024

Appendix 3b: Informal Hearing dates scheduled

NO RESULTS

Appendix 4: Appeals Awaiting Decision from Inspectorate

REFERENCE	SITE ADDRESS	DETAILS	REASON
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)
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)
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	Refusal of planning permission (Delegated Decision)
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.	Refusal of planning permission (Committee Decision (Area/Main))
23/00456/FUL (APP/Q0505/W/23/3331695)	12 Silverwood Close Cambridge Cambridgeshire CB1 3HA	Residential development consisting of 1no. one and half storey detached dwelling with associated access, parking and amenity (revised proposal following a withdrawal).	Refusal of planning permission (Delegated Decision)
EN/00222/23 (APP/Q0505/C/24/3342331)	Charter House 62 - 68 Hills Road Cambridge Cambridgeshire CB2 1LA	Alleged erection of a sculpture 'The Cambridge Don' without permission	Appeal against enforcement notice
23/00277/FUL (APP/Q0505/W/24/3338964)	47 Histon Road Cambridge Cambridgeshire CB4 3JD	Two bed dwelling	Refusal of planning permission (Delegated Decision)
23/01694/PIP (APP/Q0505/W/24/3339598)	Land At The Back Of 140 Foster Road Cambridge Cambridgeshire CB2 9JP	Erection of a single storey detached dwelling.	Refusal of planning permission (Delegated Decision)
23/04451/FUL (APP/Q0505/W/24/3340322)	40B Flat 1 Green End Road Cambridge Cambridgeshire CB4 1RY	Single storey rear extension to create studio dwelling	Refusal of planning permission

			(Delegated Decision)
23/03193/FUL (APP/Q0505/W/24/3339640)	2 The Grove Cambridge Cambridgeshire CB4 1TJ	Erection of 1no. adjoining dwelling formed as an extension to the existing dwelling	Refusal of planning permission (Delegated Decision)
23/02957/HFUL (3341078)	67 Shelford Road Cambridge Cambridgeshire CB2 9NB	Single storey rear extension	Conditions imposed on planning permission (Delegated Decision)
23/02487/FUL (APP/Q0505/W/24/3342214)	64 Cromwell Road Cambridge Cambridgeshire CB1 3EG	Demolition of existing garage and creation of new one bedroom dwelling including outdoor amenity space and pedestrian access from Cromwell Road	Refusal of planning permission (Committee Decision (Area/Main))
23/03070/LBC (3340062)	2 Sussex Street Cambridge Cambridgeshire CB1 1PA	Installation of electronically operated security shutter to front entrance of shop premises	Refusal of planning permission (Delegated Decision)
23/03069/FUL (APP/Q0505/W/24/3341608)	2 Sussex Street Cambridge Cambridgeshire CB1 1PA	Installation of electronically operated security shutter to front entrance of shop premises	Refusal of planning permission (Delegated Decision)
23/03317/S73 (APP/Q0505/W/24/3344052)	50 Burleigh Street Cambridge Cambridgeshire CB1 1DJ	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	Refusal of planning permission (Committee Decision (Area/Main))

Appendix 5: Appeals Pending Statement

REFERENCE	SITE ADDRESS	DETAILS	STATEMENT DUE
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23/03993/FUL (APP/Q0505/W/24/3343119)	87 - 89 Perne Road Cambridge Cambridgeshire CB1 3SB	Demolition of existing buildings at Nos. 87 and 89 followed by a new building containing 6 flats/units to the front and a single flat to the rear along with bike and bin storage.	31/07/2024
23/01706/FUL (APP/Q0505/W/24/3347091)	27-29 Clayton Hotel Station Road Cambridge Cambridgeshire CB1 2FB	Erection of an extension to the rear of the hotel to provide 37 additional guest rooms plus other associated works.	13/08/2024
23/03568/FUL (APP/Q0505/W/24/3344601)	Orchard House Fendon Close Cambridge Cambridgeshire CB1 7RU	Change of use of building at rear to separate dwelling, dropped kerb to serve new dwelling and associated works, new dropped kerb to Orchard House and installation of a side gate and associated works (retrospective).	16/08/2024
23/04247/PRIOR (APP/Q0505/W/24/3345079)	Department Of Works And Pensions Henry Giles House 73 - 79 Chesterton Road Cambridge Cambridgeshire CB4 3AP	Installation of 3no. 5.45m support poles supporting 3no. antenna apertures (1 antenna aperture on each support pole) at 23.85m AGL and 3no. 3.0m support poles supporting 3no. 600mm diameter transmission dishes (1 dish on each support pole) at 21.3m AGL and ancillary development thereto, along with 4no. equipment cabinets at roof level	20/08/2024

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