



Cambridge City Council Planning

Date: Wednesday, 2 October 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

4 Minutes

To follow

Part 1: Major Planning Applications

- | | | |
|---|---|----------------------|
| 5 | 24/01330/FUL Emperor 21 Hills Road | (Pages 5 - 64) |
| 6 | 24/02159/S106A - Land South of Worts Causeway -
Newbury Farm | (Pages 65 - 74) |
| 7 | 24/01704/S73 - Land South of Worts Causeway -
Newbury Farm | (Pages 75 -
114) |
| 8 | 24/01531/REM Land South of Worts Causeway -
GB2 - Phase 3 | (Pages 115 -
164) |

Part 2: Minor/Other Planning Applications

- | | | |
|----|--|----------------------|
| 9 | 24/00245/REM 111-113 Queen Ediths Way | (Pages 165 -
208) |
| 10 | 24/00961/FUL Darwin Green 1 BDW5 6 Plots 202,
203, 204, 205 and 209 | (Pages 209 -
246) |
| 11 | 24/02669/FUL 23 The Westering | (Pages 247 -
262) |
| 12 | 24/02473/FUL 232 Mill Road | (Pages 263 -
274) |
| 13 | 24/01787/FUL CBC Substation | (Pages 275 -
294) |

Part 3: General and Enforcement Items

- | | | |
|----|--|----------------------|
| 14 | Appeals Information | (Pages 295 -
298) |
| 15 | Compliance Report Cambridge City Council October
2024 | (Pages 299 -
304) |

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

Alternates: Flaubert, Griffin, Howard, Nestor and Young

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- Email: democratic.services@cambridge.gov.uk
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Planning Committee Date	2 nd October 2024 Cambridge City Council Planning Committee
Report to Lead Officer	Joint Director of Planning and Economic Development
Reference	24/01330/FUL
Site	The Emperor 21 Hills Road
Ward	Market
Proposal	Retention of building frontage facade and introduction of a mixed use development comprising basement and ground floor public house and an Office/Business Use (Class E(g)) to the rear and on the upper floors along with access, cycle parking and associated infrastructure following demolition of existing buildings on site.
Applicant	MPM Properties
Presenting Officer	Tom Gray
Reason Reported to Committee	Third party representations on planning grounds that are contrary to the officer recommendation and cannot be resolved by planning condition.
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Design, layout, scale and impact upon the character and appearance of the Conservation Area2. Neighbour amenity
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks consent for the retention of the principal public house façade and a mixed-use development comprising basement and ground floor public house and an office/business Use (Class E(g)) following demolition of the existing building.
- 1.2 In principle, the introduction of office use to the rear of the site and on the upper floors of the building is acceptable. The proposed redevelopment of the public house would not adversely impact the future viability of The Emperor public house.
- 1.3 This proposal seeks to address the previous application 21/05549/FUL reason for refusal upheld by the planning inspectorate, citing harm to the conservation area. In response, the proposal's massing and scale have been reduced, creating more space to the rear of the site. The resulting design, layout and scale is compatible with its surroundings and would not result in any overall harm to the significance and character of the Conservation Area.
- 1.4 Trees would be retained to the front of the office building whilst a biodiversity net gain would result. Subject to conditions, BREEAM 'excellent' would be achieved for the office use and this measure would also be required to be met prior to the fit out of the public house.
- 1.5 The number of car movements along St Paul's Place would be reduced, whilst any increase in traffic movements along Cambridge Place would be minimal with non-car modes of transport encouraged and cycle storage provision for all users proposed. Highway safety impacts are considered acceptable.
- 1.6 Foul and surface water drainage, and construction and environmental impacts are considered acceptable subject to conditions. Integrated refuse storage provision would be accessed along St Paul's Place.
- 1.7 The proposal would result in moderate adverse daylight impacts to a single neighbouring window, however on the basis of its use as a bedroom, its small size and configuration, the isolated nature of harm and taking into account the benefits of the scheme, the lack of compliance with the BRE daylight standards are considered to be acceptable in this instance.
- 1.8 The proposal would deliver a high-quality designed scheme and provide employment opportunities in a highly sustainable location that would result in substantial economic benefits.
- 1.9 The proposed development would result in an overall reduction in car movements, reuse of previously developed land and provide on-site biodiversity net gain.
- 1.10 Officers recommend that the Planning Committee approve the application.

2.0 Site Description and Context

Conservation Area	X	Tree Preservation Order	X
Safeguarded Pub	X	Flood Zone 1	X
Local Neighbourhood and District Centre	X	Controlled Parking Zone	X
Opportunity Area	X	Setting of Listed Buildings	X

- 2.1 The application comprises a public house and private car parking space to the rear. It is located along the eastern side of Hills Road, situated within the New Town and Glisson Road Conservation Area, Hills Road Local Centre, and Opportunity Area. Trees to the east of the application site have statutory protection (TPOs). The Grade II Church of St Paul is located near to the application site to the north.
- 2.2 The surrounding area comprises a mixture of residential flats and ground floor commercial uses to the north-west, commercial uses to the north and east and residential flats to the south. To the northeast is St Paul's Place and to the southeast is Cambridge Place, both residential areas. This section of Hills Road is characterised by predominately retail and other commercial uses, interspersed with residential flats on upper floors.

3.0 The Proposal

- 3.1 The applicant proposes the retention of the building frontage facade and introduction of a mixed-use development comprising basement and ground floor public house and an office/business Use (Class E(g)) to the rear, basement, ground floor and on the upper floors along with access, cycle parking and associated infrastructure following demolition of existing buildings.
- 3.2 The rear part of the existing pub would be demolished whilst retaining the existing public house façade. The new development would provide pub space within the basement and ground floor in the front part of the application site, whilst the new office space would be located to the rear including on basement, ground floor and on upper floors. The main access to the office space would be via Cambridge Place whilst employee access to the office and public house would be via St Paul's Place. As part of the scheme, cycle parking provision would be provided for all users.
- 3.3 The application has been amended to address representations and further consultations have been carried out as appropriate.
- 3.4 The previous planning application 21/05549/FUL was refused on the following grounds:
- 1) The impact upon the character and appearance of the conservation area
 - 2) Highway safety

- 3) Pub viability
- 4) Loss of light and overbearing impacts upon occupiers of Dazeley House
- 5) Insufficient cycle parking

3.5 The application was subsequently appealed, and the Planning Inspector dismissed the appeal on one of the above five grounds, namely the harmful impact to the character and significance of the New Town and Glisson Road Conservation Area. A copy of this Appeal Decision is attached in Appendix 1.

3.6 Pre-application discussions have been carried out with officers to address the upheld reason for refusal.

4.0 Relevant Site History

Reference	Description	Outcome
21/05549/FUL	Retention of building frontage façade and introduction of a mixed use development comprising basement and ground floor public house and an Office/Business Use (Class E(g)) to the rear and on the upper floors along with access, cycle parking and associated infrastructure following demolition of the existing buildings on site.	Refused, Appeal Dismissed
21/03537/FUL	Retention of building frontage façade and introduction of a mixed use development comprising basement and ground floor public house and an Office/Business Use (Class E(g)) to the rear and on the upper floors along with access, cycle parking and associated infrastructure following demolition of the existing buildings on site.	Withdrawn
20/1135/TTPO	Ash (T3) - fell in order to facilitate access for construction works to 23-25 Hills Road (planning application reference 17/0265/FUL). Please see accompanying Tree Works Plan (drawing no D557-TF-01 rev B),	Permitted

letter from David Brown
Landscape Design and Covering
Letter for full explanation. The
tree will be replaced by a single
container grown Tilia cordata x
mongolica Harvest Gold in the
same position as the existing
tree.

20/01682/S73	S73 to vary condition 21 of ref: 17/0265/FUL (Mixed use development comprising ground floor retail floor space (Use Class A1) with 10 no. residential flats (Use Class C3) on upper floors along with integrated cycle parking following demolition of existing buildings on the site) to read: 'The development shall be carried out in accordance with the submitted 'feasibility for renewable & low carbon technology and 10% calculations assessment' document (Green Heat Ltd, 21 September 2018).	Permitted
17/0265/NMA2	Non material amendment on application 17/0265/FUL for addition of a lift shaft overrun to roof, substitution of brindle bricks on approved upper floor dormer windows with Anthracite Zinc Cladding, amended upper floor dormer window elevation details, use of soldier course headers and cills on all upper first and second floor windows, reconfiguration of the internal entrance to store/riser on all floors and widening of internal and external residential entrance.	Permitted
17/0265/NMA1	Non material amendment on application 17/0265/FUL for minor reduction to the footprint of the building, reconfiguration of ground floor internal layout to provide for an enlarged store room, new demo room and new kitchenette. Reduction in the	Permitted

	width of the door serving the ground floor retail unit store.	
17/0265/FUL	Mixed use development comprising ground floor retail floor space (Use Class A1) with 10 no. residential flats (Use Class C3) on upper floors along with integrated cycle parking following demolition of existing buildings on the site.	Permitted
15/2380/FUL	Mixed use development comprising ground floor retail (use Class A1), with non-speculative student accommodation scheme of 26No. bedrooms on the upper floors to be occupied by Abbey College, along with car and cycle parking, following demolition of existing buildings on site.	Appeal Allowed
15/1760/FUL	Mixed use development comprising ground floor retail (use Class A1), with a non-speculative student accommodation scheme of 26No. Bedrooms on the upper floors to be occupied by Abbey College, along with cycle parking, following demolition of existing buildings on site.	Appeal Allowed
18/329/TTCA	Ash (T3) – fell	Object
18/330/TTCA	Ash (T1) & (T2) – remove	Object
18/1216/FUL	The demolition of part of the wall and fence along Cambridge Place	Permitted
10/1211/FUL	Retrospective application for smoking shelter in garden.	Permitted

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

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

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

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

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 2: Spatial strategy for the location of employment development

Policy 5: Sustainable transport and infrastructure

Policy 6: Hierarchy of centres and retail capacity

Policy 8: Setting of the city

Policy 14: Areas of Major Change and Opportunity Areas

Policy 25: Cambridge Railway Station, Hills Road Corridor

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 40: Development and expansion of business space

Policy 41: Protection of business space

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 69: Protection of sites of biodiversity and geodiversity importance
Policy 70: Protection of priority species and habitats
Policy 71: Trees
Policy 72: Development and change of use in district, local and neighbourhood centres
Policy 76: Protection of public houses
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

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

5.5 Other Guidance

New Town and Glisson Road Conservation Area Appraisal (2012)

6.0 Consultations

- 6.1 Access Officer – No objection.** Please confirm flat threshold to pub.
- 6.2 Anglian Water – No objection**
- 6.3 Cadent Gas – No objection.** Informative recommended.
- 6.4 Cambridge Cycle Campaign – No comments received**
- 6.5 Campaign for Real Ale (CAMRA) – Objection**
- 6.6 Cellarage would be a small fraction of the cellar space that the pub currently has. Will limit the range of drinks that the pub could offer. Basement restaurant wouldn't have views out. Loss of garden space. Lack licensee accommodation, storage space and parking. Would be less attractive business option. Pub would be temporarily closed.
- 6.7 Conservation Officer – No objection**
- 6.8 Public house does make a positive contribution to the street scene.
- 6.9 Revised proposals reduce the height and scale of the office building, limiting the extent of the upper storey, thus avoiding harm to the setting of

- the listed church. The step down to the rear improves the relationship with the finer grain residential buildings behind. Although the building remains bulky compared to the scale of the pub frontage and other traditional commercial buildings in this part of the conservation area, the detailing and articulation of the facades and roof form are considered to enhance its appearance and minimise its impact.
- 6.10 Office building would have minimal impact with only narrow oblique views along St Paul's Place or glimpsed views of the higher roof form over the retained pub. From Cambridge Place, the reductions to the mass and scale of the building would step down, with a varied traditional roof form that allows a glimpsed view of St Paul's Church tower above.
- 6.11 The proposal results in a modest degree of harm to the significance of the conservation area, primarily due to the loss of the rear parts of the 19th century public house. However, the scheme provides enhancements, including the quality of the replacement design, which on balance are considered to offset this harm. The retention and refurbishment of the historic pub frontage is considered an additional benefit of the scheme.
- 6.12 St Paul's Church has a setting extending primarily to Hills Road and St Paul's Road where it forms a local landmark. The development site does not contribute to the church's significance, nor would its redevelopment as proposed cause any harm to the listed building's setting.
- 6.13 Recommends conditions including materials, sample panel and retained frontage protection.
- 6.14 County Archaeology – No comments received.**
- 6.15 Environmental Health Officer – No objection.**
- 6.16 Locations of ASHP are acceptable. 1&2 will not be operated at night. Confirmation will be required at discharge of condition stage to require hours of operation of all plant to ensure the representative background sound levels are not exceeded. Locations of 1&2 are acceptable subject to a noise impact assessment at discharge of conditions stage. ASHPs 3&4 also on the roof level which is the preferred location.
- 6.17 Recommend conditions including demolition/construction noise/vibration impact assessment, construction/demolition hours, demolition/construction collection/delivery hours, dust, control of odour, unexpected contamination, materials management plan, plant noise, building insulation, operational delivery hours and artificial lighting.
- 6.18 Previous comments (15/07/24): Concerns regarding ASHP enclosure air flow, plant location and use at night.
- 6.19 Previous comments (19/06/24): Concerns regarding siting and air flow concerns of plant.

- 6.20 Previous comments (02/05/24): Plant locations and assessment of plant located in the car park in close proximity to residential receptors of 23-25 Hills Road is required.
- 6.21 **Environment Agency – No comments received.**
- 6.22 **Highways Development Management – No objection**
- 6.23 Recommend conditions regarding encroachment onto the public highway, traffic management plan, weight limit and loading hours, structure of proposed basement walls, and servicing plan. Informatives.
- 6.24 **Historic England – No comments offered.**
- 6.25 No comments offered.
- 6.26 **Lead Local Flood Authority – No objection.**
- 6.27 Significant betterment in surface water discharge compared to the existing site. Recommend surface water drainage and measures during construction conditions. Informatives.
- 6.28 **Nature Conservation Officer – No objection.**
- 6.29 No biodiversity net gain required due to non-scoring onsite habitats and de-minimis exempt from mandatory biodiversity net gain requirement. Recommend ecological enhancement condition.
- 6.30 **Sustainable Drainage Officer – No comments received.**
- 6.31 **Sustainability Officer – No objection.**
- 6.32 Approach is supported. 5 credits are shown as being targeted under Wat01 requirements. Recommends conditions for the office to secure the submission of a more detailed water efficiency calculator report, alongside standard conditions related to water reuse and recycling infrastructure. Office element targeting BREEAM excellent in line with policy requirements.
- 6.33 Further work required to achieve BREEAM excellent for the pub. Wat01 credits are not available for shell only, however, water efficiency measures are important given water stress.
- 6.34 General approach in terms of overheating is supported. ASHPs will provide both cooling and heating. Capable of cross ventilation. Further consideration should be made to whether external shading is required on the southern elevation to reduce unwanted internal heat gains.

- 6.35 Energy strategy is supported. ASHPs and PV panels, in addition to mechanical ventilation with heat recovery is also proposed.
- 6.36 **Transport Assessment Team – No comments received.**
- 6.37 **Tree Officer – Objection**
- 6.38 Increased future pressure to allow significant crown management or tree removal.
- 6.39 If minded to approve the application, an arboricultural method statement and tree protection plan and its implementation will be required via condition.
- 6.40 **Urban Design Officer – No objection.**
- 6.41 Response to context: Proposed set back would fit with the context of existing setbacks along the east side of Hills Road. Scale of development along Hilld Hills Road is typically 3-4 storeys and is at relatively high density. The arrangement responds well to the existing street scene and pattern.
- 6.42 Movement and access: Primary and secondary accesses proposed. Circulation core for general access to the office accommodation. St Paul's Place will be wider as a result of the proposals.
- 6.43 Scale and massing: No objections to proposed floor plans. 3rd storey element sits comfortably as a simple pitched roof form. The 4th storey reads as a mansard roof that is more substantially set back. These do not interfere with views of the pub and surrounding buildings as you approach them from Hills Road and reduces the prominence of the proposed scheme within the conservation area. Top floor has been reduced by a distance of 8.5m to the rear, which means that the building steps down to be 2.5 storeys at the rear with the addition of a mansard roof here now to mean less visual impact from the building's massing at this east end. Chimney has also been removed.
- 6.44 The stepped massing on Cambridge place helps to mitigate impact to the 1st and 2nd floor windows of No.23 and No.25 Hills Road. Also maintains open views toward St Paul's Church. Enables some incidental views of the church tower.
- 6.45 Layout: Existing frontage building façade will be retained. Larger and more useable pub space provided over two floors. Proposes public realm creates a positive and legible setting and 'shared space' for the new entrance on Cambridge Place, with room to dwell, and space between visitor cycle parking, blue badge parking bay with associate EV charging point, and the existing tree and proposed tree. Timber enclosure for ASHP is welcome. Orientation allows for a good amount of sunlight to enter the reception and

office space. Space to locate air handling plant as required. Space for ancillary functions on floors.

6.46 Functional design: Bike storage, disabled parking and bin storage are conveniently provided for at the ground and basement floor level.

6.47 Elevations, materials and details: Façade materials are supported. Precise brick material details should be conditioned. Could use bricks reclaimed from the demolition of the rear section. Articulation of the building elevation onto St Pauls Place is subdivided into smaller bays or plots, to create a finer grain. Arched windows are supported. Provision of new windows should provide greater natural surveillance. Stepped form, fenestration and mansard roof in relation to the adjacent print shop roof is supported.

6.48 No objection, subject to full details of the required PV panels and other plant, including details of access, safety on the roof and servicing will need to be conditioned.

6.49 Shared Waste – No objection. Condition requested.

6.50 Fire and Rescue Department – No objection.

7.0 Third Party Representations

7.1 5 representations have been received (3 in objection, 2 neutral)

7.2 Those in objection have raised the following issues:

- Fire spread to neighbouring building and emergency escape route
- Loss of light impacts upon Dazeley House
- St Paul's Place is not in the 'public realm'. Secondary access to the offices and another for an escape route would depend on the developer having a right of access/fire escape route over third party land.
- Noise impacts from existing pub and anti-social behaviour. Would welcome improvement to existing situation.

8.0 Member Representations

8.1 None received.

9.0 Local Groups / Petition

9.1 Cambridge Place Residents has made a representation noting that the scheme is an improvement to that previously proposed and welcomed the developer's engagement with the local community but outlined other issues that need to be addressed:

- Tree Impacts – Ensure that the existing ash tree is fully protected. Tree species not noted and would not provide an additional biodiversity benefit given it is required under a tree

preservation order. Excavation of the basement could have an impact upon the existing tree and no updated arboricultural impact assessment has been submitted.

- Conditions required to minimise disruption to those working and living in the locality, traffic management due to narrow, dead-end street.

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

10.0 Assessment

10.1 Principle of Development – Office Use

10.2 The application comprises the redevelopment of the site to include Class E office use on the ground floor to the rear of the site and upper floors of the building.

10.3 Policy 2 of the Cambridge Local Plan 2018 states that the strategy will be to support Cambridge's economy, offering a wide range of employment opportunities... employment development will be focused on the urban area, Areas of Major Change, Opportunity Areas and the city centre.

10.4 Policy 40 of the Local Plan 2018 states that proposals for new offices, research and development and research facilities elsewhere in the city will be considered on their merits and alongside the policies in Section Three of the plan. Supporting text paragraph 3.14 states that employment proposals in B use class that are situated in sustainable locations will be supported. Evidence suggests that over the past few years demand for office space has contracted to the city centre and down Hills Road to Cambridge Station, and the business parks and Cambridge Science Park on the northern edge of the city. This policy seeks to meet the demand for new office space by supporting the development of business space in areas where there is strong demand.

10.5 Policy 25 of the Local Plan 2018 states that development proposals within the Cambridge Railway Station, Hills Road Corridor to the City Centre Opportunity Area, will be supported if they help promote and coordinate the use of sustainable transport modes, and deliver and reinforce a sense of place and local shops and services.

10.6 Supporting text Paragraph 3.102 states that redevelopment of sites within the area will help improve the environmental quality of the whole area, creating a more inclusive public realm and promoting 'place making'. These improvements will promote the character and distinctiveness of Hills Road and Regent Street to create streets that will foster a sense of community and provide attractive places to live in, work in and travel through. Where redevelopment occurs within the local centre,

opportunities should be taken to provide a mix of uses, including residential uses on upper floors.

- 10.7 Policy 72 states that within local centres, offices are supported on upper floors provided that the use would have a safe and convenient access and would not inhibit the functioning of the ground floor use. Moreover, supporting paragraph 8.8 states that greater flexibility is provided in relation to new development and change of use in local and neighbourhood centres, to reflect the fact that a mix of uses is important in these smaller centres. Flexibility is also required in order to take account of market conditions and to maintain vitality and viability of the centres.
- 10.8 In this particular instance, the proposal would retain the existing public house (sui generis) located along the frontage to Hills Road. Pedestrian access to this pub facility would remain whilst the office use would be situated to the rear of the site with the main reception area accessed off Cambridge Place. Whilst the existing car park to the rear of the public house would be lost to allow for redevelopment, given that this car park is not essential to sustain the use of the public house and having regard to the pub's position within walking distance to offices and residential areas, it is not considered that the proposed redevelopment of the site and loss of car parking would inhibit the functioning of the existing ground floor public house use. Further discussion concerning the future viability of the pub will be made in the below section.
- 10.9 Whilst Policy 72 steers non-centre uses generally to upper floors, taking into account the adjoining ground floor uses to the north comprising offices and taking into account the site's location within an Opportunity Area close to Cambridge Railway Station where there is more demand for employment space, it is considered that a flexible approach should be utilised to reflect the mix of uses important in these smaller local centres.
- 10.10 Taking all the above into account, it is considered that proposed office use would maintain the vitality and viability of the Hills Road Corridor Local Centre and the principle of the development is acceptable and in accordance with policies 2, 25, 40 and 72 of the Local Plan 2018.
- 10.11 To ensure that the office space is restricted to business/office use which is appropriate to the local context and to safeguard this use from potential future loss, a condition will be attached to restrict the development to Class E(g(i)), and for no other use within Class E in accordance with policies 40, 41, 72 and 25 of the Local Plan 2018.
- 10.12 Principle of Development – Protection of Public Houses**
- 10.13 The Emperor (21 Hills Road) is listed as a protected public house under Policy 76 (Appendix C) of the Local Plan 2018.

- 10.14 Policy 76 of the Cambridge Local Plan 2018 states that the loss of any part of a public house, or its curtilage will be permitted if it can be demonstrated that:
- d. the viability of the public house use will not be adversely affected, sufficient cellarage, beer garden, parking and dining/kitchen areas will remain to retain a viable public house operation; and
 - e. the loss including associated development will not detract from the prevailing character and appearance of the area, including where the building is of merit or has any distinctive architectural features.
- 10.15 Supporting paragraph 8.42 states that when considering proposals for the development of part of a pub, its car parking areas, dining areas, cellarage or pub gardens, the Council will require supporting evidence explaining how the development proposal will support and not undermine the viability of the pub.
- 10.16 Supporting paragraph 8.43 states that developers will need to provide an independent professional assessment by a professional Royal Institution of Chartered Surveyors (RICS) valuer with expertise in the licensed leisure sector and who is not also engaged to market the property.
- 10.17 In terms of criterion e) of this policy, the proposal would retain the existing Hills Road façade and its architectural features. The proposed office use would be situated to the side and rear of the site, and therefore would not detract from the Emperor’s historic frontage. The impact upon the character and appearance of the Conservation Area will be discussed in the subsequent section of this planning assessment.
- 10.18 With regards the future viability of the public house, whilst the Campaign for Real Ale (CAMRA) raises several concerns with the proposal, notably the reduced cellarage space compared to the current situation, no view from the basement restaurant, loss of garden space, lack of licensee accommodation, storage and parking which could prove a less attractive business opportunity are all noted, the Inspector stated in the appeal decision (21/05549/FUL) that:
- “I conclude that the proposal would not have a harmful impact on the viability of the public house and therefore would be in accordance with policy 76 (d) of the Local Plan. This requires that the viability of the public house use will not be adversely affected, sufficient cellarage, beer garden, parking and dining/kitchen areas will remain to retain a viable public house operation.”*
- 10.19 In this instance, the proposed revised plans demonstrate that a similarly sized public house space and facilities would be provided compared to the proposal that was subject to appeal and therefore officers consider on this basis that the proposal would retain a viable public house. This view

accords with previous viability assessments regarding the new pub unit undertaken by the applicant and independently for the Council.

10.20 Whilst the pub would be temporarily closed during the construction period, subject to a condition requiring a contract to be in place prior to the substantial demolition of the premise, officers consider that the proposed redevelopment would not adversely impact the future viability of the public house. Therefore, the proposal is compliant with Policy 76 of the Local Plan 2018.

10.21 **Design, Layout, Scale and Landscaping and Impact upon the Character and Appearance of the Conservation Area**

Design/materials, scale, massing and impact upon the character and appearance of the Conservation Area

10.22 The application site is situated within the New Town and Glisson Road Conservation Area. The existing building has been significantly altered at ground floor level and redecorated sometimes unsympathetically. No mention is made within the Conservation Area Appraisal of this site, however it is noted that commercial and residential buildings opposite the site along Hills Road and to the east within St Paul's Walk and Cambridge Place are identified as buildings important to the character of the Conservation Area. Moreover, the building as whole contributes positively to the significance of the CA displaying positive historic features and form. However, visually the rear space has little merit.

10.23 The Inspector in the appeal decision (21/05549/FUL) states that:

"... the significance of the CA therefore, for the purpose of this appeal, lies within the importance of the historic built form displaying the nineteenth century commercial and residential evolution of this part of the city and the relationship of that built form to the spaces in between."

10.24 Policy 55 of the Local Plan 2018 states that development will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive and high quality places. Development will:

- a. identify and respond positively to existing features of natural, historic or local importance on and close to the proposed development site;
- b. be well connected to, and integrated with, the immediate locality and wider city; and
- c. use appropriate local characteristics to help inform the use, siting, massing, scale, form, materials and landscape design of new development.

10.25 Policies 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.

- 10.26 Policy 61 states that proposals should (amongst other considerations):
- a. preserve or enhance the significance of the heritage assets of the city, their setting and the wider townscape, including views into, within and out of conservation areas;
 - b. retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area;
 - c. be of an appropriate scale, form, height, massing, alignment and detailed design which will contribute to local distinctiveness, complement the built form and scale of heritage assets and respect the character, appearance and setting of the locality;
 - d. demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage asset and its context; and
 - e. provide clear justification for any works that would lead to harm or substantial harm to a heritage asset yet be of substantial public benefit, through detailed analysis of the asset and the proposal.
- 10.27 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.
- 10.28 Paragraphs 200 – 214 of the NPPF 2023 provide advice on proposals affecting heritage assets and how to consider different levels of harm.
- 10.29 Paragraph 205 states 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.
- 10.30 Paragraph 206 states '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'.
- 10.31 Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.32 The previous proposal consisted of one long three/four storey building extending along St Paul's Place. The Inspector stated the following in their assessment

“... Consequently, due to its height and, particularly its extent along St Paul’s Place, it would form a large mass that would dominate views from Hills Road, Cambridge Place and St Pauls Place and would conflict with the predominant historic characteristic of building form reducing to the rear of the Hills Road frontage displayed elsewhere in the CA. Moreover, it would harmfully erode the sense of space between Hills Road and St Paul’s Walk to the rear, dominating that residential area due to its size and proximity.”

10.33 The Inspector continued in their assessment

“The key issue, in my view, is the massing of the building. Although there are examples of other high buildings within the CA there are very few examples of such a large building in proximity to others which extends as far back from Hills Road as the proposed building. The key here to the character of the CA is a domestic form and size of architecture together with the space around buildings. Where there are larger buildings, they are generally on wider roads or have space around them. Here the taller elements would be close to the two storey pub at the front, Dazely House and, due to the narrowness of St Pauls Place, 19 Hills Road as well as adjacent to the red brick building to the rear of the site. As a result, there would be little space around the proposed building to mitigate the large scale and massing of the rear element in particular to reflect the character and appearance of the CA. There would also be an awkward juxtaposition between the proposed building and the houses on St Pauls Walk due to the extension and height of the structure within the site close to those 2 storey dwellings.”

- 10.34 The revised proposal has sought to address this upheld reason for refusal by reducing the height and scale of the office building through the stepping down to the rear and the removal of the chimney to improve the relationship with St Paul’s Place and the finer grain residential buildings behind along St Paul’s Walk. In addition, the ground floor element of the public house beyond the existing façade has been stepped back to increase the space of along St Paul’s Place opposite the flats of No.19 Hills Road. The perceived massing of the building has also been lessened compared to the original proposal through the detailing and articulation of the facades and roof form which would minimise its impact.
- 10.35 Whilst the Conservation Officer has identified a modest degree of harm to the significance of the Conservation Area through the loss of the rear parts of the 19th century public house, the Conservation Officer considers that the revised scheme provides enhancements, including the quality of the replacement design, which are considered to offset this harm. Moreover, the retention and refurbishment of the historic pub frontage is considered an additional benefit of the scheme.
- 10.36 In local views from Hills Road, the proposed development would have minimal impact, with only glimpsed views of the higher roof form over the

pub, albeit would have less of an impact than the existing neighbouring building of Dazeley House, which has its 4th storey set forward of the proposal. Following a formal consultation with the Council's Urban Design Officer, it is considered that this set back responds well to the existing street scene and pattern of development.

- 10.37 When viewed from Cambridge Place, the reductions to the massing and scale of the building compared to the previous application, with a more varied traditional roof form would allow for improved 'space' within the existing street scene in addition to the added benefit of retaining glimpsed views of the church beyond.
- 10.38 Overall, it is considered that the proposed development is a high-quality design that would preserve the character and appearance of the Conservation Area. Therefore, subject to conditions including submission of external materials, sample panel and a method statement for the protection of the retained public house frontage, the proposal would not harm significance of the Conservation Area, in accordance with policies 56, 57, 58, 59 and 61 of the Local Plan 2018 and Paragraphs 205-208 of the NPPF 2023.
- 10.39 Even if some very modest harms ('less than substantial') remain as a result of the proposal, and Paragraph 208 of the NPPF 2023 is engaged, it is considered that there are very significant public benefits that would result from the proposed scheme including the provision of employment thereby supporting the local economy, the reduction of cars visiting the site and an on-site biodiversity net gain. These benefits are considered to outweigh any harm if these are indeed identified.

Functional layout, movement and access

- 10.40 The proposed development would provide for a public house space on basement and ground floors towards the front of the site with its primary access as per the existing arrangement off Hills Road, whilst to the rear, an office building is proposed with its primary access located along Cambridge Place. Secondary accesses for the office and public house employees would be located along St Paul's Place.
- 10.41 Following a formal consultation with the Urban Design Officer, the proposed public realm to the office creates a positive and legible setting. Internally, the ground floor office layout includes ancillary facilities and a goods lift for bins and cycles in addition to a separate passenger lift.
- 10.42 The proposed office space entrances will be constructed with flush thresholds and the communal staircase is supported by a platform lift for wheelchair users. In addition, levels across the site will be designed to be consistent with recommended gradients for people with impaired mobility. Therefore, the proposal has been designed in accordance with Part M4(3) building regulations as required by Policy 51 of the Local Plan 2018.

- 10.43 Although the original historic pub façade will be retained and thus a level threshold is not proposed, subject to condition, a scheme for wheelchair users will be required on any planning consent granted.
- 10.44 Full details of the PV panels and other plant/enclosures including details of access and servicing will be conditioned on any planning consent granted.
- 10.45 Overall, it is considered that the proposed development is a high-quality design that would contribute positively to its surroundings. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59.
- 10.46 **Trees**
- 10.47 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.
- 10.48 The application is accompanied by an Arboricultural Impact Assessment (AIA). This demonstrates that the root protection area (RPA) of the existing TPO'd Ash tree (T1) would be outside the area of the proposed building footprint. Although hard standing has previously been present within this area, the proposal would incorporate a non-dig 3D cellular system to limit any impact upon this retained tree.
- 10.49 The Inspector in the case of the previous application (21/05549/FUL) states that
- “... the existing tree on Cambridge Place would be retained and the planting of a replacement tree within the development for one previously removed could be secured by condition. I am therefore content that there would be no harm caused to trees by the proposal.”*
- 10.50 On the current application, the Council's Trees Officer has raised an objection on the basis that the proposed development would result in reasonable pressure to allow future tree removal and/or crown management. Whilst these comments are acknowledged, any tree-related shading is considered to be minimal and given the commercial nature of the building, any shading would be less notable than a residential scheme. Third party comments concerning possible incursion into the root protection area (RPA) of this tree from the revised basement are acknowledged, however, the existing tree is located closer to the recently built flatted development at 23-25 Hills Road than the footprint of the proposed office building which would be outside of this RPA. Given this context, it is not considered that the proposal warrants refusal on this basis.

- 10.51 On this basis, and taking into account the appeal decision, subject to a tree protection plan and method statement conditions to ensure that tree T1 is protected during the construction phase, the proposal is compliant with Policy 59 and 71 of the Local Plan 2018. These pre-commencement conditions have been agreed in writing with the applicant.
- 10.52 Third party comments regarding the lack of suitable replacement tree are acknowledged. The submitted updated AIA includes replanting of a new tree to replace the previous (T3) Ash tree approved to be removed under TPO application 20/1135/TTPO. This is the same species as approved under this previous TPO consent, albeit relocated to allow for a disabled parking bay and on this basis and the appeal decision, it is considered acceptable.
- 10.53 Therefore, subject to conditions requiring a scheme of replanting in accordance with the AIA, the proposal would accord with policies 59 and 71 of the Local Plan 2018.
- 10.54 **Impact upon the setting of Listed Buildings**
- 10.55 The application is situated a considerable distance from the nearest Listed Building, a Grade II Listed Church to the north.
- 10.56 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings.
- 10.57 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area.
- 10.58 Glimpsed views of the Grade II Listed Church would be retained due to the stepping down of the roof towards the rear of the site and following a formal consultation with the Conservation Officer, it is not considered that the proposal would result in any harmful impacts upon the significance and character of this Listed Building.
- 10.59 Therefore, the proposal is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy 61.
- 10.60 **Carbon Reduction and Sustainable Design**
- 10.61 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

- 10.62 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.
- 10.63 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 10.64 The application is supported by a Sustainability Statement and Energy Assessment documentation. The proposal includes the provision of solar PVs on the roof space, ASHPs to provide cooling and heating in addition to mechanical ventilation with heat recovery.
- 10.65 The application has been subject to formal consultation with the Council's Sustainability Officer who supports the proposed approach for the office building subject to the submission of a more detailed water efficiency calculator report, alongside standard conditions related to water reuse and recycling infrastructure, BREEAM design stage certification and post construction certification.
- 10.66 The Sustainability Officer has identified that further work to achieve BREEAM 'excellent' for the public house is required which could be conditioned whilst water efficiency measures will also be subject to condition.
- 10.67 Therefore, the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.
- 10.68 **Biodiversity**
- 10.69 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 10.70 The application has been subject to formal consultation with the Council's Nature Conservation Officer, who raises no objection to the proposal. Whilst third party comments are noted, no biodiversity net gain is required due to the site comprising non-scoring habitats. Notwithstanding this, a

green roof is proposed which will result in a biodiversity net gain on-site which will be conditioned on any planning consent granted. Biodiversity enhancements will also be conditioned.

10.71 Therefore, in consultation with the Council's Nature Conservation Officer, subject to appropriate conditions, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and would achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

10.72 **Water Management and Flood Risk**

10.73 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.

10.74 The site is located within Flood Zone 1 and is therefore considered at low risk of flooding. It is also situated within a low risk area of surface water flooding.

10.75 The applicants have submitted a Flood Risk Assessment in support of the application. A green roof is proposed which will assist with the reduction of surface run-off.

10.76 The Local Lead Flood Authority have no objection to the proposed development subject to details of a surface water drainage scheme and a scheme for management of surface water during the construction phase. These pre-commencement conditions have been agreed in writing with the applicant.

10.77 Anglian Water has advised that they have no objections to the application subject to a condition requiring details of on-site foul water drainage works prior to construction above slab level. This is to ensure that the infrastructure improvements to accommodate the additional flows can be implemented.

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

10.79 **Highway Safety and Transport Impacts**

10.80 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.

- 10.81 Paragraph 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.82 The application site is well located within walking and cycling distance from Cambridge Railway Station and positioned along one of the main arterial routes into the City Centre which are well used by bus services with bus stops located nearby. A cycle lane runs along Hills Road to the south of the application site. On-street car parking is available in some of the surrounding streets which are generally controlled by parking restrictions.
- 10.83 Taking into account its location within a highly sustainable location with good access to non-car modes of transport, it is considered that a car-free approach to the redevelopment of the site is acceptable in highway safety terms. The proposed loss of the existing rear car park would reduce the number of potential traffic movements along St Paul's Place.
- 10.84 The pedestrian access to the public house would remain as existing with cycle access and refuse access via St Paul's Place. Servicing and delivery arrangements for this pub use would be from Hills Road as is the existing setup. Therefore, it is not considered that the proposal would result in significant adverse highways impacts from the public house use in this instance.
- 10.85 As identified by the Inspector with respect to appeal decision of 21/05549/FUL, Cambridge Place is narrow and has a permanent parking restriction running along its length. There is insufficient width for cars to pass at its entrance where it narrows and therefore if vehicles are parked elsewhere along Cambridge Place, passing can be difficult. If cars turn from Hills Road and there is an obstruction on Cambridge Place it would not be safe to reverse back onto Hills Road, given that it is a very busy route together with a well-used cycle lane. These existing highway safety issues are therefore acknowledged.
- 10.86 When the appeal regarding Dazeley House was assessed (application 15/2380/FUL), the Inspector considered that the parking restriction would be sufficient to ensure that such parking would not happen.
- 10.87 Whilst concerns were raised during the previous application by local residents, in the appeal decision 21/05549/FUL, the Inspector stated

“While this proposal could not be held accountable for the existing highway issues it is imperative that it does not make the situation worse. The appellant aims to prevent such parking occurring in association with the proposed development by having an appropriately worded condition securing the submission and implementation of a construction management plan utilising the area that would be available during construction and refit off road

and the permanent presence of an onsite construction manager. After construction and fitting out there would be a manager on site at all times to deal with inappropriate parking. There would, in any case, be limited need for service deliveries to the office building which could be co-ordinated to ensure no parking other than in accordance with the allowed loading times in the surrounding area...previous experience should ensure that the management plan secured by condition would be particularly robust taking advantage of space available off road and effectively enforced.”

- 10.88 Taking the above into account, given the nature of office use, officers consider that it is unlikely the proposal would give rise to frequent servicing requirement, and subject to a traffic management plan to control the construction phase and a servicing plan to control the operating phases which would address third party concerns, it is not considered that the proposal would either add a significant level of traffic using the junction or lead to further parking on Cambridge Place that would make the existing situation more hazardous.
- 10.89 Taking all this into account, it is considered that there would be minimal impact of the proposed development in terms of vehicle trips. To ensure that future site users of the office space are encouraged to use more sustainable forms of transport rather than rely on car use, a travel plan is considered reasonable to be conditioned on any planning consent granted.
- 10.90 Subject to the recommended conditions regarding a traffic management plan and maximum gross weight of construction vehicles, loading hours, servicing plan, structure of proposed basement wall and encroachment onto the public highway, the proposal accords with the objectives of Policies 80, 81 and 82 of the Local Plan and is compliant with NPPF advice. The residual cumulative impacts of the development would not be severe, which the conditions the Framework requires to be met to prevent development on transport grounds. Therefore, the proposal is in accordance with Paragraph 115 of the NPPF 2023. The pre-commencement conditions have been agreed in writing with the applicant.
- 10.91 **Cycle and Car Parking Provision**
- 10.92 Cycle Parking
- 10.93 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 non-residential food and drink premises states that two spaces per 5 members of staff and 1 short stay space for every 15 sq metres of dining space. This equates to approximately 18 cycle spaces required (4 for staff and 4 for visitors to the dining part of the public house).

10.94 4 covered staff cycle parking spaces would be located to the side of the public house accessed from St Paul's Place, whilst 4 pub customer cycle spaces would be available outside of the office building, both of which would meet the standards set out within the local plan. In terms of this arrangement, the Inspector on the appeal stated

“Although the cycle parking would be distant from the public house, it would not be by a significant amount. Furthermore, it was agreed at the Hearing that the appellant would provide signage at the pub which would direct visitors to the available parking at Cambridge Place and away from the local area. This would also be publicised on the pub’s website. All of those details could be secured by the imposition of an appropriately worded condition... The cycle parking would be managed by an on-site presence in association with the offices and this would also be secured via condition requiring a cycle management plan. Furthermore, the public house would be in an accessible location by means of walking and public transport and therefore, together with the cycle parking provision there would be sustainable travel options to and from the building.”

10.95 For non-residential office uses, Appendix L states that two spaces per 5 members of staff of 1 per 30 sq metres of gross floor area (whichever is greater) is required. It is not known at this stage what the anticipated number of employees would be, however, the development would create approximately 1168 sq metres of office floor space (not including circulation spaces). This would equate to approximately 39 cycle spaces required with the addition of visitor parking.

10.96 In this instance, 16 covered double stackers and 8 covered Sheffield hoops would be located within a dedicated basement cycle store accessed via a cycle/bin lift or ramped staircase from the rear staff office entrance with 3 non-standard cycle spaces available for use within the proposed ground floor. 3 covered Sheffield hoops for visitors at the front of the office building are also proposed. Overall, the proposed office use would provide 51 employee cycle spaces and 6 visitor cycle spaces, and therefore meet and exceed policy requirements.

10.97 Therefore, on this basis, it is considered that the proposal would provide for sufficient cycle parking provision in convenient locations in accordance with Policy 82 of the Local Plan 2018.

10.98 Car parking

10.99 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport

accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.

- 10.100 Given the site's highly sustainable location with easy access to non-car modes of transport, located within a controlled parking zone and within walking and cycling distance to the Hills Road Local Centre and Cambridge City Centre and close to Cambridge Railway Station, it is considered that a 'car free' development is justified on this basis.
- 10.101 Notwithstanding this, the proposed office space would consist of a one blue badge disabled car space in accordance with Appendix L of the Local Plan 2018 which is considered to be acceptable.
- 10.102 Taking all this into account, the proposal is considered to accord with policy 82 of the Local Plan 2018.

10.103 **Amenity**

- 10.104 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

10.105 Neighbouring Properties

Loss of daylight/sunlight impacts upon Dazeley House

- 10.106 Dazeley House contains a number of flats. Third party concerns regarding loss of light impacts are acknowledged. On the first and second floors, flats have windows with a view towards single and two storey buildings to the rear some distance away.
- 10.107 The siting of the proposed building would mean a very high wall extending beyond the rear elevation of Dazeley House with an offshoot projecting towards Cambridge Place about 6.5 metres from the windows.
- 10.108 The proposed development would be situated within the 45 degree (vertical and horizontal) rule of thumb when taken from the two windows in Dazeley House first floor flat, and the closest habitable room window in this building's second floor flat. In addition, the proposed development's third storey would be located within the 25 degree rule of thumb when taken from the closest window of the first floor flat in Dazeley House. Following the guidance contained within the BRE, the application is supported by a daylight/sunlight assessment.
- 10.109 The applicant has submitted details of both the no sky-line test (NSL) and the vertical sky component test (VSC) both to assess impacts on the daylight received by these windows and rooms.

- 10.110 The NSL test considers the size of the window, room layout as well as multiple windows serving one room (as is the case with this proposal). In this instance, the report concludes that the assessed windows retain in excess of 80% of the current values as required by the test. With regards the VSC measurements, the BRE recommendations state that this figure should be no less than 27 proposed VSC or if reduced below this, no less than 80% of its former value.
- 10.111 The VSC results show that all the neighbouring windows assessed will meet the BRE recommendations except for one window within Dazeley House's first floor flat which would experience a 39% loss of light, resulting in a proposed VSC of 22.5%. The open planned kitchen/living/dining room is also served by a second window which meets the BRE's recommendation for VSC (a proposed VSC value of 28.5% which is greater than target of 27%).
- 10.112 These VSC figures are an improvement compared to the previous application 21/05549/FUL which resulted in a greater reduction of light upon this first floor flat, one being 26.2% and the other 20.6%. The Inspector on the appeal stated

"... while I acknowledge that the latter figure is low, the first is only marginally below the recommended figure of 27. Furthermore, the BRE Guidance recommends using its guidance flexibly including in an historic city centre where a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings which would be the case here in respect of Dazely House. I am satisfied therefore that there would not be an unreasonable impact on the daylight received by the windows and rooms in the two flats. Equally due to the northern orientation of the proposed building there would be no unacceptable loss of sunlight."

- 10.113 In terms of sunlight impacts (as was similarly concluded by the Inspector in the last application), taking into account the northern orientation of the proposed development, there would be no unacceptable loss of sunlight.
- 10.114 On this basis, taking into account the improvement on the resulting daylight that would be experienced compared to the previous submission at appeal, which was considered by the Inspector to be acceptable, it is considered that the proposal would not result in an unacceptable loss of daylight/sunlight upon neighbouring amenities.

Loss of daylight/sunlight impacts upon No.19 Hills Road

- 10.115 Two flats within No.19 Hills Road are located opposite the proposed development along St Paul's Place.
- 10.116 The second floor flat consists of two windows serving a living/kitchen/dining area. Whilst one of the windows (W1) meets the BRE

recommendations, the other window serving this room falls slightly below these recommendations for VSC. However, in officers' view, given that one of the windows would provide a good amount of daylight and taking into account that the other window would only be fractionally below the recommended 27 figure (25.7%) and given that the room as a whole would result in a figure of 27, it is not considered that any loss of daylight to this habitable room would be harmful in this instance.

10.117 The first floor flat opposite the proposed development consists of one habitable room window serving a bedroom/cot room. The proposed development would result in a 39% loss of VSC and a 31.3% loss of NSL. On the basis of these figures, the proposal would result in a moderate loss of daylight upon this habitable room and would likely be noticeable to the occupant.

10.118 Whilst this is the case, the room in question is a small bedroom wherein the primary use is for sleeping. The applicant has justified the departure from the BRE recommendations for the following reasons:

- The only furniture that would possibly fit into the room would be either a bed, in which case there would be a reduced need for daylight, or a desk, in which case it would likely be placed near the window in an area which has an acceptable daylight distribution (NSL).
- Exploring a cut-back to the massing of the proposal is unlikely to provide a material betterment without affecting the viability of the scheme.

10.119 The proposed development would result in adverse impacts upon one of the rooms in the 2nd floor flat, however, these adverse impacts would be isolated to this one window. Additionally, the BRE standards are not mandatory and need to be applied flexibly and this needs to be balanced against all other material factors of the scheme including the benefits that arise. This is discussed in the planning balance.

10.120 In terms of the sunlight impacts, there would be no unacceptable loss of sunlight upon No.19 Hills Road.

Overbearing impacts

10.121 The relationship between the proposed development and the flats within Dazeley House would be similar to the previous proposal considered at appeal under application 21/05549/FUL. Whilst the first floor would be fractionally closer than the previous scheme, the offshoot width of the second floor would be lessened. The Inspector on the previous application stated

"... while the wall extending to the rear of Dazely House would be high, this would only be visible in oblique views from the window furthest from the proposed building with open views in all other directions retained. The small projection would fall within the direct

view from the windows closest to the proposed building, but it would not extend across the whole window, and it would be a sufficient distance from the windows to avoid a harmful overbearing presence.”

- 10.122 On the above basis, it is not considered that the proposal would result in any significant overbearing impacts upon the occupiers within Dazeley House.
- 10.123 Residents within the No.19 Hills Road first and second floor flats currently have views of the two storey public house with the four storey building of Dazeley House beyond. Whilst closer to the street than the existing situation, the proposed third storey element would be set back from the St Paul’s Place façade when viewed from the first floor flat whilst the fourth storey element would be set back when viewed from the habitable room window within the second floor flat. This kind of relationship between habitable rooms and other built form across relatively narrow streets in a high density environment is not unusual in the context of the application site. Therefore, on this basis, it is not considered that the proposal would result in significant overbearing impacts upon the occupiers of flats within No.19 Hills Road.

Overlooking impacts

- 10.124 Without mitigation, overlooking from windows in the office building towards the habitable room spaces within the second floor and first floor flats of No.19 Hills Road are likely to result from the proposal. Given the distance of approximately 5 metres, these impacts are likely to be significant. Therefore, to safeguard neighbour amenity, it is considered that the office’s four first floor windows, three first floor second floor windows and one third floor window as shown on the revised proposed elevation drawing closest to No.19 Hills Road will be conditioned to be obscured on any planning consent granted.
- 10.125 Given the oblique angle of view from the proposed office use, it is not considered that the proposal would result in any significant overlooking harm upon the occupiers of Dazeley House.

Conclusion

- 10.126 The proposal would result in a moderate loss of daylight upon a single window within the first floor flat of No.19 Hills Road, and therefore the proposed development would not strictly be in compliance with policies 55, 57 and 58 of the Cambridge Local Plan 2018.
- 10.127 In terms of overlooking and overbearing impacts, it is not considered that the proposed development would be harmful to the living conditions of residents of Dazeley House nor No.19 Hills Road. Additionally, the proposed development would not harm the amenities of Dazeley House on account of loss of light impacts. The proposal would accord therefore

with policies 55, 57 and 58 of the Cambridge Local Plan 2018 and Paragraph 135(f) of the NPPF 2023. Together these require that development delivers a high standard of amenity and does not unacceptably visually dominate neighbouring properties.

10.128 Construction and Environmental Impacts

- 10.129 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 and address concerns relating to the construction phase raised by third parties.
- 10.130 The application is supported by a ventilation and extract strategy and a baseline noise survey. The application has been subject to a formal consultation with the Council's Environmental Health Officer, and further information in terms of the ASHP noise impact upon nearby residential receptors relocating ASHPs 1&2 (previously located adjacent to Dazeley House) to roof level, there is no objection to the proposed development subject to full details regarding the plant noise impact, their location and associated mitigation in addition to full details of the proposed noise insulation scheme of the public house and offices. Operational delivery hours to the pub and office space would also be restricted.
- 10.131 Whilst third party comments concern the hours of use and noise and disturbance from people congregating outside, the proposal removes the outside amenity provision and car parking facility and therefore would largely limit customers to inside the premise arriving on foot, restricting noise impacts upon neighbouring amenities and improving the existing situation. The operating hours would be the same as existing in accordance with the licenced hours permitted.
- 10.132 In addition to other impacts, an artificial lighting assessment to limit light impacts upon surrounding residential amenities will be required via condition. Additionally, odour filtration/extraction information will be required via condition to limit any odour impacts emanating from the cooking extract system at roof level.
- 10.133 In terms of the construction phase, a demolition/construction noise and vibration impact assessment, restricted construction/demolition and collection/delivery hours, and dust mitigation will be conditioned to ensure that impacts upon residential amenities are acceptable.
- 10.134 The application is supported by an intrusive site investigation report. Following a formal consultation with the Council's Environmental Health Officer, it is considered that the application site for the proposed office use is suitable in land contamination terms without further information being required in this respect. The standard materials management condition

and unexpected contamination condition are considered reasonable to be attached on any planning consent granted.

10.135 In terms of air quality impacts, the proposed development would be car free with the exception of a single car space. Following a formal consultation with the Council's Environmental Health Officer, the electric vehicle charge point for this single space is acceptable. A condition will be attached to require the applicant to comply with the requirement of the vehicle charge point as shown on the drawings. No further information is required in respect of air quality impacts in this instance.

10.136 Summary

10.137 Taking all this into account, subject to conditions, it is considered that the proposal adequately respects the amenity of its neighbours and has acceptable impacts upon the surrounding environment. It is therefore compliant with Cambridge Local Plan (2018) policies 33, 34, 35, 36, 57 and 58.

10.138 **Refuse provision**

10.139 Policy 57 requires refuse and recycling to be successfully integrated into proposals. The shared waste team comments on the application are noted.

10.140 Waste Officer comments are noted. The bin store for the pub use is located along St Paul's Place and will replace the existing capacity being removed to facilitate the new development. This store will have sufficient storage space for three 1100 litre general waste bins, a 1100 litre recycling bin and two 360 litre recycling bins. The bin store would be integrated within the development and would be located conveniently adjacent to the staff entrance and accessible from the public highway.

10.141 The quantity of refuse provision for the office is based on the RECAP Waste Management Design Guide and would comprise two 1100 litre general waste bins in addition to two 140 litre food waste bins and one 1100 litre recycling bin in accordance with Policy 57 of the Local Plan 2018.

10.142 **Other Matters**

10.143 Third party comments regarding the fire spread risk are noted. Committee members previously raised concerns on the last application regarding fire safety. This would be a matter for building control at detailed design stage. In any event, discussion has taken place with the Cambridgeshire Fire Department who have raised no concerns with the proposed development. In terms of the public house basement facilities, the proposal would be similar to the previous layout considered under application 21/05549/FUL which was acceptable in fire safety terms.

10.144 With regards fire tender vehicle access, the applicant has confirmed that they have right of access over St Paul's Place. If fire tender vehicles are needed, the new building could be accessed from either Hills Road, Cambridge Place or St Paul's Place, whilst the escape route on St Paul's Place could be utilised.

10.145 Third party comments relating to noise and anti-social behaviour generated by the existing situation are noted. The proposal would provide a new public house offering that is not envisaged to make the existing situation worse.

10.146 Planning Conditions

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

Condition no.	Detail
1	Time limit
2	Plans
3	Arboricultural Method Statement and Tree Protection Plan
4	Surface water run-off during construction
5	Traffic Management Plan
6	Demolition/construction noise and vibration impact assessment
7	Dust mitigation/management
8	Details of materials
9	Sample panel
10	Protection of public house façade
11	Roof-mounted equipment details
12	BRE issued design stage certificate
13	Ecological enhancements
14	Surface water drainage details
15	Foul water drainage details
16	Noise insulation/mitigation scheme
17	Materials Management Plan
18	Building insulation to minimise noise
19	Biodiverse roof
20	Contract for the public house facility
21	Greywater harvesting
22	Rainwater harvesting
23	Replacement tree
24	Travel plan
25	Obscured glazing
26	Odour control
27	Artificial lighting details
28	Electric charging provision
29	Level access
30	Office use water efficiency

31	Public house water efficiency
32	Office servicing plan
33	Visitor cycle management plan
34	Basement wall details
35	Visitor cycle parking compliance
36	BRE issued post construction certification
37	Office use restriction
38	Implementation of approved tree methodology
39	Vehicle gross weight restriction
40	Construction/demolition hours
41	Construction/demolition deliveries/collection hours
42	Unexpected contamination
43	Service collections/dispatches including refuse/recycling
44	Encroachment of the adopted public highway

10.148 Planning Balance

10.149 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).

10.150 Summary of harm

10.151 The proposed development would result in moderate adverse daylight impacts to a single window in the first floor flat of No.19 Hills Road.

10.152 Summary of benefits

10.153 The proposal would result in an architecturally high-quality scheme that would deliver a minimum BREEAM excellence standard.

10.154 The proposed development would deliver an employment site that would result in substantial economic benefits, located in a highly sustainable location. Employment would also be created through construction and servicing of the office and public house uses.

10.155 The proposed development would result in an overall reduction in car movements and would meet and exceed cycle storage provision requirements.

10.156 The proposal would provide on-site biodiversity net gain above mandatory requirements.

10.157 The proposal would result in the reuse of previously development land.

10.158 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and

section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

10.159 **Recommendation**

10.160 **Approve** subject to:

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

1.0 Planning Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 2) The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.
Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

C212 CMP BD 02 DR A 00103 PROPOSED SECOND FLOOR PLAN
(Revision REV PL1) 08.04.2024

C212 CMP BD 03 DR A 00104 PROPOSED THIRD FLOOR PLAN
(Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00200 PROPOSED ELEVATIONS SHEET 1
OF 4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00202 PROPOSED ELEVATIONS SHEET 3
OF 4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00203 PROPOSED ELEVATIONS SHEET 4
OF 4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00250 PROPOSED SECTIONS SHEET 1 OF
4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00251 PROPOSED SECTIONS SHEET 2 OF
4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00252 PROPOSED SECTIONS SHEET 3 OF
4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00253 PROPOSED SECTIONS SHEET 4 OF
4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00800 PROPOSED PART SECTION
ELEVATION SHEET 1 OF 3 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00801 PROPOSED PART SECTION
ELEVATION SHEET 2 OF 3 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00802 PROPOSED PART SECTION
ELEVATION SHEET 3 OF 3 (Revision REV PL1) 08.04.2024

C212 CMP SI ZZ DR A 00001 LOCATION PLAN (Revision REV PL1) 08.04.2024
C212 CMP SI ZZ DR A 00030 DEMOLITION PLAN (Revision REV PL1) 08.04.2024
C212 CMP SI ZZ DR A 00110 PROPOSED WIDER CONTEXT SITE PLAN (Revision REV PL1) 08.04.2024
C212 CMP SI ZZ DR A 00250 PROPOSED SITE SECTION AND STREET ELEVATION SHEET 1 OF 2 (Revision REV PL1) 08.04.2024
C212 CMP SI ZZ DR A 00251 PROPOSED SITE SECTION AND STREET ELEVATION SHEET 2 OF 2 (Revision REV PL1) 08.04.2024
C212 CMP BD BL DR A 00100 PROPOSED BASEMENT LEVEL PLAN (Revision REV PL1) 08.04.2024
C212-CMP-BD-RF-DR-A-00105 PROPOSED ROOF PLAN (PLANT KIT MARKUP) (Revision REV PL1) 13.08.2024
C212 CMP BD 00 DR A 00101 AMENDED PROPOSED GROUND FLOOR PLAN (Revision REV PL2) 06.09.2024
C212 CMP BD ZZ DR A 00201 AMENDED PROPOSED ELEVATIONS SHEET 2 OF 4 (Revision REV PL2) 06.09.2024
C212 CMP BD 01 DR A 00102 AMENDED PROPOSED FIRST FLOOR PLAN (Revision REV PL2) 10.09.2024

- 3) 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.
- 4) Prior to commencement of development including preparatory works, details of measures indicating how additional surface water run-off from the site will be avoided during the construction works shall be submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.
Reason: To ensure surface water is managed appropriately during the

construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts in accordance with policies 31 and 32 of the Cambridge Local Plan 2018.

- 5) No demolition or construction works shall commence on site until a traffic management plan has been submitted and agreed in writing with the Local Planning Authority following consultation with local residents living along St Paul's Place, St Paul's Walk and Cambridge Place. The principal areas of concern that should be addressed are:
- i. Movements and control of muck away lorries
 - 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
 - iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.
 - v. the requirement for an onsite construction manager and their contact details.

Reason: in the interests of highway safety in accordance with the National Planning Policy Framework (NPPF) 2023.

- 6) Prior to commencement of development (including demolition, enabling works or piling) a demolition/construction noise and vibration impact assessment associated with the development shall be 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).

- 7) 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).

- 8) No development shall take place above ground level, except for demolition, until details and samples of all the materials for the external surfaces of buildings to be used in the construction of the development and the repair and redecoration of the retained frontage have been submitted to and approved in writing by the local planning

authority. The details shall include large scale drawings and bay studies, brickwork details, non-masonry walling systems; windows, cills, headers and surrounds, arch lintels, sills & jambs; doors and entrances; roof cladding; external metal work, balustrades, rainwater goods, edge junctions and coping details; colours and surface Finishes. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area (Cambridge Local Plan 2018 policies 61, 55 and 57).

- 9) No brickwork above ground level shall be laid until a sample panel [1.5 x1.5m] has been prepared on site detailing the choice of brick, bond, coursing, special brick patterning [banding, soldier course, projecting header & recessed], mortar mix, design and pointing technique. The details shall be submitted to and approved in writing by the Local Planning Authority. The approved sample panel is to be retained on site for the duration of the works for comparative purposes, and works will take place only in accordance with approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area (Cambridge Local Plan 2018 policies 61, 55 and 57).

- 10) No demolition of the existing public house building shall commence until a method statement for the protection of the retained frontage and return has been submitted to and approved in writing by, the local planning authority. Demolition and construction shall proceed thereafter only in accordance with the approved statement. The retained building frontage facade shall thereafter be retained in perpetuity.

Reason: To protect the significance of the conservation area (Cambridge Local Plan 2018 policy 61)

- 11) Notwithstanding the approved plans, no plant/equipment (including solar PV panels) nor means of enclosure (where necessary) shall be installed until details of the plant/equipment and any means of enclosure have been submitted to and approved in writing by the local planning authority. The details shall include the type, dimensions, materials, location, means of fixing, access, safety on the roof and servicing. The development shall be carried out in accordance with the approved details.

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

- 12) Within 12 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met, with maximum credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be

submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

- 13) No development above ground level shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. This shall also include number, specification and location of integrated bird boxes. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policy 57).

- 14) Prior to commencement of development (except for demolition), a detailed design of the surface water drainage of the site shall be 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, Surface and Foul Water Drainage Strategy, SLR, Ref: 119490, Rev: 01, Dated: 20th March 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) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems; f) Full details of the maintenance/adoption of the surface water drainage system; g) Permissions to connect to a receiving watercourse or sewer; h) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

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

- 15) Prior to the construction above slab level, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

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

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

The combined rating level of sound emitted from all fixed plant and/or machinery associated with the development at the use hereby approved shall not exceed the rating level limits specified within the SLR – Baseline Acoustic Survey Report – SRL project no:406.11949.00001 – dated 4th July 2024 – revision 06.

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

- 17) 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).

- 18) Prior to the commencement of development/construction (except

for demolition), a scheme for the insulation of the building in order to minimise the level of noise emanating from the said building shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the building hereby permitted is occupied and shall be thereafter retained as such.

Reason: To safeguard residential amenities from excessive noise in particular those residing in the flats at 23-25 Hills Road (Cambridge Local Plan 2018 policy 35).

19) Prior to any development above ground level, details of the biodiverse (green, blue or brown) roofs shall be submitted to and approved in writing by the Local Planning Authority. Details of the biodiverse roof(s) shall include the following:

a) Confirmation of substrate depth, which shall be between 80-150mm (unless otherwise agreed).

b) A plant /seed mix (with wildflower planting indigenous to the local area and no more than a maximum of 25% sedum (green roofs only)).

c) A management / maintenance plan including means of access.

d) Where solar panels are proposed, an array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation.

The biodiverse roof(s) shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance, repair or escape in case of emergency. All works shall be carried out and maintained thereafter in accordance with the approved details.

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

20) Prior to substantial demolition of the premise, a contract shall be in place for the redevelopment of the public house facility, details of which shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that a public house facility is provided in good time and in the interests of preserving the character and appearance of the Conservation Area in accordance with policies 61 and 76 of the Cambridge Local Plan 2018.

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

Reason: To respond to the serious water stress facing the area and ensure that development makes efficient use of water and promotes

the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

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

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

23) Prior to first occupation of the office building, the replacement tree, 'Tilia cordata x mongolica 'Harvest Gold' shall be planted to satisfy tree works application 20/1135/TTPO and be planted as shown on drawing P1987-ASP02 V5 contained within the Arboricultural Impact Assessment dated 22nd March 2024. If within a period of 5 years from the date of planting, replacement trees are removed, uprooted, destroyed or die another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gives its written consent.

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

24) No occupation of the employment/office space shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking, how the provisions of the Plan will be monitored for compliance and confirmed with the local planning authority. The Travel Plan shall be implemented and monitored as approved upon the occupation of the development.

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

25) The development, hereby permitted, shall not be occupied until the proposed windows as identified on drawing C212 CMP BD ZZ DR A 00201 REV PL2 in the northern side elevation have, apart from any top hung vent, been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity) and

shall be fixed shut or have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.

Reason: To prevent overlooking of the flats at No.19 Hills Rd (Cambridge Local Plan 2018 policies 55, 57/58).

26) No occupation of the pub space shall commence until a scheme detailing plant, equipment or machinery for the purposes of extraction, filtration and abatement of odours has been submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the use is commenced and shall be retained as such.

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

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

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

Reason: To safeguard neighbour amenities for excessive light levels (Cambridge Local Plan policy 34).

28) The electric vehicle charge point and associated infrastructure as detailed in and as shown on drawing C212-CMP-BD-00-DR-A-00101 PL2 shall be fully installed and operational before first occupation of the office building and shall be retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF 2023), Policies 36 and 82 of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

29) Prior to first use of the public house, a scheme shall be submitted and approved in writing by the Local Planning Authority requiring that level access is achieved from Hills Road in accordance with M4 building regulations. This shall be installed prior to first use of the public house and retained thereafter.

Reason: To ensure that wheelchair user access is provided in accordance with Policy 56 of the Cambridge Local Plan 2018.

30) Prior to the occupation of the office use, or as soon as reasonably practicable after occupation, evidence in the form of the BREEAM

Wat01 water efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority. Such evidence shall demonstrate the achievement of no less than 5 Wat01 credits. The development shall be carried out and thereafter maintained strictly in accordance with the agreed details set out within the BREEAM Wat01 water efficiency calculator.

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

31) Following completion of the first fit out of the public house space, and prior to occupation, a report including a Wat01 Calculator shall be prepared by an accredited BREEAM Assessor and submitted to the Local Authority to demonstrate the non-residential elements meet 5 credits in the Wat01 section of BREEAM based on the product installations. The report shall include relevant drawings showing the location of the necessary sanitaryware and any required water reuse infrastructure required to facilitate achieving the 5 credits Wat01 target. The development shall be carried out and thereafter maintained strictly in accordance with the approved details.

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

32) Prior to first occupation of the office use, hereby permitted, a servicing plan (which shall include the management of servicing vehicles) and the management of parking within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF) 2023.

33) The covered visitor cycle parking provision as shown on drawing No.C212-CMP-BD-00-DR-A-00101 Rev PL2 for the public house use and office use hereby permitted shall be installed prior to the first occupation of the public house/office building and thereafter retained.

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

34) Prior to construction of the basement walls within 3.66 metres (4 yards) of the adopted public highway, details of their design and construction to support the adopted public highway shall meet CG300 Technical approval of highway structures or the Design Manual for Roads and Bridges, and these details shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out

and thereafter maintained strictly in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF) 2023.

35) Prior to first occupation of the public house use, hereby permitted, a visitor cycle management plan including details of signage at the pub directing visitors to the available parking at Cambridge Place outside the office building, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

36) Within 12 months following first occupation, a BRE issued post Construction Certificate shall be submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

37) Notwithstanding the provisions of Article 3 Schedule 2 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 office use hereby permitted, shall be used for office/business space under Class E(g)(i), and for no other purpose (including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

Reason: To ensure that the uses are appropriate in accordance with Policy 40, 41, 72 and 25 of the Cambridge Local Plan 2018.

38) 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.

39) Demolition, construction or delivery vehicles with a gross weight in excess of 3.5 tonnes shall service the site only between the hours of 09.30hrs -16.00hrs, Monday to Saturday, and that any loading from Hills Road is only permissible between the hours of 10:00am - 4:00pm (which reflects the loading restriction in-force on this stretch of Hills Road).

Reason: in the interests of highway safety in accordance with the National Planning Policy Framework (NPPF) 2023.

40) 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).

41) 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).

42) 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).

43) All service collections / dispatches from and deliveries to the approved development including refuse / recycling collections during the operational phase shall only be permitted between the hours of 07:00 to 23:00 Monday to Friday, 08:00 to 13:00 on Saturday. Service collections / dispatches and deliveries are not permitted at any time on Sundays or Public Holidays.

Reason: To safeguard residential amenities from excessive noise (Cambridge Local Plan 2018 policy 35).

44) No part of any structure may overhang or encroach under or upon the public highway, unless licensed by the Highway Authority, and that no gate / door / ground floor window shall open outwards over the public highway.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF) 2023.

Informatives

- 1) The notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991.
- 2) A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
- 3) No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water.
- 4) The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team.
- 5) Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
- 6) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions. Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

- 7) 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.
- 8) To satisfy and discharge Environmental Health conditions relating to artificial lighting, contaminated land, noise / sound, air quality and odours / fumes, any assessment and mitigation shall be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction SPD, (Adopted January 2020) <https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-andconstruction-spd> and in particular section 3.6 - Pollution and the following associated appendices:
 - o Requirements for Specific Lighting Schemes
 - o The Development of Potentially Contaminated Sites in Cambridge and South Cambridgeshire: A Developers Guide
 - o Further technical guidance related to noise pollution
- 9) Given the sites location it is recommended that the applicant engage with the Highway Authorities Streetworks Team (street.works@cambridgeshire.gov.uk) to formulate an acceptable methodology for the proposed demolition and construction processes that may require the use of the adopted public highway within the vicinity of the site.
- 10) Any new businesses within the proposed development will not qualify for Business Permits within the existing Residents' Parking Schemes operating on the surrounding streets.
- 11) All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).
- 12) Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.
- 13) Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated,

with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

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Appeal Decision

Hearing held on 8 August 2023

Site visit made on 8 August 2023

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 August 2023

Appeal Ref: APP/Q0505/W/23/3317179

The Emperor, 21 Hills Road, CAMBRIDGE, CB2 1NW

- 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 MPM Properties (FY) Ltd against the decision of Cambridge City Council.
 - The application Ref 21/05549/FUL, dated 17 December 2021, was refused by notice dated 13 October 2022.
 - The development proposed is Retention of building frontage façade and introduction of a mixed-use development comprising basement and ground floor public house and an Office/Business Use (Class E(g)) to the rear and on the upper floors along with access, cycle parking and associated infrastructure following demolition of existing buildings on site.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council refused the planning permission the subject of this appeal for five reasons. Prior to the Hearing, the Council confirmed it would not be defending two of those reasons for refusal regarding the impact of the proposal on highway safety and the viability of the public house. Interested parties though have raised concerns regarding these issues and therefore they were discussed at the Hearing.
3. As the appeal site is in a conservation area and concerns a listed building, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the area having regard to the New Town and Glisson Road Conservation Area and St Pauls Church a Grade II listed building;
 - The effect of the proposal on highway safety;
 - The effect of the proposal on the viability of the public house;
 - The effect of the proposal on the living conditions of the occupiers of Dazely House with particular regard to outlook and light; and

- Whether the proposal provides an adequate level of bicycle parking for the public house.

Reasons

Character and appearance and Heritage assets

Significance

5. The appeal site lies within the New Town and Glisson Road Conservation Area (CA). The Council's New Town and Glisson Road Area Conservation Area Appraisal 2012 (CAA) focuses particularly on the areas of residential development within the CA and makes little mention of the character of Hills Road where the appeal site is located. However, Hills Road is part of the CA, and its special interest needs to be considered whether or not it is included in the CAA. I have therefore incorporated my own observations together with the evidence presented to me at the Hearing in my assessment of the significance of the CA.
6. It comprises residential streets either side of Hills Road, a major route into Cambridge from the railway station. The residential development is served by streets, of varying width off Hills Road. To the west is New Town, mostly nineteenth century buildings comprising terraces of small houses and larger villas developed from 1819. To the east is the further extension of the residential area around Glisson Road dating from the 1880s and 1890s also with rows of terraced houses and the railway station. There are also other discrete pockets of housing such as the courtyard development at St Pauls Walk identified as being important to the character of the CA in the CAA.
7. Along Hills Road, the character is more varied being mainly terraced development of two to three storeys in height reducing in height to the rear. This reduction in height contributes to a sense of space and the delineation between the commercial Hills Road frontage and the residential areas to the rear. This is demonstrated in the terrace of properties between Russell Street and Coronation Street, also identified as being buildings important to the character of the CA in the CAA. The ground floors of the properties along Hills Road are mainly commercial with a variety of uses above, but many retaining their original historic features.
8. Planting and trees within the CA are largely confined to the residential areas to be rear of Hills Road providing some relief to the built form. However, some of the larger buildings set in spacious plots accommodate more planting contributing to the open appearance of the area. To the far west of the CA is an area of open green common land forming part of a green wedge. The significance of the CA therefore, for the purpose of this appeal, lies within the importance of the historic built form displaying the nineteenth century commercial and residential evolution of this part of the city and the relationship of that built form to the spaces in between.
9. The appeal site has a two-storey building with a slightly lower rear off shoot. It is used as a pub and has a garden area at the back together with space for car parking. The side boundary to St Pauls Place to the north is formed from fencing and the return elevation of the building. The pub frontage has interest and contributes positively to the streetscape in which it sits. Other than displaying the characteristic low level off shoot to the rear, the remainder of

the building has little interest. Nevertheless, as a whole the building contributes positively to the significance of the CA displaying positive historic features and form. However, visually the rear space has little merit.

10. St Pauls Church (the Church) is a Grade II listed building constructed in 1841, with later additions in 1864 and 1893, from red brick with blue brick diapering, stone dressings and slate roofs. Its significance, for the purposes of this appeal, is largely derived from its architectural importance, including its stained-glass windows, and place in the historic evolution of this nineteenth century suburb.
11. The main part of the Church is largely hidden in views from the south due to the intervening built form. There are some glimpsed views of the side of the building, but this is mainly down to clearance of previous buildings. From the north there are more open views due to the set back of later modern buildings. However, it is the tower is to the front of the Church which is particularly visible along Hills Road and forms an important part of the streetscape. Its setting therefore covers a large area along Hills Road from where the tower can be seen. This allows an appreciation of the building in the streetscape and its social contribution to the evolution of the area contributing to its significance.
12. The appeal building is to the south of the Church and its modest built form means it integrates effectively into historic streetscene and does not compete with the Church thereby contributing positively to its setting and significance.

Effect on significance

13. The front façade of the building would be retained. However, the remainder of the building would be demolished causing some harm through the loss of a building that displays the historic characteristics of buildings fronting Hills Road.
14. Most of the existing structure would be replaced with a three and four storey building extending the full length of the appeal site along St Pauls Place and wrapping round the adjacent building with a single story entrance to Cambridge Place. The proposal would introduce an active and pleasing elevation to St Pauls Place. However, it was confirmed at the Hearing that it would be slightly higher than that the recently constructed at Dazely Place on the corner of Cambridge Place and Hills Road¹. Consequently, due to its height and, particularly its extent along St Paul's Place, it would form a large mass that would dominate views from Hills Road, Cambridge Place and St Pauls Place and would conflict with the predominant historic characteristic of building form reducing to the rear of the Hills Road frontage displayed elsewhere in the CA. Moreover, it would harmfully erode the sense of space between Hills Road and St Paul's Walk to the rear, dominating that residential area due to its size and proximity.
15. I have had regard to the examples provided to me of Union Road and Coronation Street by the appellant. At Union Road there is three storey development to the rear, but this is slightly subservient to the building fronting Hills Road. On the northern side of Coronation Street there is a modern four storey development to the rear of three storey on the corner, beyond which is an open parking area. On the southern side of the road the development to the

¹ 17/0265/FUL

rear of Hills Road is higher although there is a significant space between the buildings. Nevertheless, both sides of the street display modern development that is contrary to the prevailing historic characteristic. However, both streets are wider than St Pauls Place and do not involve an extension to a two storey building at the scale proposed by the appeal proposal. I also saw three storey development on Cambridge Place, but this was some distance from Hills Road. Further south along Hills Road, I also saw three storey development, but this was in the form of detached villa style development set in spacious grounds back from Hills Road. All examples therefore possess different specific circumstances to that of the appeal site such that meaningful comparisons cannot be made sufficient to justify the appeal proposal.

16. The key issue, in my view, is the massing of the building. Although there are examples of other high buildings within the CA there are very few examples of such a large building in proximity to others which extends as far back from Hills Road as the proposed building. The key here to the character of the CA is a domestic form and size of architecture together with the space around buildings. Where there are larger buildings, they are generally on wider roads or have space around them. Here the taller elements would be close to the two storey pub at the front, Dazely House and, due to the narrowness of St Pauls Place, 19 Hills Road as well as adjacent to the red brick building to the rear of the site. As a result, there would be little space around the proposed building to mitigate the large scale and massing of the rear element in particular to reflect the character and appearance of the CA. There would also be an awkward juxtaposition between the proposed building and the houses on St Pauls Walk due to the extension and height of the structure within the site close to those 2 storey dwellings.
17. I appreciate that the upper storeys of the new building would be set back, but only by a small amount on the St Pauls Place elevation. Similarly, the whole building would be set back on St Pauls Place by about a metre. However, the street would still be narrow, and these measures would not be sufficient to mitigate the dominance of the proposal to the streetscape from various vantage points along Hills Road north of the proposal, St Pauls Place and Walk and Cambridge Place harming the character and appearance of the area and the CA.
18. The existing tree on Cambridge Place would be retained and the planting of a replacement tree within the development for one previously removed could be secured by condition. I am therefore content that there would be no harm caused to trees by the proposal.
19. The retention of the existing pub façade, and the set back of the upper storeys from Hills Road means that the view towards the Church along Hills Road would be very similar to that existing now. Furthermore, the building would not be seen in direct views of the Church from St Pauls Walk. While it would block the occasional glimpse of the Church from Cambridge Place and Glisson Road, these views do not contribute in any great way to the significance of the building. I am satisfied therefore that the proposal would not harm the significance of the listed building.
20. For the reasons above, I conclude that the proposal would preserve the setting of St Pauls church a grade II listed building. It would though be harmful to the character and appearance of the area having particular regard to the New Town

and Glisson Road Conservation Area. Therefore, it would be contrary to policies 55, 56, 57, 58 and 61 of the Cambridge Local Plan 2018. These require that development identifies and responds positively to existing features of historic importance, uses appropriate local characteristics to help inform siting, massing, scale and form of new development, respect the space between buildings where it contributes to the character of an area and preserves or enhances the significance of heritage assets and the wider townscape.

Highway safety

21. The principal objection on highway grounds comes from the representatives of St Pauls Place Company (SPPC) and Cambridge Place Residents (CPA). Their concerns relate to the construction and fitting out stages of the proposed building as well as the ongoing servicing needs of the building post construction in the absence of a dedicated off street servicing area.
22. The residents submitted photographic evidence regarding the issues surrounding the construction and fit out of Dazely House together with ongoing concerns since construction.
23. Cambridge Place is narrow and has a permanent parking restriction running along its length. There is insufficient width for cars to pass at its entrance where it narrows. If vehicles are parked elsewhere along Cambridge Place passing can be difficult. The photographs show that there have been times when vehicles have been parked in contravention of the parking restrictions during the construction and fit out of Dazely House and subsequently from deliveries to the property This made driving conditions hazardous, particularly at the entrance to Cambridge Place. If cars turn from Hills Road and there is an obstruction on Cambridge Place it would not be safe to reverse back onto Hills Road, given that it is a very busy route together with a well-used cycle lane.
24. When the appeal regarding Dazely House was assessed², the Inspector considered that the parking restriction would be sufficient to ensure that such parking would not happen. While that might be the case if there were to be effective enforcement, someone would need to be in the area all the time to ensure parking on the double yellow lines did not occur at any time.
25. While this proposal could not be held accountable for the existing highway issues it is imperative that it does not make the situation worse. The appellant aims to prevent such parking occurring in association with the proposed development by having an appropriately worded condition securing the submission and implementation of a construction management plan utilising the area that would be available during construction and refit off road and the permanent presence of an onsite construction manager.
26. After construction and fitting out there would be a manager on site at all times to deal with inappropriate parking. There would, in any case, be limited need for service deliveries to the office building which could be co-ordinated to ensure no parking other than in accordance with the allowed loading times in the surrounding area. The public house is already serviced during the permitted loading hours in the area available on Hills Road and this would not change. The Council and the Highway Authority agree with this approach. This seems an acceptable way forward to me. I appreciate that this is similar to the

² APP/Q0505/W/16/3146035

approach taken by the previous Inspector. However, previous experience should ensure that the management plan secured by condition would be particularly robust taking advantage of space available off road and effectively enforced.

27. I understand residents' concerns regarding the access to the development itself from Hills Road and the potential for increased accidents. They consider this may particularly involve cyclists due to conflict with vehicles turning into Cambridge Place, given the potential increase in traffic and lack of off road arrangements for servicing.
28. However, the development would be car free with only one parking space to be provided and servicing would be minimal. With the above controls in place for the construction and fitting out periods I am not convinced that the proposal would either add a significant level of traffic using the junction or lead to further parking on Cambridge Place that would make the existing situation more hazardous.
29. For the reasons above, I conclude the proposal would not be harmful to highway safety. Consequently, there would be no conflict with policies 80(c), 81 and 82 of the Cambridge Local Plan 2018 and the Framework. These require that development provides safe and appropriate access to adjacent road, pedestrian and cycle networks, there is no unacceptable transport impact and there is adequate provision for servicing.

Living conditions

30. Dazely House contains a number of flats. On the first and second floors flats have windows with a view from the rear elevation of the building. Currently that view is open in all directions looking towards the single and two storey buildings to the rear some distance away.
31. The siting of the proposed building would mean a very high wall extending beyond the rear elevation of Dazely House with an offshoot projecting towards Cambridge Place about 7 metres from the windows.
32. The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' outlines two rule of thumb tests which determine whether or not further detailed daylight and sunlight tests are required. Due to its proximity the proposed development would be within the 45 degree (horizontal and vertical) when taken from the two closest windows in the first floor flat and the closest window in the second floor flat, all serving an open plan lounge /diner/kitchen.
33. The appellant has submitted details of both the no sky-line test (NSL) and the vertical sky component test (VSC) both to assess impacts on the daylight received by these windows and rooms.
34. The NSL test considers the size of the window, room layout as well as multiple windows serving one room (as is the case with this proposal). In this instance, the report concludes that the assessed windows retain in excess of 80% of the current values as required by the test. With regards the VSC measurements, the BRE recommendations state that this figure should be no less than 27 proposed VSC or if reduced below this, no less than 80% of its former value.

35. The VSC results show that the flat on the second floor would have a VSC of 24.7 with a loss of 35.8% light. However, this room has a second large window that is unaffected by the development. Therefore, an acceptable level of daylight would be retained.
36. The Council confirmed at the Hearing that its primary concern was the effect on the two closest windows of the first floor flat serving the lounge/diner/kitchen which the reports show would both suffer a reduction in light with the VSC of one being 26.2 and the other 20.6. While I acknowledge that the latter figure is low, the first is only marginally below the recommended figure of 27. Furthermore, the BRE Guidance recommends using its guidance flexibly including in an historic city centre where a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings which would be the case here in respect of Dazely House. I am satisfied therefore that there would not be an unreasonable impact on the daylight received by the windows and rooms in the two flats. Equally due to the northern orientation of the proposed building there would be no unacceptable loss of sunlight.
37. While the wall extending to the rear of Dazely House would be high, this would only be visible in oblique views from the window furthest from the proposed building with open views in all other directions retained. The small projection would fall within the direct view from the windows closest to the proposed building, but it would not extend across the whole window, and it would be a sufficient distance from the windows to avoid a harmful overbearing presence.
38. For the reasons above, I conclude the proposal would not be harmful to the living conditions of residents of Dazely House or 19 Hills Road with particular regard to outlook and light. The proposal would accord therefore with policies 55, 57 and 58 of the Cambridge Local Plan 2018 and Paragraph 130(f) of the Framework. Together these require that development delivers a high standard of amenity and does not unacceptably visually dominate neighbouring properties.

Cycling parking

39. There is no dispute between the parties that the proposal would provide sufficient cycle parking for the office use. After some debate at the Hearing, it was agreed between the main parties that the public house use would require 11 cycle parking spaces in total, four of these would be for staff and 7 for visitors to the dining part of the public house in accordance with the standards set out in Appendix L of the Local Plan. Two of the staff spaces would be provided internally within the ground floor and the other two outside the office entrance on Cambridge Place. The seven visitor spaces which would also be provided outside the office entrance on Cambridge Place and shared with visitors to the offices. Both the Council and representatives of the SPPC and CPA raise concerns regarding the workability and enforcement of such an arrangement for visitor parking.
40. Although the cycle parking would be distant from the public house, it would not be by a significant amount. Furthermore, it was agreed at the Hearing that the appellant would provide signage at the pub which would direct visitors to the available parking at Cambridge Place and away from the local area. This would also be publicised on the pub's website. All of those details could be secured by the imposition of an appropriately worded condition. This would go some way

to addressing the concerns of the representatives from the Church regarding people using their cycle parking. It would not be possible to require the appellant to carry out works on third party land by condition.

41. The cycle parking would be managed by an on-site presence in association with the offices and this would also be secured via condition requiring a cycle management plan. Furthermore, the public house would be in an accessible location by means of walking and public transport and therefore, together with the cycle parking provision there would be sustainable travel options to and from the building.
42. For the reasons above, with the appropriate conditions in place, I conclude that there would be adequate provision for bicycle parking for the public house at the premises. The proposal would therefore be in accordance with Policy 82 of the Local Plan which requires that development should provide at least the cycle parking levels in Appendix L of the Local Plan.

Viability

43. The Council raise no concerns regarding the viability of the public house based on the reports submitted by the appellant³ and the Council's own independent report into those submitted by the appellant⁴.
44. The representatives of SSPC and CPA are concerned that the lack of servicing provision, cycle parking and bin storage would harm the functioning of the public house given that they are currently available, off-road, in the area to the rear of the building.
45. Bin storage would be provided internally within the ground floor storage area. I have considered the cycle parking and servicing provision in the paragraphs above and found there to be acceptable solutions. Therefore, I do not accept that these issues would harm the viability of the public house.
46. The representative of CAMRA addressed the Hearing and while they agreed that the proposed public house could operate viably, they considered it was a missed opportunity to make the most of the public house and operate at its maximum potential. This was due to the loss of the garden area, the managers accommodation and the provision of the dining area in the basement leading to loss of views for diners. These are all good points, but many pubs operate without these facilities especially within city centres. There is no substantive evidence before me to lead me to question the views expressed in the reports submitted on this issue.
47. For the reasons above, I conclude that the proposal would not have a harmful impact on the viability of the public house and therefore would be in accordance with policy 76 (d) of the Local Plan. This requires that the viability of the public house use will not be adversely affected, sufficient cellarage, beer garden, parking and dining/kitchen areas will remain to retain a viable public house operation.

Heritage and Planning Balance and Conclusion

48. I have found that the proposal would cause harm to the character and appearance of the CA. Paragraph 199 of the National Planning Policy

³ Viability Assessment, Davis Coffey Lyons 9 June 2022 & Expert Report Regarding Viability AG & G 13 June 2022

⁴ Christie & Co July 2022

Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. In this instance, given that this is just one part of the CA, I find the harm to be less than substantial, but nevertheless of considerable importance and weight.

49. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
50. The appellant considers that the proposal would address an acute supply/demand deficit within the prime central office submarket increasing GVA and employment. The Council was unable to advise at the Hearing whether it considered there is a deficit of supply for offices in the city. However, policy 40 of the Local Plan forecasts a growth in the requirement for offices and makes allocations on that basis. Although not an allocation, the appeal site is located near to the railway station which is highlighted as an area for growth. It would generate a number of jobs and provide small scale offices to meet a particular requirement supporting local economic growth attracting significant weight.
51. The proposal would retain a viable and improved public house space and is in an accessible location providing a car free scheme. The façade of the public house would be retained and improved. There would be some benefit to the appearance of St Pauls Place through the introduction of an active frontage. The reduction of cars visiting the site is positive but would be a minor benefit given the limited extent of the parking currently available on site.
52. The proposal would also utilise underdeveloped brownfield land and achieve significant biodiversity net gain through the introduction of a green roof and planting. Furthermore, it would deliver a minimum BREEAM excellence standard aiming for outstanding.
53. These are without doubt very significant public benefits of the scheme. However, they would not be sufficient to outweigh the considerable importance and weight attach to the harm to the CA. Overall, the proposal would be contrary to the Act and the provisions within the Framework as detailed above, which seek to conserve and enhance the historic environment.
54. As there would be harm to the character and appearance of the area and the CA then the proposal would conflict with design and conservation policies within the development plan. The benefits I outline above would not be sufficient to outweigh that conflict. Therefore, on balance the appeal should be dismissed.

Zoe Raygen

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY

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Senior Planning Officer,
Cambridge City Council

Paul Robertshaw

Conservation Officer,
Cambridge City Council

FOR THE APPELLANT

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MPM Properties (FY) Ltd
(Appellant)

FOR INTERESTED PARTIES

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Mr George Josselyn

St Pauls Place Company &
Cambridge Place Residents

Ms Jenny Josselyn

St Pauls Place Company &
Cambridge Place Residents

INTERESTED PARTIES

George Gawthrop

Local Resident

Christina Berry

Local Resident

Robert McCridale

Local Resident

Chisun Wong

Local Resident

Alistair Cook

CAMRA

DOCUMENTS SUBMITTED AT THE HEARING

- 1 Appeal Hearing Attendee List Appellant
- 2 Wording of additional cycle parking condition
- 3 Suggested site visit itinerary.

Agenda Item 6



Planning Committee Date	2 nd October 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/02159/S106A
Site	Land South of Worts Causeway, Cambridge, CB18RL.
Ward / Parish	Queen Ediths
Proposal	Modifications to the Section 106 agreement associated with outline planning permission reference 19/1168/OUT.
Applicant	Cambridge Investment Partnership
Presenting Officer	Aaron Coe
Reason Reported to Committee	Cambridge City Council has a direct interest in the application as part applicant.
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Amended affordable housing definitions.2. Amended site wide affordable housing plan.3. Amended trigger for the delivery of the Community Facility.
Recommendation	Agree the Deed of Variation

1.0 Executive Summary

1.1 The application seeks to make amendments to the S106 Agreement associated with the outline planning permission ref:19/1168/OUT. The amendments are to be in the form of a Deed of Variation and seek to make the following alterations to the original Section 106 agreement:

- Insertion of an automatic linking clause to ensure the Section 106 obligations associated with the outline permission continue to apply to any Section 73 consents.
- Amended definitions of Affordable Rent and Intermediate Housing.
- Updated Site Wide Affordable Housing Mix scheme.
- Amended trigger point for the delivery of the Community Room/Centre.

1.2 No objections have been received and the recommendation is that the S106 Agreement be varied as proposed.

2.0 Site Description and Context

2.1 The application site was previously an agricultural field. The farm buildings of Newbury Farm have been demolished. It is part of the GB2 site which lies between Babraham Road and Wort's Causeway. At the northern end is a public footpath with mature hedgerows abutting Wort's Causeway. The site slopes gently from north to south, and a gas main runs diagonally through the southern half of the site.

2.2 The western side of the central square forms part of this reserved matters application and is separated from the eastern parcel of the site by the spine road. The community and commercial units are proposed to front onto the central square.

2.3 To the west of the application site beyond the landscape buffer are existing residential properties. To the south is Babraham Road and to the north is Wort's Causeway.

3.0 The Proposal

3.1 The application has been made under the Town and Country Planning Act 1990 (s106a) and Town and Country Planning (Modification of Planning Obligations) Regulations 1992.

3.2 Outline planning permission was granted on the site in May 2021 for the erection of up to 230 residential dwellings and up to 400m² (GIA) of non-residential floorspace within Use Classes A1/A3/A4/B1/D1, new landscaping and public realm, car and cycle parking, infrastructure, other

associated works following the demolition of all existing buildings on the site. The permission is subject to a Section 106 Agreement.

- 3.3 The application seeks to make various amendments to the original Section 106. The proposed alterations include the addition of a Section 73 clause, amendments to the affordable housing definitions, an updated site wide housing mix plan and an amended community room/ centre trigger.

4.0 Relevant Site History

Reference	Description	Outcome
19/1168/OUT	Outline application (all matters reserved except for means of access in respect of junction arrangements onto Worts' Causeway and Babraham Road) for erection of up to 230 residential dwellings and up to 400m ² (GIA) of non-residential floorspace within Use Classes A1/A3/A4/B1/D1, new landscaping and public realm, car and cycle parking, infrastructure, other associated works following the demolition of all existing buildings on the site.	Granted 24/05/2021
19/1168/NMA1	Non-material amendment of outline planning permission 19/1168/OUT to change the condition wording to allow phasing of development and early delivery of the access points, strategic infrastructure and demolition works.	Granted 09/08/2021
21/04186/REM	Reserved matters application for the appearance, landscape, layout and scale for Phase 1, comprising: the north-south primary route connecting Babraham Road and Worts Causeway, secondary route bellmouths, footways and cycleways, SuDS detention basins, water main diversion, hard and soft landscaping including the creation of the southern gateway and the central square, provision of a local area of play, the installation of a pumping station, and all ancillary works, associated infrastructure and engineering	Granted 21/10/2022

works, and partial discharge of conditions 9, 12, 19, 27, 28, 41 and 42 of the outline permission 19/1168/OUT for Phase 1.

22/02646/REM	Reserved matters application for appearance, landscape, layout and scale for Phase 2 comprising the creation of 80 residential units, hard and soft landscaping including the creation of a central square and associated works. The related partial discharge of Conditions 1, 9, 10, 11, 12, 13, 14, 15, 17, 19 pursuant to outline approval 19/1168/NMA1.	Granted 30/08/2024
24/01704/S73	Variation of condition 3 (building heights parameter plan)	Pending
24/01531/REM	Reserved matters application for appearance, landscaping, layout and scale for Phase 3 of outline permission 19/1168/OUT for the erection of 150 residential units, community and commercial floorspace, hard and soft landscaping, parking, roadways/pathways, substation and associated works/infrastructure and approval of details required by conditions 9, 12,13, 14, 15,16, 17, 18, 19, 20, 29, 31, 43 and 51 of approval 19/1168/NMA1.	Pending

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.
 Planning and Compulsory Purchase Act 2004
 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 14: Areas of major change and opportunity areas – general principles
Policy 27: Site specific development opportunities
Policy 45: Affordable housing and dwelling mix
Policy 56: Creating successful places
Policy 73: Community, Sports and Leisure facilities

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

None.

5.5 Other Guidance

Greater Cambridge Housing Strategy 2024 to 2029

6.0 Consultations

6.1 Housing Strategy Officer

Support. The Council's Strategic Housing team support the proposed amendments.

6.2 S106 Monitoring Officer

Comments. Following approval in July 2022 by the Executive Councillor for Planning Policy and Infrastructure and in line with procedures set out in the Council constitution this proposed amendment will require a fee of £250 towards the monitoring and administration of the section 106 Deed of Variation agreement.

7.0 Third Party Representations

7.1 No representations have been received.

8.0 Member Representations

8.1 None.

9.0 Assessment

Additional Section 73 clause

9.1 The addition of the text below is proposed to insert an automatic linking clause to ensure the original Section 106 obligations associated with the outline permission continues to apply to any Section 73 permissions granted.

9.2 *“If the Planning Permission is subject to an application under Section 73 of the Act for the removal or amendment of any condition attached to the Planning Permission then the obligations in this Deed shall apply to the new planning permission resulting from such application unless and until this Deed is replaced or varied unless the Council in determining the application under Section 73 of the Act requires a separate deed under Section 106 of the Act to secure relevant planning obligations relating to the new planning permission.”*

9.3 The additional text proposed is supported by officers, to ensure the details within the original Section 106 agreement continue to apply to any future permissions granted under Section 73 of the Act.

Amended housing definitions and updated Affordable Housing Mix scheme

9.4 This application also seeks to vary the definition of Affordable Rented Housing and Intermediate Housing as set out within Schedule 3, Part 1 of the Section 106 Agreement below:

Affordable Rented Housing

As approved: “means any Affordable Housing Unit to be let by a Registered Provider under an assured tenancy for a rent which inclusive of any service charge (if any) shall not exceed 80% of the rent that would have been charged had the rent been valued on an open market basis for an equivalent property of the same size, specification and location or be no higher than the Local Housing Allowance Rate whichever is the lower”.

As proposed: “means any Affordable Housing Unit to be let by a Registered Provider under an assured tenancy for a rent which inclusive of any service charge (if any) shall not exceed 60% of the rent that would have been charged had the rent been valued on an open market basis for an equivalent property of the same size, specification and location or be no higher than the Local Housing Allowance Rate whichever is the lower”.

Intermediate Housing

As approved: “means Share Ownership housing or such other housing as may be agreed between the City Council and the Owner which complies with the definition of Intermediate Housing in Annex 2 of the National Planning Policy Framework (February 2019) or any subsequent revision or replacement document which is provided for those whose incomes in relation to local housing costs are such as to prevent them from accessing housing on the open market”.

As proposed: “means Shared Ownership housing (or such other housing as may be agreed between the Council and the Owner) which
a) complies with the definition of Intermediate Housing in Annex 2 of the National

Planning Policy Framework (December 2023) or any subsequent revision or replacement document
or

b) for homes subject to right to buy and aimed specifically toward an intermediate housing market evidencing a local worker connection, homes let at a rent which inclusive of any service charge (if any) shall not exceed 80% of the rent that would have been charged had the rent been valued on an open market basis for an equivalent property of the same size, specification and location”

9.5 An updated Affordable Housing Scheme for both Phases 2 and 3 has been submitted as part of this application. The affordable housing mix proposes 75% of all properties as affordable rent (60% of market rent/ LHA) and 25% of all properties as intermediate rent (80% of market rent for local workers on the Council’s Choice Based Lettings list). The proposed tenure mix does not offer an affordable route to homeownership and therefore does not meet the requirement of paragraph 66 of the NPPF December 2023 which states ‘decisions should expect 10% of the total number of homes to be available for affordable home ownership’. The government’s recent consultation on proposed changes to the NPPF (August 2024) (chapter 6 para 5 of the current consultation) seeks to withdraw this requirement. Whilst only a consultation at this stage it provides a useful context for the consideration of this policy departure against future national policy

9.6 The proposals involve the delivery of affordable rented homes at 60% and 80% of market rent which would contribute to meeting the specific needs of low-income households which are not being met sufficiently through intermediate offerings alone. Whilst the conflict with paragraph 66 of the NPPF 2023 is acknowledged, the proposed revised overall tenure mix is considered to offer a broader range of housing types which will meet an existing housing need. The affordable housing mix proposed is therefore supported.

9.7 Officers, in consultation with the Council’s Housing Strategy Team, are satisfied that the proposed updated definitions, the proposed tenure mix and distribution of the affordable units across both phases 2 and 3 of the development is acceptable and in accordance with Policy 45 of the Cambridge Local Plan 2018.

Community Room/Centre trigger

9.8 This application also proposes to vary the trigger for the delivery of the community room/centre as set out within Schedule 3, Part 5 of the Section 106 Agreement below:

9.9 As Approved: “If the Community Room/Centre Phase has been agreed pursuant to paragraph 1 the Owner shall not (i) Commence Development in the Community Room/Centre Phase until the Owner has agreed the Community Room/Centre Specification in writing with the City Council nor (ii) permit or allow the Occupation of more than one hundred (100) of the

Dwellings on the Site or the first Occupation of the last Dwelling on the second Phase of the Development (which ever shall first occur) until either;

2.1 The Community Room/ Centre has been Practically Completed; or as the case may be; or

2.2 the Community Room/Centre Contribution has been paid to the City Council.

9.10 As Proposed: “If the Community Room/Centre Phase has been agreed pursuant to paragraph 1 the Owner shall not (i) Commence Development in the Community Room/Centre Phase until the Owner has agreed the Community Room/Centre Specification in writing with the City Council nor (ii) permit or allow the Occupation of more than one hundred and fifty(150) of the Dwellings on the Site or the first Occupation of the last Dwelling on the second Phase of the Development (which ever shall first occur) until either;

2.1 The Community Room/ Centre has been Practically Completed; or as the case may be; or

2.2 the Community Room/Centre Contribution has been paid to the City Council.

9.11 The application proposes to delay the delivery of the community room/ centre within the Newbury Farm development from the occupation of 100 homes as approved under the outline to the occupation of 150 homes. The reason for the proposed variation is to take into consideration the construction phasing and the approved site wide phasing strategy. The Phase 2 development consists of 80 homes and is being delivered by This Land. Phase 3 consists of 150 homes and is being delivered by Cambridge Investment Partnership. On the advice of officers as part of pre application dialogue, the applicants have reduced the requested delivery trigger from 190 occupations to 150 occupations.

9.12 The proposed amended trigger of 150 occupations is considered acceptable given that the details within the approved phasing strategy and the involvement of more than one developer team were unknown during the consideration of the outline application. Moreover, in the short term the site benefits from reasonable access to alternative community room facilities in the surrounding area with the new Nightingale Pavilion Community Room being located in walking distance from the site. This facility opened in 2023 and offers a large community room with a kitchen. The space can be booked for events, classes and activities.

9.13 The revised trigger for the delivery of the community room/ centre is considered acceptable and continues to achieve the requirements of Cambridge Local Plan 2018, policy 73.

9.14 Other Matters

9.15 The S106 Monitoring Officer has requested a sum of £250 mitigation for the monitoring and administration of the S106 Deed of Variation agreement. In the event that Members are minded to approve the amendment, officers would seek the inclusion of this sum within the Section 106 Agreement.

9.16 Planning Balance

9.17 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).

9.18 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 variation is recommended for agreement.

10.0 Recommendation

10.1 **Agree the proposed Deed of Variation** - in consultation with the Council's Principal Planning Lawyer, and any minor changes to the wording to be delegated to officers, including negotiating the terms for the monitoring and administration mitigation for this Deed of Variation.

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Planning Committee Date	2 nd October 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference Site	24/01704/S73 Land South Of Worts Causeway Cambridge CB1 8RL
Ward / Parish	Queen Edith's
Proposal	Section 73 application to vary condition 3 (Approved plans) of outline planning permission 19/1168/OUT (outline application with all matters reserved in respect of junction arrangements onto Worts Causeway and Babraham Road, for the erection of up to 230 residential dwellings and up to 400m ² (GIA) of non residential floorspace with Use Classes A1/A2/A4/B1/D1, new landscaping and public realm, car and cycle parking, infrastructure, other associated works following the demolition of all existing buildings on the site.
Applicant	Cambridge Investment Partnership
Presenting Officer	Aaron Coe
Reason Reported to Committee	Cambridge City Council has a direct interest in the application as part applicant.
Member Site Visit Date	N/A

Key Issues

1. The design and impact on building heights implications of the proposed amendment.

Recommendation

APPROVE application reference 24/01704/S73 subject to:

- (i) The conditions and informatives set out below in this report, with authority delegated to officers to carry through minor amendments to those conditions and informatives prior to the issuing of the planning permission.
- (ii) The agreement and completion of the Section 106A deed of variation under application reference 24/02159/S106A.

Addendum Committee Report

- 0.0 At the 4th September 2024 Cambridge City Planning Committee meeting, Members resolved to defer application 24/01704/S73 as the proposed variation of Condition 16 (BREEAM) would result in the development failing to comply with the requirements of Policy 28 of the Cambridge Local Plan 2018. The officer report to that committee is included as Appendix 1 of this report.
- 1.0 As originally submitted the application proposed to achieve a 'Very Good' rating as the applicants would only be delivering the facilities to shell stage. However, members considered the development proposals to be capable of achieving the BREEAM Excellent rating as required by Policy 28.
- 2.0 Following the deferral of the application the applicants have engaged with officers and submitted an amended BREEAM pre assessment report under the phase 3 reserved matters application (reference 24/01531/REM) which demonstrates the non residential elements of the proposals are capable of being delivered to BREEAM Excellent standard. As set out in the updated BREEAM pre assessment report, to achieve the Excellent rating the developer of the shell building will be required to collaborate with the future tenants responsible for fitting out the units.
- 3.0 The submitted report proves that subject to each of the targeted credits as set out in the Pre-Assessment being included in the design and construction of the shell and subsequent tenant fit out then an overall score of 75% (BREEAM Excellent rating) is achievable. Additional conditions are recommended on the reserved matters application (reference 24/01531/REM) to secure the design stage and post construction stage certification which will confirm the community and commercial units have been delivered to BREEAM Excellent standards.
- 4.0 The Council's Sustainability Officer has reviewed the amended information and confirmed the updated BREEAM pre-assessment secures a route to achieving an overall rating of BREEAM excellent for the commercial units. The requirements of the outline condition 16 are therefore satisfied and the variation of this condition no longer forms part of the Section 73 application. The applicants have confirmed withdrawal of this element of the application and the description of development has been amended accordingly.
- 5.0 The Section 73 application has been submitted concurrently with a Section 106A (application reference 24/02159/S106A), the report for this application is also

included within the 2nd October 2024 committee agenda reports pack. The deed of variation seeks to insert the standard Section 73 clause to the original Section 106 agreement to ensure the details and obligations within the original agreement continue to apply to any future permissions granted under Section 73 of the Act. Therefore, as set out within the recommendation the application is recommended for approval subject to the conditions listed within the addendum report and the agreement and completion of the Section 106A deed of variation.

5.1 Approve application reference 24/01704/S73, subject to:

- (iii) The conditions and informatives set out below in this report; and
- (iv) With authority delegated to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) prior to the issuing of the planning permission.

Conditions

Details of the Reserved Matters

1. Prior to the commencement of any development on a phase, other than demolition, details of the appearance, landscaping, layout and scale, (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the Local planning authority. For the avoidance of doubt, reference to a "phase" means a phase of development pursuant to any phasing plan agreed pursuant to Condition 4 of this consent. Each phase will come forward as one reserved matters application unless a sub-phase is agreed to in writing by the local planning authority. The development shall be carried out as approved. Reason: This is an Outline permission only and these matters have been reserved for the subsequent approval of the Local planning authority.

Time

2. Applications for the approval of reserved matters shall be made in accordance with condition 2 of planning permission 19/1168/OUT. The development hereby permitted shall be begun either before the expiration of three years from the date of permission 19/1168/OUT, or before the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

Approved Plans

3. 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.

Phasing

4. The phasing of the development shall be carried out in accordance with the strategy approved under application reference 19/1168/COND4B (Drawing number 10768-SK-006H- Development phasing plan). The development shall be carried out in accordance with such approved details.

Reason: To secure the coherent and comprehensive development of the site and a reasonable timescale for the benefit of future occupiers and other residents and ensure compliance with policies 35, 36, 56, 59 of the Cambridge Local Plan (2018).

Quantum of uses

5. The total area of each unit of A1, A3, A4 and/or B1 floorspaces permitted within the site shall not exceed an overall gross external floor area of 100m², unless otherwise agreed in writing with the local planning authority. Reason: To ensure the amount and type of retail floorspace is appropriate to the site, the function of the local centre and in the interests of the vitality and viability of the existing retail function of the locality, in compliance with the NPPF.

Parameter Plan Compliance

6. Any reserved matters submissions shall be in accordance with approved parameters plans and the following principles:
 - a)The design of the central part of the development shall include buildings with a fine grain to create an attractive transition from the proposed apartment blocks to the proposed mews courts areas;
 - b)Servicing requirements for the proposed non-residential uses should not have a detrimental effect on the streetscape or outlook of residents;
 - c)Access arrangements for deliveries and bin collection to homes without vehicular access to their front need to be designed and tested from the outset of preparing the reserved matters application;
 - d)Turning heads on dead-end streets need to be designed to look like spaces to avoid road infrastructure dominating the green edges;
 - e) Reservation of sufficient spaces alongside the adopted part of the primary street (if any) for planting large species trees, aiming to break up the massing of the proposed larger/taller buildings in the central part of the development; and
 - f)The layout of the south-eastern portion of the development should aim as primary objective the creation of an appropriate transition from the Green Belt into the city, with design cues taken from existing development forms and alignments along Babraham Road.

Reason: To ensure that the development is in keeping with the character of the area, is designed to be attractive, high quality, accessible, inclusive and safe, in line with policies 56, 57 and 59 of the Cambridge Local Plan (2018).

Design and Layout requirements

7. Any reserved matters submissions shall be in accordance with approved parameters plans and the following principles:
- a) Plant and lift over runs are to be delivered within the stated height parameters;
 - b) The roofscape of the development and particularly of the taller buildings at the central part of the development needs to be articulated to ensure that the massing doesn't dominate the skyline;
 - c) Reservation of sufficient space to plant large species trees around and throughout the development to create, in time, a layering effect of treetops and roofs;
 - d) Reservation of sufficient space around the retention basins so that they are not too close to buildings;
 - e) Reservation of sufficient space on green boundaries to comfortably accommodate large species trees and understorey planting, play areas, sustainable drainage, footpaths, and other proposed use;
 - f) Reservation of sufficient space for multi-purpose sustainable drainage features to be integrated into the landscape without losing amenity space or green space value; and
 - g) The high-pressure gas pipeline building proximity of 29m and easement zone of 28.6m are to be maintained as such, contributing to the landscape and biodiversity enhancement of the site or any other use strictly permitted by the relevant authorities.
- Reason: To ensure that the development is in keeping with the character of the area, is designed to be attractive, high quality, accessible, inclusive and safe, in line with policies 55, 56, 57, 59 and 60 of the Cambridge Local Plan (2018).

Primary Street Cycle Route

8. Notwithstanding further requirements by the Highways Authority, any reserved matters proposal including details of the primary street shall observe the inclusion of a safe cycle route segregated from traffic, to facilitate safe access to the central square and to the community facilities provided, as intended for residents within a wider catchment area.
- Reason: To demonstrate prioritisation of access by walking and cycling and to ensure that the development is accessible for all, in line with policies 56, 59 and 80 of the Cambridge Local Plan (2018).

Tree Planting and Landscape Strategy

9. As part of any reserved matters application a Tree Planting and Landscape Strategy shall be submitted to and approved in writing by the Local planning authority. The strategy shall ensure appropriate integration of trees, sustainable drainage, movement and access, public art, utilities and regional infrastructure easements, amenity and play. The Strategy will include dimensioned cross sections where relevant. Reason: To secure the coherent and comprehensive

development of the site and ensure compliance with policies 56, 59 and 60 of the Cambridge Local Plan (2018).

Dwelling sizes, types and tenures

10. As part of any reserved matters application proposing dwellings, a balanced mix of dwelling sizes, types and tenures will be included to meet projected future household needs within Cambridge. The mix of dwellings and tenure types shall have regard to the differing needs for different unit sizes of affordable housing and market housing. Reason: To ensure a balanced mix of dwellings which meet the needs for different unit sizes of affordable housing and market housing, in line with Policy 45 of the Cambridge Local Plan (2018).

Residential Space Standards

11. Any reserved matters applications proposing dwellings shall demonstrate through the provision of floorspace details that all dwellings in that application comply with the Residential Space Standards set out under Policy 50 of the Local Plan.
Reason: To ensure a good residential design, in line with Policy 50 of the Cambridge Local Plan (2018).

Surface water drainage

12. Any reserved matters application shall include a detailed surface water strategy pursuant to the phase which approval is sought. The strategy shall demonstrate how the management of water within the reserved matters application site for which approval is sought accords with the approved details of the strategic site wide surface water strategy. The strategy shall be based upon a SuDS hierarchy, as espoused by the publication 'The SuDS Manual CIRIA C753'. The strategy shall maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site. The strategy shall be based upon the site-wide principles within the agreed FRA and Drainage Strategy - Addendum (ref: 180724/A Marshall- version 1) dated 15 November 2019 and Technical Note (ref: 180724/A Marshall- version1) date 14th July 2020 unless an alternative site-wide strategy is agreed with the Local planning authority pursuant to this condition and shall include for the phase: a) Full results of the proposed drainage system modelling for 3.3% Annual Exceedance Probability (AEP) (1 in 30), 1% AEP (1 in 100) storm events 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; b) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers; c) A plan of the drained site area and which part of the proposed drainage system these will drain to; d) Full details of the proposed attenuation, SuDS features and flow control measures; e) Site Investigation, test results to confirm infiltration rates and long-term groundwater level measurement; f) Temporary

storage facilities if the development is to be phased; g)A timetable for implementation if the development is to be phased; h)Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants; i)Full details of the maintenance/adoption of the surface water drainage system that shall include ownership and long-term adoption; j)Measures taken to prevent pollution of the receiving groundwater and/or surface water. The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG. Reason: In order to reduce the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses is appropriate and monitored and to promote the use of sustainable urban drainage systems to limit the volume and rate of water leaving the site, in compliance with policies 31 and 32 of the Cambridge Local Plan (2018).

Carbon Reduction Statement

13. Any reserved matters application including a residential component shall be accompanied by a Carbon Reduction Statement, setting out how the proposals meet the requirement for all new residential units to achieve reductions in CO2 emissions of at least 40% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations as committed to in the approved site wide Energy and Sustainability Statement for the site (CalfordSeaden LLP, August 2019 Rev 4, Ref K180900). Any changes to this approach as a result of future changes to Building Regulations will be agreed in writing by the Local planning authority. The statement shall demonstrate how this requirement has been met following the outline energy strategy set out in the site wide Energy and Sustainability Statement. The development will be implemented in accordance with the measures set out in the Carbon Reduction Statement. Where on-site renewable or low carbon technologies are proposed, the statement shall include: a)A schedule of proposed on-site renewable energy technologies, their location, design, and a maintenance programme; and b)Details of any mitigation measures required to maintain amenity and prevent nuisance. The proposed renewable/low carbon energy technologies shall be fully installed and operational prior to the occupation of any approved buildings within that phase. No review of the requirements on the basis of grid capacity issues can take place unless written evidence from the District Network Operator confirming the detail of grid capacity and its implications has been submitted to, and accepted in writing by, the Local planning authority. Any subsequent amendment to the level of renewable/low carbon technologies provided on the phase shall be in accordance with a revised scheme submitted to and approved in writing by, the Local planning authority.
- Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution, in compliance with policies 28, 35 and 36 of the Cambridge Local Plan (2018).

Water Conservation

14. Any reserved matters application including a residential component shall be accompanied by a Water Conservation Strategy. This shall have regards to the 2020-2025 Water Resources Management Plan by Cambridge Water and include a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition). This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction, in compliance with Cambridge Local Plan (2018) Policy 28.

Sustainability Statement

15. Any reserved matters application for buildings shall be accompanied by a Sustainability Statement setting out how the proposals have integrated the principles of sustainable design and construction into their design. The topics to be covered in the Statement shall include, but are not limited to: a)Climate change adaptation including measures to reduce the risk of overheating in all new buildings, following the cooling hierarchy. Priority should be given to the role of green infrastructure and building design, including orientation, ventilation, shading, thermal mass, and cool materials; b)Water management; c)Site waste management; d)Use of materials and embodied carbon; e)Wider approaches to sustainable design and construction. The measures outlined in the Sustainability Statement shall be implemented prior to occupation, unless otherwise agreed in writing by the Local planning authority.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings, and in compliance with Cambridge Local Plan (2018) Policy 28.

BREEAM

16. Any reserved matters application including non-residential development shall be accompanied by a pre-assessment BREEAM report prepared by an accredited BREEAM Assessor, indicating that the building is capable of achieving the applicable 'excellent' rating as a minimum, with maximum credits achieved for Wat 01.

Reason: In the interests of reducing carbon dioxide emissions, ensuring efficient use of water and promoting principles of sustainable construction and efficient use of buildings, in compliance with Cambridge Local Plan (2018) Policy 28.

Noise assessment residential use

17. Any reserved matters application for residential type or other noise-sensitive uses pursuant to this approval shall include a noise assessment of external and internal noise levels and an Acoustic Design and Noise Insulation / Mitigation Scheme Report as appropriate, detailing the acoustic / noise insulation performance specification of the external building envelope of the residential

units (having regard to but not exclusively the site layout, building orientation, building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced externally and 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 for that phase. The Acoustic Design and Noise Insulation / Mitigation Scheme Report shall include a site specific Noise Impact Assessment and shall describe the acoustic design approach that will be followed and provide details of the noise insulation / mitigation measures / features to be used and implemented to reasonably achieve acceptable internal and external noise levels with reference to and in accordance with 'BS8233:2014- Guidance on sound insulation and noise reduction for buildings (or as superseded). The relevant Reserved Matters Application shall be constructed in accordance the approved Acoustic Design and Noise Insulation / Mitigation Scheme Report and any building noise insulation scheme and any alternative form of ventilation provision as required as part of the scheme shall be fully implemented prior to occupation of the residential units and other noise sensitive development and shall be maintained and retained thereafter within that phase. The scheme as approved shall be fully implemented and a completion report submitted prior to the occupation of the residential or other noise sensitive development within that phase. The approved scheme shall remain unaltered in accordance with the approved details.

Reason: To protect the amenity/quality of life of nearby properties and local areas in accordance with Cambridge Local Plan (2018) Policy 35.

Noise impact assessment non residential

18. Any reserved matters application incorporating planning use classes other than residential shall include an operational noise impact assessment including, where appropriate, a scheme for the insulation of any building(s) or use(s) / activities and plant / equipment, and consideration of other noise mitigation and management measures (location / layout, engineering and administrative) to minimise the level of noise emanating from the said building(s) or use(s) / activities and plant / equipment shall be submitted to and approved in writing by the Local planning authority . The approved scheme of noise insulation / mitigation and management shall be fully implemented before the relevant building(s), use(s) / activities, or plant / equipment are occupied (in relation to buildings), commenced (in relation to uses / activities) or operated / used (in relation to plant / equipment) and shall be maintained and retained thereafter in accordance with the approved scheme details.

Reason: To protect the amenity/quality of life of nearby properties and local areas in accordance with Cambridge Local Plan (2018) Policy 35.

Lighting scheme

19. Any reserved matters application pursuant to this approval that includes lighting shall include an artificial lighting scheme to be submitted to and approved in writing by the Local planning authority. The scheme shall include details of any artificial lighting for that phase and an artificial lighting impact assessment with

predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (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/quality of life of nearby properties and local areas in accordance with Cambridge Local (2018) Policy 34.

Ductwork

20. Any reserved matters application for non-residential units shall include details of the location of associated ductwork, for the purpose of extraction and/or filtration of fumes and or odours (if any) of the non-residential units to be submitted to and approved in writing by the Local planning authority . The ductwork shall be installed as approved before the use of the relevant non-residential unit hereby permitted is commenced.

Reason: To protect the amenity/quality of life of nearby properties and local areas in accordance with Cambridge Local (2018) Policy 36.

TMP

21. No demolition or construction works shall commence on a phase until a traffic management plan for that phase has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

Visibility splays

22. Prior to the junction shown on drawing number 180724.X.00-R-C -3037 rev C coming into operation for whatever reason (including the use as a construction access) the proposed forward visibility splays as shown on drawing number 180724.X.00-DR-C-3040 shall be laid out in full, unless the applicant provides suitable empirical data, in the form of a written report, to the local planning authority clearly demonstrating that a reduced forward visibility splay would operate within the normal range of risks and hazards associated with the use of the highway. If this is the case the reduced forward visibility splay shall be laid out in full prior to the junction shown on drawing number 180724.X.00-R-C -3037 rev C coming into operation for whatever reason (including the use as a construction access).

Reason: In the interests of highway safety and the Cambridge Local Plan (2018) Policy 80.

MMP

23. Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in

writing by the local planning authority for that phase. The MMP shall in respect of the phase: a) Include details of the volumes and types of material proposed to be imported or reused on site b) Include details of the proposed source(s) of the imported or reused material c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site. d) Include the results of the chemical testing which must show the material is suitable for use on the development e) Include 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 document.

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.

Tree protection

24. Prior to any equipment, machinery or materials being brought onto the site for the purpose of development on a phase, including demolition, details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development for that phase, shall be submitted to, and approved in writing by, the local planning authority. The approved details shall be implemented prior to development commencing and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from that phase. Nothing shall be stored or placed in any area protected in accordance with this condition, 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 protect the visual amenity of the area and to ensure the retention of the trees on the site, in line with the Cambridge Local Plan (2018) policies 55, 57, 59 and 71.

DCEMP

25. The development shall be carried out in accordance with the details approved under application reference 19/1168/COND25 (document reference 10781/DCEMP/01 Rv2) prepared by Brookbanks, dated 29th October 2021.
Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Policy 33 of the Cambridge Local Plan (2018).

DWMP

26. Prior to the commencement of development on a phase, a Detailed Waste Management and Minimisation Plan (DWMMP) for that phase shall be submitted to and approved by the Local planning authority. The DWMMP shall include details for the phase, in relation to:
a) Construction waste infrastructure including a construction material recycling facility to be in place during all phases of construction;

b) Anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste;

c) Measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;

d) Any other steps to ensure the minimisation of waste during construction;

e) The location and timing of provision of facilities pursuant to criteria a/b/c/d;

f) Proposed monitoring and timing of submission of monitoring reports;

g) The proposed timing of submission of a Waste management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development;

h) A RECAP Waste Management Guide toolkit shall be completed, with supporting reference material;

i) Proposals for the management of municipal waste generated during the occupation phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material, access to storage and collection points by users and waste collection vehicles. The DWMMP shall be implemented in accordance with the approved details.

Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide (2012); and to comply with the National Planning Policy for Waste (October 2014).

Tree pits

27. No development shall take place on a phase until full details of all tree pits for that phase (if any proposed), 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 for that phase.

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

Earthworks

28. No development shall take place on a phase, other than demolition, until details of earthworks, including ground raising related to earthworks balancing across the site have been submitted to and approved in writing by the local planning authority for that phase. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details for the relevant phase.

Reason: To ensure that the details of the earthworks are acceptable, in accordance with the Cambridge Local Plan (2018) policies 55, 57 and 59.

Ecological Enhancement

29. No development shall take place on a phase, other than demolition, until a scheme of off-site ecological enhancement for that phase has been submitted to and approved in writing by the Local planning authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the relevant phase of the development or in accordance with a programme agreed in writing with the Local planning authority.
Reason: To enhance ecological interests in accordance with Policy 70 of the Cambridge Local Plan (2018).

Groundworks

30. No development shall commence on a phase, other than demolition, until the details of all groundworks for that phase are submitted and approved by the local authority. Details should include protection of ground to be reinstated to landscape; methodology of soil stripping, storage, handling, formation level decompaction, and soil re-spreading. 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' Defra publication.
Reason: To ensure that the details of the groundworks are acceptable in accordance with the Cambridge Local Plan (2018) policies 55, 57 and 59.

Bird Hazard Management Plan

31. Development shall not commence on a phase, other than demolition, until a Bird Hazard Management Plan for that phase has been submitted to and approved in writing by the Local planning authority. The submitted plan shall include details of SuDS to ensure these areas will not result in areas of open water and also to prevent the successful breeding of large gulls. The Bird hazard Management Plan shall contain for the phase:
- a. monitoring of any standing water within the site temporary or permanent;
 - b. Sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at www.aoa.org.uk/policy-campaigns/operationssafety/).
 - c. 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 8 'Potential Bird Hazards from Building Design' (available at www.aoa.org.uk/policycampaigns/operations-safety/)
 - d. reinstatement of grass areas

- e. maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
- f. which waste materials can be brought on to the site/what if any exceptions e.g. green waste
- g. monitoring of waste imports (although this may be covered by the site licence)
- h. physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
- i. signs deterring people from feeding the birds. The Bird Hazard Management Plan shall be implemented as approved, on completion of the development in the phase and shall remain in force for the life of the building in that phase. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local planning authority.
Reason: To minimise and mitigate the potential for the development to attract and support birds of such species that could endanger the safe movement of aircraft and the operation of Cambridge Airport, in accordance with the Cambridge Local Plan (2018) Policy 37.

Ecological Design Strategy

32. No development shall commence on a phase, other than demolition, until an ecological design strategy (EDS) addressing protection, enhancement, mitigation and compensation for that phase has been submitted to and approved in writing by the Local planning authority. The EDS shall include the following:
- a. Purpose and conservation objectives for the proposed development;
 - b. Review of site potential and constraints;
 - c. Detailed design(s) and/or working method(s) to achieve stated objectives;
 - d. Extent and location/area of proposed works on appropriate scale maps and plans;
 - e. Type and source of materials to be used where appropriate, e.g. native species of local provenance;
 - f. Birds and bats features;
 - g. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 - h. Persons responsible for implementing the works;
 - i. Details of initial aftercare and long-term maintenance;
 - j. Details for monitoring and remedial measures;
 - k. Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interests of environmental protection in accordance with Policy 70 of the Cambridge Local Plan (2018).

WSI

33. The development shall be carried out in accordance with the details approved under application reference 19/1168/COND33 (Written Scheme of Investigation and Evaluation report prepared by Oxford Archaeology uploaded 28th March 2023).

Reason: To secure satisfactory mitigation measures and to conserve the interest of the historic environment evidence in compliance with paragraph 199 of the NPPF.

Construction Method Statement

34. Prior to the commencement of development on a phase, other than demolition, a detailed construction method statement (CMS) for that phase shall be submitted and approved by the local planning authority in writing. The CMS shall be accompanied by a statement that demonstrates how the proposal accords with the approved site wide Demolition and Construction Environmental Management Plan (DCEMP) under Condition 25. In addition the CMS shall also provide a specific construction programme and a plan identifying: the contractor site storage area/compound; screening and hoarding locations; access arrangements for vehicles, plant and personnel; building material, plant and equipment storage areas; contractor parking arrangements for construction and personnel vehicles; and the location of contractor offices. Thereafter the development shall be undertaken in accordance with the agreed details unless otherwise agreed in writing by the Local planning authority. Reason: To protect human health and amenity in terms of noise and local air quality in accordance with policies 35 and 36 of the Cambridge Local Plan (2018).

Contamination

35. The development shall be carried out in accordance with the details approved under application reference 19/1168/COND35 (Phase I Geoenvironmental Site Assessment by e3p, ref: 15-037-R3-1, version 1, dated December 2021 and Phase II Intrusive Site Investigation Specification by Brookbanks, dated 20th May 2021. The scheme shall subsequently be implemented in full accordance with the approved details.

Reason: To ensure appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan (2018) Policy 33.

Site Investigation and Remediation

36. The development shall be carried out in accordance with the details approved under application reference 19/1168/COND36 (Ground Gas Addendum Report by e3p, ref: 15-037-R3-1, dated 8th March 2022, Remediation & Enabling Works Strategy by e3p, ref: 15-037-R4-1, dated 31st May 2022 and email correspondence between the Environment Agency and e3p dated 23rd May 2022). The scheme shall subsequently be implemented in full accordance with the approved details.

Reason: To ensure appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan (2018) Policy 33.

WSI post fieldwork

37. The post-fieldwork sections of the archaeology programme shall be fully implemented in accordance with the timetable and provisions of the approved Written Scheme of Investigation. This stage of the programme can occur after the commencement of development:
- a) Completion of a Post-Excavation Assessment report and an Updated Project Design for the analytical work to be submitted for approval within six months of the completion of fieldwork, unless otherwise agreed in advance with the Local planning authority;
 - b) Completion of the approved programme of analysis and production of an archive report; submission of a publication synopsis and preparation of a publication report to be completed within 18 months of the approval of the Updated Project Design, unless otherwise agreed in advance with the Local planning authority ;
 - c) Deposition of the physical archive in the Cambridgeshire Archaeological Archive Facility or another appropriate store approved by the Local planning authority and deposition of the digital archive with the Archaeology Data Service or another CoreTrustSeal certified repository within 1 year of completion of part b.

Reason: To secure satisfactory mitigation measures and to conserve the interest of the historic environment evidence in compliance with paragraph 199 of the NPPF.

PADP

38. The development shall be carried out in accordance with the details approved under application reference 19/1168/COND38 (Public Art Delivery Plan Rev B, prepared by Farrer Huxley, dated August 2022. The scheme shall subsequently be implemented in full accordance with the approved details.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 55 and 56 of the Cambridge Local Plan 2018.

Boundary Treatments

39. Where relevant on a phase, no development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected for that phase. The boundary treatment shall be completed before the use hereby permitted in that phase is commenced and retained thereafter. Development shall be carried out in accordance with the approved details. Reason: To ensure an appropriate

boundary treatment is implemented, in line with the Cambridge Local Plan (2018) policies 55, 57 and 59.

Cycle Parking

40. No development above ground level, other than demolition, shall commence on a phase requiring cycle parking until details of facilities for the covered, secured parking of bicycles for use in connection with that phase of the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences in the relevant phase. Reason: To ensure appropriate provision for the secure storage of bicycles, in line with the Cambridge Local Plan (2018) Policy 82.

Hard and Soft Landscaping

41. Within any phase pursuant to this approval, no development above ground level, other than demolition, shall commence in that phase until full details of both hard and soft landscape works for that phase have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Details shall also include dimensioned cross sections through mounds, swales, detention basins and bioretention areas. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme. Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development, in accordance with the Cambridge Local Plan (2018) policies 55, 57 and 59.

Future Management and Maintenance

42. No development above ground level, other than demolition, shall commence on a phase until details of the proposed arrangements for future management and maintenance of the proposed streets within that phase of the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established. Reason: To ensure satisfactory development of the site and to ensure estate roads are

managed and maintained thereafter to a suitable and safe standard, in accordance with the Cambridge Local Plan (2018) Policy 80.

EV charging

43. Prior to any above ground works within a phase, other than demolition, an Electric Vehicle Charging Point provision and infrastructure strategy including an implementation plan for that phase shall be submitted to and approved in writing by the Local planning authority. The strategy shall be appropriate for the proposed end use(s) of the development and shall provide full details of the provision of allocated parking spaces for dedicated electric vehicle charging in line with the principles set out in the NPPF, the Cambridge Local Plan and Cambridge City Council's Air Quality Action Plan. The strategy shall include consideration of both active (slow, fast and rapid) and passive electric vehicle charge point provision and design to enable the charging of electric vehicles in safe, accessible and convenient locations. The Strategy shall include the following for that phase: a)100% provision of a dedicated active slow electric vehicle charge point with a minimum power rating output of 7kW for each residential dwelling with allocated / dedicated on-plot parking; b)Minimum 50% provision of dedicated active slow electric vehicle charge points with a minimum power rating output of 7kW for residential dwellings with communal and courtyard parking; c)Dedicated Slow electric vehicle charge points with a minimum power rating output of 7kW for at least 50% of non-residential parking spaces and d)Either at least one Rapid electric vehicle charge point for each 1,000m² non-residential floorspace, or at least one Fast electric vehicle charge point for each 1,000m² non-residential floorspace, should a Rapid charge point not be technically feasible e)The electric vehicle charge point parking spaces shall be exclusively reserved for electric vehicle charging. f)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 car parking spaces to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required. g)Electric vehicle charge points shall be compliant with BS7671 and BS61851 or as superseded. 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 paragraphs 105, 110, 170 and 181 of the NPPF, Policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan and Cambridge City Council's adopted Air Quality Action Plan (2018).

Green roof

44. Prior to any superstructure works commencing on a phase, details of any biodiverse (green) roof(s) for that phase shall be submitted to and approved in writing by the Local planning authority prior to any superstructure works commencing on site. 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) The biodiverse (green) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency, d) The biodiverse roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter, e) Where solar panels are proposed, biosolar roofs should be incorporated under and in between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation, f) A management/maintenance plan approved in writing by the local planning authority, g) 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, in line with the Cambridge Local Plan (2018) Policy 31.

Shared Pedestrian and Cycleway (north side of Worts' Causeway)

45. Prior to the first occupation of the development, details of a 2.5m wide shared pedestrian and cycleway on the north side of Worts' Causeway, between the existing bus gate and the junction with Field Way shall be submitted to and approved in writing by the Local planning authority. This shall include scaled and dimensioned plans and sections showing any proposed hard and soft elements. Development shall only be carried out in accordance with the approved details and as part of a S278 agreement.

Reason: To mitigate the impact of the development and in support of the sustainable access to the development, in compliance with policies 80 and 81 of the Cambridge Local Plan (2018).

Shared Pedestrian and Cycleway (western edge)

46. Prior to the first occupation of the development, details of the 3m wide shared pedestrian and cycle path (with space allocated to equestrians) on the western boundary of the site between Worts' Causeway and Babraham Road shall be submitted to and approved in writing by the local planning authority, in consultation with the Cambridgeshire County Council. This shall include scaled and dimensioned plans and sections showing any proposed hard and soft elements. Development shall only be carried out in accordance with the approved details.

Reason: To mitigate the impact of the development and in support of the sustainable access to the development, in compliance with policies 80 and 81 of the Cambridge Local Plan (2018).

Visibility splays

47. Prior to the first occupation or bringing into use of the development hereby permitted, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on drawing 180724-X-00-DR-C-3033. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
Reason: In the interests of highway safety, in line with the Cambridge Local Plan (2018) Policy 80.

Car Club Space

48. The provision of an allocated car club car parking space and car club vehicle shall be agreed prior to first occupation of the development hereby permitted and maintained thereafter.
Reason: In the interests of encouraging more sustainable forms of travel/transport and to reduce the impact of development on local air quality, in accordance with the policies 36 and 80 of the Cambridge Local Plan (2018).

Foul water

49. Prior to first occupation, a scheme for the discharge of water drainage (and trade effluent where appropriate) from the proposed development to the public foul sewer with the prior approval of Anglian Water Services Ltd Foul should be submitted to the Local planning authority. Anglian Water Services Ltd. should be satisfied that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows generated by the development or confirm that a connection is not reasonably available. If there is connection reasonably available but without capacity in either of the sewers, the Environment Agency must be satisfied with the alternative methods of disposal within the proposed scheme.
Reason: To ensure water is adequately managed without causing pollution or flooding, in compliance with Cambridge Local Plan (2018) policies 28, 30 and 31.

Landscape maintenance

50. Prior to first occupation or the bringing into use of the development on a phase, a landscape maintenance and management plan for that phase, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the local planning authority in writing. The landscape plan for that phase shall be carried out as approved. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.
Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development, to satisfy the Cambridge Local Plan (2018) policies 55, 57 and 59.

Travel Plan

51. Prior to first occupation of any phase of the development a Travel Plan for that phase shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall include the provision of cycle discount vouchers and/or bus taster tickets, and specify further methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking. The Travel Plan shall be implemented as approved upon the occupation of the relevant phase of the development and monitored in accordance with details to be agreed in writing by the Local planning authority. Reason: To mitigate the impact of the development and in the interests of encouraging sustainable travel to and from the site, in compliance with policies 80 and 81 of the Cambridge Local Plan (2018).

Remediation implementation

52. Prior to the first occupation of a phase of the development, the remediation strategy approved under clause (b) to Condition 36 shall be fully implemented on site following the agreed schedule of works, if any remediation is required for that phase.
Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

Completion Report

53. Prior to the first occupation of a phase of the development, the following shall be submitted to and approved by the local planning authority, if any remediation is required for that phase: a) A completion report demonstrating that the approved remediation scheme as required by Condition 36 and implemented under Condition 52 has been undertaken and that the land has been remediated to a standard appropriate for the end use. b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria. Thereafter, no works shall take place within the phase such as to prejudice the effectiveness of the approved scheme of remediation. Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan (2018) Policy 33.

Fire Hydrants

54. Prior to first occupation of the development on a phase, fire hydrants shall be installed and fully operational in accordance with a scheme for the provision of fire hydrants for that phase, that has been submitted to and approved in writing by the local planning authority.

Reason: To ensure the provision of adequate water supply infrastructure to protect the safe living and working environment for all users and visitors in accordance with Cambridge Local Plan (2018) policies 56, 57 and 85.

Unexpected Contamination

55. If unexpected contamination is encountered whilst undertaking the development which has not previously been identified on a phase, works shall immediately cease on that phase until the Local planning authority has been notified and the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of Condition 36 above. The approved remediation shall then be fully implemented under Condition 52. Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan (2018) Policy 33.

Collections and deliveries

56. All service collections / dispatches from and deliveries to the commercial units within the development including refuse / recycling collections shall only be permitted between the hours of 07:00 to 23:00 Monday to Friday and 08:00 to 13:00 on Saturdays. Service collections / dispatches and deliveries are not permitted at any time on Sundays or Public Holidays. Reason: To protect the amenity/quality of life of nearby properties and local areas in accordance with Cambridge Local Plan (2018) policies 35 and 36.

Falls and Levels

57. The proposed access ways shall be constructed so that their falls and levels are such that no private water from the site drains across or onto the adopted public highway. 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 line with the Cambridge Local Plan (2018) Policy 80.

Open space

58. In the event the landscaped area over the gas pipeline building proximity zone (BPD) of 29m and easement zone of 28.6m is not included in the on-site open space provision for health and safety reasons, the applicants shall endeavour to replace any shortfall of open space provision elsewhere on the site. The local planning authority must be satisfied that all means have been explored to achieve 100% of on-site open space provision, before considering an exceptional circumstance and accepting an off-site alternative to meet this provision.
Reason: To ensure the successful integration of open space into a proposed development, in line with Policy 68 of the Cambridge Local Plan (2018).

(24/01704/S73) Appendix 1



Planning Committee Date	4 th September 2024
Report to Lead Officer	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Reference Site	24/01704/S73 Land South Of Worts Causeway Cambridge CB1 8RL
Ward / Parish	Queen Edith's
Proposal	S73 to vary conditions 3 (Approved plans) and 16 (pre-assessment BREEAM report) of outline planning permission 19/1168/OUT (outline application with all matters reserved in respect of junction arrangements onto Worts Causeway and Babraham Road, for the erection of up to 230 residential dwellings and up to 400m ² (GIA) of non residential floorspace with Use Classes A1/A2/A4/B1/D1, new landscaping and public realm, car and cycle parking, infrastructure, other associated works following the demolition

of all existing buildings on the site. The proposed variation and clarification to the building height parameter plan and to amend the wording of the BREEAM condition.

Applicant	Cambridge Investment Partnership
Presenting Officer	Aaron Coe
Reason Reported to Committee	Cambridge City Council has a direct interest in the application as part applicant.
Member Site Visit Date	N/A
Key Issues	1. The design and impact on building heights implications of the proposed amendment. 2. Sustainability matters.
Recommendation	APPROVE subject to conditions and Section 106.

6.0 Executive Summary

- 1.1 The application site lies within GB2, which is identified for residential development under Policy 27 of the Cambridge Local Plan 2018. The GB2 site lies between Babraham Road and Wort's Causeway. It has outline permission for up to 230 dwellings and up to 400m² of non-residential floorspace within Use Classes A1/A3/A4/D1. The site has three phases as agreed under Condition 4 of the outline planning permission. Phase 1 is for the spine road and has reserved matters approval (21/04186/REM), this forms the link between Babraham Road with Wort's Causeway and the access and tertiary roads through the site will come off this route. Phase 2 (80 residential units) was approved by planning committee in June 2023 under application reference 22/02646/REM.
- 1.2 This application seeks to make minor material amendments to the details approved as part of the outline consent. The proposals have been discussed with the Councils officers as part of detailed pre-application work which was undertaken from summer 2023 onwards. Concurrently with this Section 73 application, the applicants have submitted the reserved matters detail for Phase 3 which seeks consent for 150 homes and 400sqm of commercial/ community floorspace. The details of the reserved matters application are being assessed separately under application reference 24/01531/REM.
- 1.3 The amendments proposed include:

- An amendment to Condition 3 (Compliance with Parameter Plans) to update and clarify the proposed building heights parameter plan.
- An amendment to Condition 23 (unchanged wording but renumbered to condition 16 under application reference 19/1168/NMA1). The applicants are responsible for providing the shell and core of the new facilities and the future tenants of the commercial /community facilities are unknown at this stage. Therefore, the proposal seeks to vary this condition to achieve BREEAM 'Very Good' at pre assessment design stage.

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

1.5 The proposed variations are considered acceptable and the development would continue to comply with the relevant policies in the Cambridge City Local Plan and the details secured under the outline consent. The applicants have worked collaboratively with Greater Cambridge Shared Planning urban design, landscape and sustainability officers to ensure a design led approach has been taken to inform the amendments.

1.6 Officers recommend that the Planning Committee **Approve** the Application.

7.0 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

7.1 The application site lies between Babraham Road and Wort's Causeway. At the northern end is a public footpath with mature hedgerows abutting Wort's Causeway. The site slopes gently from north to south, and a gas main runs diagonally through the southern half of the site. The application

site was previously an agricultural field. The farm buildings of Newbury Farm have now been demolished and the works to deliver the spine road and infrastructure as approved under application reference 21/04186/REM have commenced.

7.2 To the west of the application site beyond the landscape buffer are existing residential properties. To the south is Babraham Road and to the north is Wort's Causeway.

8.0 The Proposal

8.1 Outline planning permission was granted on the site in May 2021 for the erection of up to 230 residential dwellings and up to 400m² (GIA) of non-residential floorspace within Use Classes A1/A3/A4/B1/D1, new landscaping and public realm, car and cycle parking, infrastructure, other associated works following the demolition of all existing buildings on the site.

8.2 The applicants have worked collaboratively with Greater Cambridge Shared Planning urban design, landscape and sustainability officers through a pre application process to ensure a design led approach has been taken to inform the amendments.

8.3 The Applications seeks approval for variation of the outline permission. In summary the following conditions and details are proposed to be amended:

- An amendment to Condition 3 (Compliance with Parameter Plans) to update and clarify the proposed building heights parameter plan.
- An amendment to Condition 23 (unchanged but renumbered to condition 16 under application reference 19/1168/NMA1). The applicants are responsible for providing the shell and core of the new facilities and the future tenants of the commercial /community facilities are unknown at this stage. Therefore, the proposal seeks to vary this condition to achieve BREEAM 'Very Good' at pre assessment design stage.

8.4 The application is accompanied by the following supporting information:

- Planning Statement and Covering Letter
- Planning Drawings
- Design statement
- LVIA Addendum

9.0 Site History

4.1 The most relevant planning applications are detailed below:

Reference	Description	Outcome
19/0257/SCRE	EIA Screening Opinion	Screening required
19/1168/OUT	Outline application (all matters reserved except for means of access in respect of junction arrangements onto Worts' Causeway and Babraham Road) for erection of up to 230 residential dwellings and up to 400m ² (GIA) of non-residential floorspace within Use Classes A1/A3/A4/B1/D1, new landscaping and public realm, car and cycle parking, infrastructure, other associated works following the demolition of all existing buildings on the site.	Approved
19/1168/NMA1	Non-material amendment of outline planning permission 19/1168/OUT to change the condition wording to allow phasing of development and early delivery of the access points, strategic infrastructure and demolition works.	Approved
19/1168/NMA2	Non-material amendment on outline permission 19/1168/OUT to amend wording on conditions 1, 21, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43 and 47 to allow the construction of a temporary access within the southwestern corner of the site.	Withdrawn
19/1168/NMA3	Non Material amendment of outline planning permission 19/1168/OUT to amend the Worts Causeway General Arrangement Plan.	Approved
19/1168/NMA4	Non material amendment on application 19/1168/OUT for minor amendment to wording of Condition 3.	Approved
21/04186/REM	Reserved matters application for the appearance, landscape, layout	Approved

and scale for Phase 1, comprising: the north-south primary route connecting Babraham Road and Worts Causeway, secondary route bellmouths, footways and cycleways, SuDS detention basins, water main diversion, hard and soft landscaping including the creation of the southern gateway and the central square, provision of a local area of play, the installation of a pumping station, and all ancillary works, associated infrastructure and engineering works, and partial discharge of conditions 9, 12, 19, 27, 28, 41 and 42 of the outline permission 19/1168/OUT for Phase 1.

22/02646/REM

Reserved matters application for appearance, landscape, layout and scale for Phase 2 comprising the creation of 80 residential units, hard and soft landscaping including the creation of a central square and associated works. The related partial discharge of Conditions 1, 9, 10, 11, 12, 13, 14, 15, 17, 19 pursuant to outline approval 19/1168/NMA1.

Approved

24/01531/REM

Reserved matters application for appearance, landscaping, layout and scale for Phase 3 of outline permission 19/1168/OUT for the erection of 150 residential units, community and commercial floorspace, hard and soft landscaping, parking, roadways/pathways, substation and associated works/infrastructure and approval of details required by conditions 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 29, 31, 43 and 51 of approval 19/1168/NMA1.

Pending

There have been several submissions to discharge outline (19/1168/NMA1) conditions in part or in full. These include:

Condition 4- Phasing Plan- Full discharge
Condition 21- Traffic Management Plan- Part discharge (phase 1 only)
Condition 23- Material Management Plan- Part discharge (phase 1 only)
Condition 24- Tree protection- Full discharge
Condition 25- DCEMP- Full discharge
Condition 26- DWMP- Part discharge (phase 1 only)
Condition 29- Off site ecological enhancement- Part discharge (phases 1 and 2)
Condition 30- Groundworks- Part discharge (phase 1 only)
Condition 31- Bird Hazard Management Plan- Part discharge (phase 1 only)
Condition 32- Ecological Design Strategy- Part discharge (phases 1 and 2)
Condition 33- Archaeology – Full discharge
Condition 34- Construction Method Statement- Part discharge (phase 1 only)
Condition 35- Preliminary Contamination Assessment- Full discharge
Condition 36- Site investigation and remediation- Full discharge
Condition 38- Public Art Delivery Plan- Full discharge

10.0 Policy

10.1 National

National Planning Policy Framework 2023 (December)

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

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

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

10.2 Cambridge Local Plan 2018

- Policy 1: The presumption in favour of sustainable development
- Policy 2: Spatial strategy for the location of employment development
- Policy 3: Spatial strategy for the location of residential development
- Policy 4: The Cambridge Green Belt
- Policy 5: Sustainable transport and infrastructure
- Policy 8: Setting of the city
- Policy 9: Review of the Local Plan
- Policy 14: Areas of Major Change and Opportunity Areas
- Policy 27: Site specific development opportunities
- Policy 28: Sustainable design and construction, and water use
- Policy 29: Renewable and low carbon energy generation
- Policy 30: Energy-efficiency improvements in existing dwellings
- Policy 31: Integrated water management and the water cycle
- Policy 32: Flood risk
- Policy 33: Contaminated land
- Policy 34: Light pollution control
- Policy 35: Human health and quality of life
- Policy 36: Air quality, odour and dust
- Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding
- Policy 39: Mullard Radio Astronomy Observatory, Lord's Bridge
- Policy 40: Development and expansion of business space
- Policy 42: Connecting new developments to digital infrastructure
- Policy 43: University development
- Policy 45: Affordable housing and dwelling mix
- Policy 47: Specialist 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 and the skyline in Cambridge
- Policy 65: Visual pollution
- Policy 67: Protection of open space
- Policy 68: Open space and recreation provision through new development
- Policy 70: Protection of priority species and habitats
- Policy 71: Trees
- Policy 73: Community, sports and leisure facilities
- Policy 80: Supporting sustainable access to development
- Policy 81: Mitigating the transport impact of development
- Policy 82: Parking management
- Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

10.3 Neighbourhood Plan

N/A

10.4 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Health Impact Assessment SPD – Adopted March 2011

Landscape in New Developments SPD – Adopted March 2010

Open Space SPD – Adopted January 2009

Public Art SPD – Adopted January 2009

Trees and Development Sites SPD – Adopted January 2009

10.5 Other Guidance

Arboricultural Strategy (2004)

Cambridge Landscape and Character Assessment (2003 Cambridge City Nature Conservation Strategy (2006)

Cambridge City Wildlife Sites Register (2005)

Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)

Strategic Flood Risk Assessment (2005)

Cambridge and Milton Surface Water Management Plan (2011)

Cycle Parking Guide for New Residential Developments (2010)

Air Quality in Cambridge – Developers Guide (2008)

11.0 Consultations

11.1 Cambridgeshire County Highways Development Management

No objection subject to the outline conditions continuing to apply to the new permission.

11.2 Lead Local Flood Authority (LLFA)

No objection to the variation of the conditions.

11.3 GCSP Urban Design Officer –

No objection as the proposed changes do not impact the overall development heights set out in the originally approved parameter plans. The approach to the height and design of the buildings across the site will be design and context led which will be assessed under the reserved matters application.

11.4 GCSP Landscape Officer

No objection to the proposed amendment to the description of the building heights and omission of the reference to number of storeys. The supporting information has demonstrated that the proposed buildings will remain within the originally approved building heights parameter plan limits.

11.5 Cambridge City Council Environmental Health

The varying of conditions 3 and 23 do not raise any environmental health related concerns. Subject to the environmental health conditions imposed on the original outline consent being reapplied to this permission.

11.6 Anglian Water

No objection.

11.7 County Archaeological Officer

No objection subject to an archaeological condition.

6.8 GCSP Sustainability Officer

The variation of the BREEAM condition is supported. The amended condition will reference the requirement to achieve maximum credits from Wat01.

6.9 Designing Out Crime Officer

No objection.

6.10 National Highways

No objection.

6.11 Historic Environment

No objection.

6.12 Cambridge City Airport

No objection subject to informative regarding crane heights.

12.0 Third Party Representations

None received.

13.0 Assessment

8.1 Planning Background

8.2 Following the initial approval of the outline planning application for up to 230 dwellings on the GB2 site (approved May 2021), an amended application was received to change the wording of the conditions (approved August 2021). This Section 73 application, therefore, follows the condition wording and numbering of the amended application, reference number 19/1168/NMA1.

Principle of Development

- 8.3 The principle of the development has been established as acceptable under the approved outline permission reference number 19/1168/OUT (and 19/1168/NMA1) for GB2. The GB2 site has been allocated for residential development under Policy 27 of the Cambridge Local Plan 2018. The principle of the development has therefore been established and is not being re-visited by this application. The application is to solely make minor material amendments to the approved Building Heights parameter plan and the wording of the BREEAM condition.

Environmental Impact Assessment

- 8.4 The application has been re-screened under the EIA Directives and Regulations given this is a new application for planning permission. When considering the alterations to the development proposed within the Section 73 applications, the change would not result in environmental effects to the extent that they would require an updated assessment. The only technical issue which was deemed to require further assessment was the Landscape and Visual Impact (LVIA) for which an addendum document has been submitted and reviewed by officers.

Condition 3- Amendment and Clarification to Building Height Parameter Plan

- 8.5 The outline planning permission fixed the key principles for development on the site. The parameter plans securing these principles were included within Condition 3 - Approved Plans. The applicant seeks to make some minor material amendments to the approved building height parameter plans.
- 8.6 The approved building height parameter plan defines maximum building heights that can be provided across the application site. The majority of the site was approved to be the subject of buildings up to 10.2 metres (2 storey). The central area allows up to 13m high buildings to be provided (3 storeys) and a focused zone, within which the community and commercial uses are to be located, can extend to up to 14m in height (also 3 storeys).
- 8.7 This application seeks to remove the dual reference to both building heights and number of storeys, instead the revised parameter plan refers only to building heights in terms of metres. The submitted Design and Access Statement which accompanied the outline submission showed the opportunity for additional floor space to be created in the roof space of the buildings, and thus allowing more than two storeys of accommodation to be provided, albeit in a building form that is limited to a maximum of 10.2m in height.
- 8.8 This Section 73 submission has been subject to extensive pre application discussions to ensure a design led approach has been followed to create a development which fulfils the vision of the outline consent. This has been achieved as the revised parameter plan will still require a varied roof scape to be delivered

across the scheme with building heights being restricted in the sensitive edges and gradually rising towards the centre of the site.

- 8.9 The revised building height parameter plan also introduces a lower building height along the western edge to respond to the adjacent residential properties and gardens. The properties along the western and south west edge will be restricted to a maximum height of 8.5metres. A 15 metre landscape buffer between existing and proposed properties will also be located along the western boundary of the site. The application is accompanied by a comprehensive design statement which provides a clear and thorough justification of the rationale for the proposed revisions to the original parameter plan.
- 8.10 The changes to the parameter plans have been developed collaboratively with officers. The key changes to the parameter plan were presented to the Cambridgeshire Quality Panel and a pre application member briefing.
- 8.11 An amendment is also proposed to the key of the approved building heights parameter plan in respect of ground reprofiling. As approved the parameter plan offered increases of up to 1m to ridge heights to enable localised ground reprofiling to take place. However, since the approval of the outline consent the phase 1 development has been designed and approved under the infrastructure reserved matters application (21/04186/REM). The approved spine road and associated drainage infrastructure approved as part of the Phase 1 works is now being constructed on site. Once completed, the applicants (Cambridge Investment Partnership) will be provided with a “serviced site” of the Phase 3 land upon which the homes, commercial and community spaces detailed in the corresponding reserved matters application for Phase 3 (24/01531/REM) is proposed to be built. In finalising the detailed drainage infrastructure works as part of the Phase 1 RMA, ground levels across Phase 3 will need to be raised to enable the drainage infrastructure to connect, via a gravity feed, back to the central spine road.
- 8.12 The proposed alterations to the building heights parameter plan will ensure all buildings are below the maximum heights set by the parameter plan when the 1.5m buffer for ground reprofiling is considered. The proposed building heights have been carefully designed to the permitted limits and the heights of buildings have been selected across the site to maintain consistency with the vision of the consented Outline Application.
- 8.13 The visual impact of the proposed variation has been assessed as part of an LVIA addendum which provides a comparison with the previously predicted visual effects of the consented outline scheme. Through the pre application process officers selected the most sensitive viewpoints for reassessment (viewpoint 2 and 9) and the document concludes that the scale and massing of the proposals are within the consented parameters and are in keeping with the original design intent.

The information submitted has been assessed by the Council's urban design and landscape officers, the specialist officers concur with the conclusions of the assessment.

- 8.14 Overall, the impact of the proposed changes, when compared to the outline application are minor and do not alter the original assessment of the outline application. The proposed alteration ensures the development remains sympathetic to the residential properties located to the west, and retains the open views that extend into the surrounding Green Belt. As such the proposed revisions to the Building Height Parameter Plan following a design led process with detailed engagement with the Council's officers are deemed to be acceptable, and compliant with policies 13, 55, 56, 57 and 58 of the Cambridge Local Plan 2018.

BREEAM (Condition 16)

- 8.15 Condition 16 of the outline consent required any reserved matters which included non residential development to be accompanied by a BREEAM report which demonstrated the building is capable of achieving the applicable 'excellent' rating with maximum Wat01 Credits. The approved community and commercial floorspace is being delivered in Phase 3 and this condition is therefore relevant to the reserved matters application for Phase 3 (24/01531/REM) which has now been submitted by the applicants. However, at this stage the future tenants for the community and commercial space which forms part of the reserved matters application are unknown. The applicants (Cambridge Investment Partnership) have been contracted to deliver the community and commercial building to shell only with the final fit out of the spaces required prior to occupation and to be carried out by the future tenants.
- 8.16 Therefore, as the commercial and community floorspace is only being delivered to shell stage, it is not possible for the applicants to provide a BREEAM Pre Assessment that is capable of achieving a BREEAM "Excellent" rating, as required by condition 16. A number of credits can simply not be secured because the final fitout details are not known at this stage and that therefore limits the overall rating that can be achieved. This does not however mean that the sustainable credentials of the building will be reduced/compromised. The process of how the performance of the building is to be assessed does however need to be adjusted accordingly.
- 8.17 The applicants engaged with the Council's Sustainability Officer as part of the pre-application process and it was agreed that given the relatively small nature of the proposed floorspace, the BREEAM 'very good rating could instead be pursued subject to all 5 Wat01 credits being achieved as part of the tenant fit out stage, with this secured via the submission of an example specification as to how this could be achieved, and the use of a pre-occupation condition, as part of a revised water efficiency requirement.

- 8.18 As part of the live reserved matters application (24/01531/REM) the applicants have submitted a pre-assessment for the non residential floor space which shows that a score of 63.26% is possible for the proposals along with an approach to achieving all 5 Wat01 credits.
- 8.19 The Council's Sustainability Officer has agreed to imposing the revised wording of condition 16 below on this Section 73 application:

Any reserved matters application including non-residential development delivered to shell stage shall be accompanied by a pre-assessment BREEAM Report prepared by an accredited BREEAM Assessor, indicating that the building is capable of achieving Very Good rating as a minimum. The pre assessment report shall include a Wat01 Calculator to demonstrate the proposed specification required to achieve maximum 5 credits in the Wat01 issue of BREEAM.

Following completion of the first fit out of the commercial space, and prior to occupation, a report including a Wat01 Calculator shall be prepared by an accredited BREEAM Assessor and submitted to the Local Authority to demonstrate the non-residential elements meet the maximum 5 credits in the Wat01 section of BREEAM based on the product installations. The report shall include relevant drawings showing the location of the necessary sanitaryware and any required water reuse infrastructure required to facilitate achieving the 5 credits Wat01 target. The development shall be carried out and thereafter maintained strictly in accordance with the approved details.

Reason: In the interests of reducing carbon dioxide emissions, ensuring efficient use of water and promoting principles of sustainable construction and efficient use of buildings, in compliance with Cambridge Local Plan (2018) Policy 28.

- 8.20 The applicants have suitably addressed the issue of sustainability and renewable energy and subject to the imposition of the revised condition the proposal is in accordance with policy 28, of the Cambridge Local Plan 2018.

Residential Amenity

Impact on amenity of neighbouring properties

- 8.21 The nearest neighbouring properties are situated to the west of the application site. The proposed amendment to the building height parameter plan ensures the majority of the western boundary will be restricted in height to a maximum of 8.5m which is more restrictive than the originally approved 10.2m height limit. In addition to this the landscape parameter plan remains unchanged and requires a 15m buffer to be maintained along this boundary. A more detailed assessment of the impact on the amenity of neighbouring properties will be carried out at reserved matters stage (application reference 24/01531/REM).

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

Highway Safety

- 8.23 This application does not introduce changes that would result in highways safety concerns. The Highway Authority has been consulted as part of the application and no objections have been raised to the amendments subject to the original conditions continuing to apply to this permission.

Trees and Ecology

- 8.24 The proposal does not result in any arboricultural or ecological changes to the original approval and therefore, the original assessment is considered unchanged. The scheme remains compliant with policy 69 and 71 of the Cambridge Local Plan 2018.

Water Management and Flood Risk

- 8.25 The application has been subject to formal consultation with the Lead Local Flood Authority, who raise no objection to the proposed variations. The proposals will therefore continue to be compliant with Cambridgeshire Local Plan 2018 policy 31 and 32.

Other Matters

- 8.26 A Deed of Variation is required for this application to ensure the original Section 106 agreement remains applicable to the new permission (planning application reference 24/02159/S106A).

Officers note that some of the planning conditions on the outline planning permissions have already been approved. As such the following conditions will be compliance conditions to those agreed details:

Outline application reference 19/1168/OUT:

- Condition 4- Phasing Plan- Full discharge
- Condition 21- Traffic Management Plan- Part discharge (phase 1 only)
- Condition 23- Material Management Plan- Part discharge (phase 1 only)
- Condition 24- Tree protection- Full discharge
- Condition 25- DCEMP- Full discharge
- Condition 26- DWMP- Part discharge (phase 1 only)
- Condition 29- Off site ecological enhancement- Part discharge (phases 1 and 2)
- Condition 30- Groundworks- Part discharge (phase 1 only)
- Condition 31- Bird Hazard Management Plan- Part discharge (phase 1 only)

- Condition 32- Ecological Design Strategy- Part discharge (phases 1 and 2)
- Condition 33- Archaeology – Full discharge
- Condition 34- Construction Method Statement- Part discharge (phase 1 only)
- Condition 35- Preliminary Contamination Assessment- Full discharge
- Condition 36- Site investigation and remediation- Full discharge
- Condition 38- Public Art Delivery Plan- Full discharge

13.1 Planning Balance

13.2 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).

8.20 The proposed amendment and clarifications to the parameter plan (condition 3) does not alter the original assessment. The proposed alteration ensures the development remains sympathetic to the residential properties located to the west, and retains the open views that extend into the surrounding Green Belt as intended by the outline consent. As such the proposed revisions to the Building Height Parameter Plan have been agreed after following a design led process with detailed engagement with the Council’s officers. The variation is considered to be acceptable, and compliant with policies 13, 55, 56, 57 and 58 of the Cambridge Local Plan 2018.

13.3 The proposed amendment to condition 16 (BREEAM) has been discussed and agreed with the Council’s Sustainability officer. Subject to the imposition of the revised condition the requirements of policy 28 of the Cambridge Local Plan 2018 will be met.

13.4 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.

13.5 Recommendation

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Planning Committee Date	2nd October 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/01531/REM
Site	Land at Newbury Farm, Babraham Road, Cambridge.
Ward / Parish	Queen Edith's
Proposal	Reserved matters application for appearance, landscape, layout and scale for Phase 3 comprising the creation of 150 residential units, community/ commercial spaces, hard and soft landscaping including the creation of a central square and associated works. The related partial discharge of Outline Conditions pursuant to outline approval 19/1168/NMA1.
Applicant	Cambridge Investment Partnership
Presenting Officer	Aaron Coe
Reason Reported to Committee	The application is a Regulation 3 planning application as 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.Compliance with the outline planning permission.2.Design and layout.3.Affordable Housing delivery.4.Sustainability matters.

Recommendation

APPROVE this reserved matters application subject to:

-The conditions and informatives as detailed in this report with delegated authority to officers to carry through minor amendments to those conditions, informatives and the completion and approval of the Section 106A deed of variation under application reference 24/02159/S106A prior to the issuing of the planning permission.

-Partial discharge of the following planning conditions on the outline consent in relation to this reserved matters application only:

Condition 9 – Tree Planting and Landscape Strategy

Condition 12 – Surface Water Drainage Strategy

Condition 13 – Carbon Reduction Statement

Condition 14 – Water Conservation Strategy

Condition 15 – Sustainability Statement

Condition 16 – BREEAM

Condition 17 – Noise Assessment

Condition 18- Commercial Noise

Condition 19 – Artificial Lighting Scheme

Condition 20 – Ductwork

Condition 29- Ecological Enhancement

Condition 31 – Bird Hazard Management Plan

Condition 32 – Ecological Design Strategy

Condition 51 – Travel Plan

1.0 Executive Summary

- 1.1 The application site lies within GB2, which is identified for residential development under Policy 27 of the Cambridge Local Plan 2018.
- 1.2 The GB2 site lies between Babraham Road and Wort's Causeway. The site has outline permission for up to 230 dwellings and up to 400m² of non-residential floorspace within Use Classes A1/A3/A4/D1 (19/1169/OUT). The site has three phases agreed under Condition 4 of the outline planning permission. Phase 1 is for the spine road and has reserved matters approval (21/04186/REM), this will form a link between Babraham Road with Wort's Causeway and the access and tertiary roads through the site will come off this route. Phase 2 (80 residential units) was approved by planning committee in June 2023 under application reference 22/02646/REM. This planning application is for Phase 3.
- 1.3 Phase 3 lies to the west of the spine road and abuts the Cambridge Green Belt along the southern boundary only. The application seeks approval of the reserved matters for 150 dwellings, 400m² of commercial/ community spaces and for the hard and soft landscaping. 40% of the dwellings are proposed to be affordable (60 units).
- 1.4 The applicant has sought pre-application advice, including from the Cambridgeshire Quality Panel. A developer briefing to Members of the City Planning Committee took place in January 2024. Negotiations, at the pre-application stage and during the consideration of the application, have resulted in the current scheme. The scheme is considered by officers to have moved forward positively and consultee comments have been taken on board.
- 1.5 The scheme would meet the design principles set out in Condition 6 of the outline planning permission and would comply with the approved Parameter Plans.
- 1.6 These reserved matters build upon the design principles established at the outline stage, to ensure a co-ordinated development across the GB2 site.
- 1.7 Distinct areas would be created:
 - 2-storey dwellings adjacent to the neighbouring properties to the west.
 - An urban centre with 3-storey houses and apartments of a finer grain;
 - A sense of enclosure and activity around the Central Square;
 - A green north-south pedestrian and cycle link provided
 - Community and commercial spaces

- 1.8 As originally submitted two objection letters were received from a local resident (22 Worts Causeway). During the course of the application the objections made by the residents of this property were withdrawn.
- 1.9 Great Shelford Parish Council has made no recommendation but advise the applicants to consider solar panels.
- 1.10 The proposed development would provide a high quality, sustainable development that would not have any significant adverse impacts on the residential amenity of the neighbouring occupiers.
- 1.11 This is a Regulation 3 planning application that has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership founded in 2017. The partnership aims to deliver high quality homes in sustainable locations. The application is being determined at Planning Committee because Cambridge City Council has a direct interest in the application as part applicant.
- 1.12 Officers recommend to the Planning Committee that permission be granted subject to the conditions set out in the recommendation.

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 is primarily an agricultural field. The farm buildings of Newbury Farm have been demolished. It is part of the GB2 site which lies between Babraham Road and Wort’s Causeway. At the northern end is a public footpath with mature hedgerows abutting Wort’s Causeway. The site slopes gently from north to south, and a gas main runs diagonally through the southern half of the site.
- 2.2 The western side of the central square forms part of this reserved matters application and is separated from the eastern parcel of the site by the spine road. The community and commercial units are proposed to front onto the central square.

- 2.3 To the west of the application site beyond the landscape buffer are existing residential properties. To the south is Babraham Road and to the north is Wort's Causeway.

3.0 Environmental Impact Assessment

- 3.1 An Environment Statement was submitted with the outline planning application. This reserved matters proposal sufficiently complies with the parameters of the outline permission and a new or revised Environment Impact Assessment is not required.

4.0 The Proposal

- 4.1 The proposed development is described as follows:

'Reserved matters application for appearance, landscape, layout and scale for Phase 3 comprising the creation of 150 residential units, community/ commercial spaces, hard and soft landscaping and associated works. The related partial discharge of Outline Conditions pursuant to outline approval 19/1168/NMA1.'

- 4.2 The development parcel consists of three character areas as identified within the outline consent (Local Centre, Green Edge and Mews Court). As required by the outline permission a 15 metre wide landscape buffer which includes a shared pedestrian and cycle link runs the length of the western edge creating a transition between the existing residential development along this boundary. Four play areas (LAPS) are located within the phase 3 site. There is an easement over the gas main 29 metres wide, upon which no dwellings are proposed.
- 4.4 The proposal consists of a mix of dwelling types including detached, semi detached, terraces and apartments. The 60 affordable homes are proposed to be provided within apartment blocks and three bedroom houses in the centre of the site. All of the properties are proposed to be dual aspect.
- 4.5 The Local Centre is proposed to consist of three blocks of apartments. Two of the blocks are fully residential apartment buildings whilst the central block (Block B) proposes a commercial and community floorspace on the ground floor which will front onto the central square which formed part of the approved phase 2 application.
- 4.6 Amendments have been sought through the pre application and live application process to address comments received during the initial consultation process,, the Cambridgeshire Quality Panel and from a Members Briefing session.
- 4.7 Amendments have also been made during the course of the formal application process. The main changes consist of alterations to the layout to introduce more space for landscaping and new tree planting, amendments to the spine road and housetypes.

4.8 The submission also seeks to satisfy the requirements of Conditions 9, 12, 13, 14, 15, 16, 17, 19, 20, 29, 31, 43 and 51 of the outline planning permission (19/1168/NMA1) as far as they apply to this Phase of the GB2 site. Appropriate assessment of the conditions is considered within the relevant sections of the report.

5.0 Relevant Site History

Reference	Description	Outcome
19/1168/OUT	Outline application (all matters reserved except for means of access in respect of junction arrangements onto Worts' Causeway and Babraham Road) for erection of up to 230 residential dwellings and up to 400m ² (GIA) of non-residential floorspace within Use Classes A1/A3/A4/B1/D1, new landscaping and public realm, car and cycle parking, infrastructure, other associated works following the demolition of all existing buildings on the site.	Granted 24/05/2021
19/1168/NMA1	Non-material amendment of outline planning permission 19/1168/OUT to change the condition wording to allow phasing of development and early delivery of the access points, strategic infrastructure and demolition works.	Granted 09/08/2021
21/04186/REM	Reserved matters application for the appearance, landscape, layout and scale for Phase 1, comprising: the north-south primary route connecting Babraham Road and Worts Causeway, secondary route bellmouths, footways and cycleways, SuDS detention basins, water main diversion, hard and soft landscaping including the creation of the southern gateway and the central square, provision of a local area of play, the installation of a pumping station, and all	Granted 21/10/2022

ancillary works, associated infrastructure and engineering works, and partial discharge of conditions 9, 12, 19, 27, 28, 41 and 42 of the outline permission 19/1168/OUT for Phase 1.

22/02646/REM	Reserved matters application for appearance, landscape, layout and scale for Phase 2 comprising the creation of 80 residential units, hard and soft landscaping including the creation of a central square and associated works. The related partial discharge of Conditions 1, 9, 10, 11, 12, 13, 14, 15, 17, 19 pursuant to outline approval 19/1168/NMA1.	Granted 30/08/2024
24/01704/S73	Variation of condition 3 (building heights parameter plan and 16 (BREEAM)	Pending
24/02159/S106A	Deed of variation to amend housing definition, community facility trigger in line with construction phasing and impose standard Section 73 clause.	

- 5.1 There have been several submissions to discharge outline (19/1168/NMA1) conditions in part or in full. These include:
- Condition 4 – Phasing (full)
 - Condition 21 – Traffic Management Plan (part)
 - Condition 23 – Material Management Plan (part)
 - Condition 24 – Tree Protection Plan (full)
 - Condition 25 – Demolition and Construction Environmental Management Plan (full)
 - Condition 26 - Details Waste Management and Minimisation Plan (part)
 - Condition 30 – Groundworks (part)
 - Condition 31 – Bird Hazard Management Plan (part)
 - Condition 32 – Ecological Design Strategy (part)
 - Condition 34 – Construction Method Statement (part)
 - Condition 35 – Preliminary Contamination Assessment (full)
 - Condition 36 – Site Investigation Report and Remediation Strategy (full)
 - Condition 38 - Public Art (full)

6.0 Policy

6.1 National

National Planning Policy Framework 2021

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)

Draft National Planning Policy Framework (Consultation Document) July 2024

On 30 July 2024 The government launched a [consultation on revisions to the NPPF](#) which seek to achieve sustainable growth in the planning system. The proposed changes underline the Government’s commitment to a plan-led system that supports sustainable and high-quality development, boosts housing supply, increases affordability, makes effective use of land and supports a modern economy.

At the same time, the government is also seeking views on a series of wider planning reforms and policy proposals in relation to increasing planning fees, local plan intervention criteria and appropriate thresholds for certain Nationally Significant Infrastructure Projects (NSIPs).

In an [accompanying statement](#), the Government sets out how the proposed changes to the NPPF aim to help investment and construction of key modernised industries to support economic growth. Views are also sought on whether these priorities should be reflected in the NSIP regime.

Chapter 6 ‘Delivering affordable, well-designed homes and places’ seeks views on changes to planning policy to support affordable housing delivery. This chapter is also seeking views on changes to further reform the NPPF in line with the Government’s objectives for the planning system. These include changes to promote mixed tenure development, community development, small sites, and design.

The governments ambitions with regard to housing delivery demonstrate a material change in the national planning policy context, to seek to deliver an increase in social

and affordable housebuilding, and support objectives of a more diverse housing market, that delivers homes more quickly and better responds to the range of needs of communities.

However, as a consultation document, it carries only limited weight at the present time. It is, however, insightful in understanding the Government's policy intentions and the direction of travel of the NPPF.

The NPPF consultation closes on 24 September 2024. Officers from the shared planning service are in the process of reviewing the documentation and drafting a response.

6.2 Cambridge Local Plan 2018

- Policy 1: The presumption in favour of sustainable development
- Policy 2: Spatial strategy for the location of employment development
- Policy 3: Spatial strategy for the location of residential development
- Policy 4: The Cambridge Green Belt
- Policy 5: Sustainable transport and infrastructure
- Policy 8: Setting of the city
- Policy 9: Review of the Local Plan
- Policy 14: Areas of Major Change and Opportunity Areas
- Policy 27: Site specific development opportunities
- Policy 28: Sustainable design and construction, and water use
- Policy 29: Renewable and low carbon energy generation
- Policy 30: Energy-efficiency improvements in existing dwellings
- Policy 31: Integrated water management and the water cycle
- Policy 32: Flood risk
- Policy 33: Contaminated land
- Policy 34: Light pollution control
- Policy 35: Human health and quality of life
- Policy 36: Air quality, odour and dust
- Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding
- Policy 39: Mullard Radio Astronomy Observatory, Lord's Bridge
- Policy 40: Development and expansion of business space
- Policy 42: Connecting new developments to digital infrastructure
- Policy 43: University development
- Policy 45: Affordable housing and dwelling mix
- Policy 47: Specialist 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 and the skyline in Cambridge
- Policy 65: Visual pollution
- Policy 67: Protection of open space
- Policy 68: Open space and recreation provision through new development

Policy 70: Protection of priority species and habitats
Policy 71: Trees
Policy 73: Community, sports and leisure facilities
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management
Policy 85: Infrastructure delivery, planning obligations and the Community
Infrastructure Levy

6.3 Neighbourhood Plan

N/A

6.4 Supplementary Planning Documents

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

6.5 Other Guidance - none

7.0 Consultations

Great Shelford Parish Council – Comment

7.1 No recommendation but solar panels should be included in the proposals.

County Highways Development Management – No Objection

7.2 The Highway Authority will not seek to adopt any of the proposed development as the layout does not meet the requirements of the Highway Authority's design for adoption. Therefore, this phase of the development will remain private.

7.3 Two conditions are recommended, relating to surface water drainage of the streets and requiring the approval of arrangements for management and maintenance of the streets.

Lead Local Flood Authority – No Objection

7.4 The submitted documents demonstrate the surface water from the development can be managed through permeable paving and cellular tanked storage. The submission has also demonstrated the system can be successfully maintained for the lifetime of the development.

County Transport Team – No objection.

- 7.5 -Outline condition 51 recommended for discharge.

Environment Agency

- 7.6 No comments

Anglian Water – No objection.

- 7.7 The impact of the proposals on the public foul sewer network are acceptable. Surface water details are also acceptable

Urban Design Officer – No Objection

- 7.8 The applicant has provided additional information and responded to the requested alterations. The development is considered acceptable subject to conditions securing material details, sample panels and cycle/ bin store specifications.

Strategic Housing – Comment

- 7.9 This phase is part of a wider development of 230 dwellings with 40% of the dwellings for affordable housing. Outline permission was granted on 24 May 2021. This application, Phase 3, is providing 150 residential units, of those 60 units will be for affordable housing. The affordable housing provision is policy compliant.

Housing mix is acceptable subject to the site wide housing mix (for phases 2 and 3 combined being secured by application reference 24/02159/S106A).

7% of affordable dwellings to be M4(3) compliant which exceeds planning policy requirements.

All 60 homes will be provided as affordable rent and will not provide 10% as an affordable homeownership as required by the NPPF.

Comfortable with the proposed clustering of affordable homes.

Sustainability Officer – No Objection

- 7.10 Further submission required to discharge outline condition 13 (energy statement to provide details of the proposed layout of the photovoltaic panels).
Condition 14 (water efficiency)- recommend full discharge for the residential element.
Condition 16 of application reference 24/01704/S73 will require the applicants to provide details of the location of the necessary sanitaryware and any required water reuse infrastructure to enable the development to achieve the 5 credits Wat01 target.

Landscape Officer – No Objection

- 7.11 -Amended site layout incorporates space for additional large- medium trees. Condition 7 (space for large trees) of the outline consent can be discharged in full.
- Amended tree planting strategy is sufficient to discharge condition 9 (tree planting strategy).
 - Tree planting proposed is well coordinated with phases 1 and 2.
 - Additional boundary treatment condition specifically for phase 3 is required.
 - Refuse strategy for plots 33-35 and 37-39 requires further review. To be dealt with at condition stage.

The following outline conditions require further submissions:

- 27 (Tree Pits)
- 28 (earthworks)
- 30 (groundworks)
- 39 (boundary treatments)
- 40 (cycle parking)
- 41 (hard and soft landscaping)
- 44 (green roof details)
- 50 (landscape management and maintenance)

Greater Cambridge Shared Waste Service

- 7.12 -No objection.

Ecology Officer – No Objection

- 7.13 Ecological Impact Assessment and compliance statement is acceptable.
- 7.14 Ecological enhancement condition required to secure details of enhancement scheme.
- 7.15 Content with the updated BNG metric and plan which demonstrates 10% net gain is achievable on site. Offsite contribution required as set out in the Section 106 agreement if the BNG plan is not deliverable.
Details of the maintenance arrangements for the green roofs also required.

Environmental Health

- 7.16 Outline conditions 17 (noise assessment), 18 (commercial noise), condition 20 (ductwork) acceptable for discharge subject to additional conditions being imposed on the reserved matters permission:

Additional artificial lighting condition specific to phase 3 proposals.
Conditions also required to secure ASHP details, odour, alternative ventilation scheme, commercial building insulation, community centre noise assessment and insulation, commercial plant noise details.

Cambridge City Airport

- 7.17 No objection.

Cambridge Fire and Rescue

- 7.18 - No objection subject to condition 54 of the outline consent.

Police Architectural Liaison Officer – Comments

- 7.19 -Layout acceptable from a crime prevention and offers reasonable levels of natural surveillance from properties with many facing each other and overlooking open spaces.
-Further lighting details required.
-General advice regarding cycle stores, bin stores, footpaths, street furniture and boundary treatments.
Offers advice about security and considers the scheme could attain a Secure by Design Award with consultation.

Cambridgeshire Quality Panel Meeting of 16th November 2023 (Please refer to Appendix A)

- 7.20 -The addition of more integrated open spaces should be explored within the mews courts.
- More needs to be done to enhance the landscape along the western edge.
 - Encouraging to see a community space being delivered.
 - The cycle paths need to avoid straight alignments.
 - Surveillance along the western corridor is critical.
 - Reduce the amount of hard landscaping where possible.
 - Sustainability strategy needs to be enhanced to meet ambitions of the emerging local plan.

Disability Panel Meeting of 28th November 2023 (Please refer to Appendix B)

- 7.21 -The play equipment should be designed for people of all disabilities.
- Sliding doors should be introduced to all wheelchair accessible properties.
- The above consultation responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on each of the application files.

Third Party Representations

- 7.22 Objections received from 22 Worts Causeway. However, during the course of the application the objections from this property have been withdrawn.

Member Representations

7.23 None received.

Local Interest Groups and Organisations

7.24 Cambridge Cycling Campaign

-Raises concern with the shared path alignment to the north of the site which is kinked and fails to be designed for comfort and directness.

-Questions the width of the path which connects to the western link and the proximity to planting along the western cycle route.

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

Planning Background

8.1 Following the initial approval of the outline planning application for up to 230 dwellings on the GB2 site, an amended application was received to change the wording of the conditions. This reserved matters application, therefore, follows the conditions of the amended application, reference number 19/1168/NMA1.

8.2 A phasing plan has been approved to develop the site in 3 phases. Phase 1 is the spine road linking Babraham Road with Wort's Causeway and this has approval of the reserved matters. Phase 2 (known as Eddeva Park) is the eastern side of the spine road for 80 dwellings and the central square which has approval of the reserved matters. Phase 3 is for the remainder of the dwellings to the west of the spine road and is the subject of this planning application.

8.3 A Section 73 application which proposes to vary the approved building height parameter plan (outline condition 3) and the BREEAM condition (outline condition 16) is pending consideration under application reference 24/01704/S73. The report for this application can be found elsewhere on this agenda.

8.4 Pre-application advice was first sought by the applicants in June 2023 and progressed through several amendments. It was considered by the Cambridge Quality Panel in November 2023 and the subject of a Developer Briefing to Members in January 2024.

Principle of Development

8.5 The principle of the development has been established as acceptable under the approved outline permission reference number 19/1168/OUT (and

19/1168/NMA1) for GB2. The GB2 site has been allocated for residential development under Policy 27 of the Cambridge Local Plan 2018.

- 8.6 The approved outline planning permission consists of Parameter Plans for Land Use, Urban Form, Landscape and Movement and Access. The submitted scheme is sufficiently in line with these Parameter Plans and officers can see no objections in this regard. The Building Heights parameter plan is proposed to be varied under application reference 24/01704/S73. Both the Section 73 application and this reserved matters have progressed through the pre application process simultaneously to ensure a design led approach has been followed to create a development which fulfils the vision of the outline consent. This has been achieved as the revised parameter plan will still require a varied roof scape to be delivered across the scheme with building heights being restricted in the sensitive edges and gradually rising towards the centre of the site.
- 8.7 The application proposes a total of 400m² of non residential floor space which in accordance with Schedule 3, part 5 of the Section 106 agreement includes 200m² of community facility floorspace.

Housing Provision

- 8.8 The outline planning permission requires any reserved matters application to provide a balanced mix of dwelling sizes, types and tenures to meet projected housing needs.
- 8.9 The reserved matters application proposes 60 affordable homes which equates to 40% of the phase 3 development. This is in accordance with Policy 45 of the Cambridge Local Plan 2018.
- 8.10 The Greater Cambridge Housing Strategy 2024-2029 Annex 3: Clustering and Distribution of Affordable Housing Policy, looks to achieve clusters of affordable housing no larger than 25 dwellings for this size of development. The Housing Strategy officer has confirmed the proposed clustering is acceptable. The application proposes a high proportion of the affordable homes within phase 3 within the apartments, however, the applicants have agreed to provide additional larger homes within phase 2. An updated Housing Mix plan (for both phases 2 and 3) has been submitted and will be secured as part of the Deed of Variation (application reference 24/02159/S106A) to ensure an acceptable mix of affordable homes are delivered across the site. This has been reviewed by the Council's Housing Strategy team and is supported.
- 8.11 The application proposes four M4(3)homes which is 7% of the total number of affordable homes and exceeds the local plan policy requirement (5%).

- 8.12 The tenure mix proposes 75% as affordable rent (60% of market rent/ LHA) and 25% as intermediate rent (80% of market rent for local workers on the Council's Choice Based Lettings list). The proposed tenure mix does not offer an affordable route to homeownership and therefore does not meet the requirement of paragraph 66 of the NPPF which states 'decisions should expect 10% of the total number of homes to be available for affordable home ownership'. The government's recent consultation on proposed changes to the NPPF(August 2024) (chapter 6 para 5 of the current consultation) seeks to withdraw this requirement. Whilst only a consultation at this stage it provides a context for consideration in terms of future direction of the proposed policy departure against which the proposals fall.
- 8.13 The proposals involve the delivery of affordable rented homes at 60% and 80% of market rent which is meeting specific needs of low-income households which are not being met sufficiently through intermediate offerings alone. Whilst the conflict with paragraph 66 of the NPPF December 2023 is acknowledged, the proposed tenure mix is considered to offer a broader range of housing types which will meet an existing housing need. The housing mix is therefore supported.
- 8.14 All proposed dwellings on site will meet the Nationally Described Space Standards. Officers, in consultation with the Council's Housing Team, are satisfied that the proposed distribution of the affordable units within the site is appropriate and the level of affordable housing is acceptable and subject to condition accords with Policy 45 of the Local Plan 2018.

Design, Layout, Scale and Landscaping

- 8.15 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 8.16 The submitted scheme is sufficiently in line with the parameter plans and officers can see no objections in this regard. A spine road will divide the site with higher density and taller buildings within the local centre creating a frontage either side. A community square as approved under phase will be centrally located with the proposed community/commercial uses on the ground floor fronting onto this space.
- 8.17 The detailed design of the development has been the subject of much negotiation and improvement. The applicant has successfully carried out amendments to overcome concerns expressed by officers and the Cambridge Quality Panel, during the pre-application stage and post-submission of the application.

8.18 Condition 6 of the outline permission sets out some general design principles. The scheme is considered to be generally in accordance with these. The pattern of the proposed development in terms of densities, building typologies and heights reflect the character areas identified in the outline application. The higher density and taller buildings are located towards the centre of the GB2 site. The amended building heights parameter plan has restricted building heights along the western boundary and provides an appropriate transition from the existing residential properties. The lower density and lower buildings are delivered along the eastern edge which ensures an appropriate transition from the Green Belt into the city.

8.19 Distinct areas have been created to respond to the character areas:

-The Local Centre includes 3no. three storey apartment blocks with commercial/ community uses fronting onto the consented central square. The design of the blocks are a simpler design than that of the blocks in Phase 2 opposite along the spine road. However, there are a number of elements which pick up on the Phase 2 designs to create a cohesive street scape. A mix of red, grey and buff bricks has been introduced to reflect the brick palette of Phase 2 and introduce a finer, vertical urban grain to the blocks. The parapet of the (flat and green roofs) of the blocks slopes up towards the edges providing a hint at the gable-end and mono-pitch blocks opposite.

-The Green Edge character area evolved through the pre application process. The houses outlook onto a predominantly green environment. 'Green Edge' houses are located along the northern and western boundaries and in the southern part of the site, between Babraham Road and the Green Link. Along the northern boundary the importance of minimising the prominence of the built form from Worts' Causeway has been emphasised throughout the design process, with just the roofscape being visible above the hedge. This has been achieved. To the western edge the proposals closely align with the illustrative design submitted as part of the outline consent, with 2 storey dwellings flanking the western buffer, overlooking the paths and spaces. The southern edge has been designed to reflect the irregular and gappy edge in a similar arrangement to the layout approved under Phase 2. Along the linear park an appropriate character has been created with dwellings overlooking the green space.

-The Mews area has a tight urban grain with a high proportion of relatively large family homes. Although high density development is acceptable in principle, it needs to be balanced with sufficient space set aside for soft landscaping and tree planting, both to provide visual relief and to reduce the urban heat island effect. A number of changes have been made to address this through the application process. Additional green spaces have been created through measures such as changes to house types, removal of a dwelling to allow an increase in courtyard space, the removal of some parking spaces and narrowing of the carriageway. The changes have positively impacted the streetscape.

- 8.20 The application has been reviewed by the Council's Urban Designer and is considered acceptable subject to conditions securing details of materials and cycle stores.

Landscaping

- 8.21 The proposed scheme has been designed to comply with the outline landscaping parameter plan.
- 8.22 Landscape buffers are proposed along the northern, western and southern boundaries. The northern landscape buffer includes a footpath and a "play on the way" LAP. The western landscaping buffer includes a 3m shared footpath and cycleway with a separate grass bridleway. The southern landscape buffer includes a footpath linking the linear park to the south-western pedestrian/cycle access with Babraham Road and 2no. LAPs. A linear park is also proposed along the gas easement. The linear park is proposed to include a LEAP measuring 586m². The LEAP has been moved slightly south from the location shown on the outline parameter plans in order to increase natural surveillance and provide a 10m buffer zone with surrounding dwellings. This is supported by officers. The proposed planting along the northern and southern edges of the linear park is proposed to respond positively to the Phase 2 planting strategy.
- 8.23 The Council's landscape officer has assessed the application and considers the proposals to acceptable subject to further submissions being made to discharge the requirements of the outline conditions listed below which will secure the details of tree pits (27), earthworks (28), groundworks (30), boundary treatments (39), hard and soft landscaping (41), green roofs (44) and maintenance (50).
- 8.24 Overall, following negotiations, the scheme has been amended to provide good urban design and well-integrated landscaping. Subject to conditions the development is considered to comply with Policies 55, 56, 57, 58 and 59; outline Conditions 7 and 9 and the NPPF.

Carbon Reduction, Sustainable Design and Water Conservation

- 8.25 The outline planning permission for GB2 is supported by a Site Wide Energy and Sustainability Statement. (This accords with the requirements of the Council's Sustainable Design and Construction SPD (2020), Policy 28 – Carbon reduction, community energy networks, sustainable design and construction, and water use, and Policy 29 – Renewable and low carbon energy generation).
- 8.26 Conditions 13 (carbon Reduction Statement), 14 (Water Conservation Strategy) and 15 (Sustainability Statement) of the amended outline permission seek to ensure these measures are carried through at the reserved matters stage.

- 8.27 Condition 13 of the outline planning permission requires the submission of a carbon reduction statement setting out how reserved matters proposals will meet the commitment to reduce emissions by 40%, as set out in the Site Wide Energy and Sustainability Statement. The submitted Sustainability Statement shows site wide emissions reduced by 78%. Energy efficiency measures include the use of air source heat pumps (ASHP) for heating and domestic hot water, and photovoltaic panels. The requirements of Condition 13 can be discharged in part as the layout of the proposed photovoltaic panels is still to be fully determined and further information is required to discharge part a) of this condition. Further details of the photovoltaic panels will be secured by the recommended condition 6 of this reserved matters application.
- 8.28 Condition 14 requires the submission of a water conservation strategy setting out how the scheme will meet the requirement to achieve potable water use of no more than 99 litres/person/day, based on either the water efficiency calculator methodology or the standard fittings approach. This information is incorporated within the Sustainability Statement. There are no officer objections to this, and the requirements of Condition 14 have been addressed.
- 8.29 Condition 15 requires the submission of a Sustainability Statement. All homes and flats are proposed to be dual or triple aspect which officers strongly support. The proposed house types and apartments have been assessed under Part O using dynamic thermal modelling route for both apartments and any homes where noise may be an issue, while the simplified method is used for other lower risk homes. For those where noise is an issue the Nilan Exhaust ASHP has been selected to provide both heating and cooling. The ASHP in the apartments are also capable of providing cooling. The overheating assessments demonstrate that the units tested, which include units such as ground floor apartments where windows are likely to be closed at night, can pass the Part O requirements. This approach is welcomed and there are no officer objections to this, and the requirements of Condition 15 will therefore be met.
- 8.30 In respect of condition 16 (BREEAM pre assessment) the application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal. During the course of the application an updated BREEAM pre assessment report has been submitted to demonstrate an overall rating of BREEAM excellent is achievable for the commercial and community facilities. The Council's Sustainability Officer has confirmed that the submission has addressed the requirements of outline condition 16 subject to two additional conditions being imposed to secure design stage and post construction certification for the community/ commercial facilities.
- 8.31 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with the outline planning permission and consequently in accordance with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

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 Outline planning permission (planning ref: 19/1168/NMA1) for GB2 was granted subject to ecological conditions – Condition 29 – requiring a Scheme of Off-Site Ecological Enhancement to be submitted and approved prior to development, Condition 31 – requiring no development until a Bird Hazard Management Plan, and Condition 32 requiring an Ecological Design Strategy to be submitted and approved before the commencement of development.
- 8.34 The applicants have submitted information to address the requirements of the ecological conditions associated with phase 3 as part of the reserved matters application. In consultation with the Council's Ecology Officer, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species. The Council's Ecology Officer has requested a further condition on the reserved matters consent to secure details of the on site ecological enhancements (bird and bat box provision, hedgehog provisions etc). The details of the enhancements are proposed to be secured by condition 21 of this application.
- 8.35 In respect of biodiversity net gain (BNG), the outline consent secured a 10% net gain as set out in Schedule 3, Part 6 of the Section 106 agreement. The applicants have submitted a Biodiversity Net Gain Plan which demonstrates 10% net gain is achievable on site. A further condition (condition 7) is recommended to secure the submission of a final net gain plan prior to the occupation of the development to ensure the final development as implemented delivers the required net gain. If this is not achieved then this will trigger the ecological enhancements contribution as set out in Schedule 3, Part 6 of the Section 106 agreement. Taking the above into account, the proposal is compliant with Policies 57 and 70 of the Cambridge Local Plan (2018).

Water Management and Flood Risk

- 8.36 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk.
- 8.37 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.

- 8.38 A strategic site-wide surface water strategy was approved under the outline planning permission.
- 8.39 Condition 12 of the amended outline planning permission requires a detailed surface water strategy to be submitted for approval as part of the reserved matters applications. The submitted strategy is supported by the Lead Local Flood Authority.
- 8.40 Anglian Water have reviewed the application and have raised no objection. Condition 49 of the outline consent secures the details of a scheme for the discharge of water from the development to the public foul sewer. The condition requires this information and approval of Anglian Water prior to the first occupation.
- 8.41 Various sustainable urban drainage systems are proposed within the drainage strategy. These include, porous surfaces, green roofs, swales, rain gardens and below ground cellular systems.
- 8.42 The applicants have suitably addressed the issues of water management and flood risk. The proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

Highway Safety and Transport Impacts

- 8.43 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 the site. A Transport statement and travel plan have 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 securing the submission of future management/ maintenance arrangements of estate roads and falls/ levels details to prevent water draining onto the adopted public highway.
- 8.44 The County Transport Assessment team has also assessed the application and raises no objection to the proposed development. The discharge of condition 51 of the outline consent (Travel Plan) is also recommended.
- 8.45 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

Cycle and Car Parking Provision

Cycle Parking

- 8.46 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.
- 8.47 Cycle storage for all of the houses will be provided in a location more convenient than the private car. The cycle parking spaces are proposed either within a dedicated cycle store to the front of the dwelling, within an enclosed garage (sufficient size to accommodate cycle parking comfortably) or within a split provision arrangement. For the proposed houses there is an overprovision of 97 cycle parking spaces compared to the cycle parking standards (Appendix L of the Cambridge Local Plan 2018).
- 8.48 In respect of the three apartment blocks each block is proposed to be served by an internal secure cycle storage area on the ground floor. For the proposed apartments there is an overprovision of 34 cycle parking spaces compared to the cycle parking standards (Appendix L of the Cambridge Local Plan 2018). Adequate provision is also made for cargo cycle parking spaces.
- 8.49 18 visitor cycle parking spaces are proposed in areas surrounding the apartment blocks and commercial/ community uses in addition to the 10 cycle parking space approved within the central square (as part of the phase 2 reserved matters).
- 8.50 Officers consider the proposed cycle parking arrangements to be acceptable and meet the objectives of Policy 80 and 82 in promoting the use of cycles.

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 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.
- 8.52 The number of proposed car parking spaces would meet the adopted local plan policy requirements. Condition 48 (of 19/1168/NMA1) requires an allocated car club parking space and car club vehicle to be provided prior to first occupation.

One car club space has been approved and will be delivered as part of the phase 2 reserved matters (22/02646/REM).

- 8.53 A total of seven accessible car parking bays are proposed across the site. Five of the spaces are proposed to be allocated to serve the M4(3) wheelchair accessible homes within the apartment blocks and two will provide accessible visitor car parking spaces.
- 8.54 A total of thirteen visitor car parking spaces are also distributed across the phase 3 site. Policy 82 of the Cambridge Local Plan 2018 requires visitor car parking spaces to be provided at 1 space for every 4 units. The proposed ratio is 1 space per 11.5 units. However, a total of 34 visitor car parking spaces would be delivered across all three phases of development at the GB2 site which equates to 1 space for every 6.8 homes. The amount of visitor car parking is below the policy standards, however, in line with policy 82 a car capped development is acceptable where there is good, easily walkable and cyclable access to the city centre, and where there is high public transport accessibility. The proposed development site is considered to comply with these requirements given the proximity of the site to Babraham Road Park & Ride and the available active travel connections to the City Centre.
- 8.55 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging.
- 8.56 Condition 43 of outline planning permission (19/1168/NMA1) requires an Electric Vehicle Charging Point Provision and Infrastructure Strategy to be submitted for approval prior to any above groundwork. A further submission is required to fulfil the requirements of this outline planning condition.
- 8.57 The proposal is considered to accord with Policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD, subject to further submissions required under the outline planning permission.

Residential Amenity

- 8.58 Impact on amenity of neighbouring properties
- 8.59 The application site is adjacent to existing residential properties along the western boundary. Policies 35, 50, 52, 53 and 58 seeks to preserve the amenity of neighbouring and future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.
- 8.60 Relationship with the existing properties along the western boundary

- 8.61 The revised building height parameter plan submitted under application reference 24/01704/S73 introduces a lower building height along the western edge to respond to the adjacent residential properties. In addition to the restricted building heights there is a 15 metre landscape buffer proposed between existing and proposed properties along the western boundary of the site.
- 8.62 As originally submitted two neighbour comments were received from No.22 Worts Causeway raising concerns with the proposed relationship with plot 80. However, during the course of the application following a response from the applicants the objections have been withdrawn. The relationship between the existing and proposed dwelling has been assessed by officers. It is acknowledged the proposed dwelling is orientated westwards towards the existing properties, however, the proposed layout has ensured a separation distance more than 20m is retained with the addition of the western boundary pathway and planting within the landscape buffer. Given the separation distance proposed the development is not considered to result in any harmful impacts to the residential amenity of properties located along the western boundary.

Future Occupants

- 8.63 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). All of the proposed dwellings will meet these standards.
- 8.64 The relationship between homes has been considered for privacy and over-domination, taking into account distances and orientation. Officers consider that the relationships would provide for acceptable levels of residential amenity in this respect.
- 8.65 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings.
- 8.66 Four of the affordable housing units are designed to Part M4 (3) accessibility standards, three located within apartment block A and one within apartment block C. The remainder of the apartments and houses would meet Part M4(2). The proposal includes four M4 (3) homes which exceeds the policy requirement of 5 percent of the affordable provision.
- 8.67 All of the proposed dwellings benefit from a private external amenity area. These spaces are provided in the form of private gardens, terraces and balconies.

Site-Wide Provision

- 8.68 Public amenity space will be provided in the form of open space along the northern, western edge and in the linear green space over the gas main pipe. There will be 5 Local Areas of Play (LAPS) and 1 Local Equipped Area of Play (LEAP) amounting to 1311m². Details of the proposed furniture and play equipment will be secured by planning condition 8 of this reserved matters application.

Other Matters

- 8.69 Refuse arrangements
- 8.70 Policy 57 requires refuse and recycling to be successfully integrated into proposals.
- 8.71 The proposed refuse strategy is considered to be acceptable. The waste capacities, drag distances for residents and crew members are considered to be in accordance with the Greater Cambridge Shared Waste Service guide for developers. The applicant has engaged positively with the Greater Cambridge Shared waste team through pre application discussions to agree the waste strategy for the site. The submission documents have been reviewed by the shared waste team. Officers consider the proposals to be in accordance with Cambridge Local Plan (2018) policy 57.

Conditions Submitted in Parallel

- 8.72 Through approving this application and the details contained therein, it is considered that this reserved matters application will have met the requirements of Conditions 9, 11, 12, 13, 14, 15, 16, 17, 18, 20, 29, 31, 32 and 51 of outline permission 19/1168/NMA1, so far as they relate to Phase 3 of the GB2 site. Please see the table in the recommendation at paragraph 9.2 below.

Planning Balance

- 8.73 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 8.74 The assessment of this application is limited to the reserved matters relating to layout, scale, landscaping, and appearance, to compliance with the outline planning permission. The reserved matters are considered to be in general compliance with the outline permission.

- 8.75 The development provides 150 homes (including 60 affordable) and supports the identified housing needs of the area. It accords with Policy 27 – Site Specific Development Opportunities, as part of Proposed Site GB2.
- 8.76 The scheme supports the aims of sustainable development with a range of measures to mitigate overheating (100% of properties being provided as dual aspect); site wide emissions reduced by 78%, enhanced walking and cycling connectivity.
- 8.77 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

9.0 Recommendation

(i) **APPROVE** reserved matters application reference 24/01531/REM subject to the planning conditions and informatives as set out below, with delegated authority to officers to carry through minor amendments to those conditions, informatives and the completion and approval of the Section 106A deed of variation under application reference 24/02159/S106A prior to the issuing of the planning permission.

(ii) **APPROVE/NOT APPROVE** the discharge of the following outline planning conditions (planning application reference 19/1168/NMA1) in so far as they relate to this reserved matters application site according to the recommendations for each condition set out in the table below:

Condition	Recommendation
9. Tree Planting and Landscape Strategy	Approve
11. Residential Space Standards	Approve
12. Surface Water Drainage Strategy	Approve
13. Carbon Reduction Statement	Approve
14. Water Conservation Strategy	Approve
15. Sustainability Statement	Approve
16. BREEAM	Approve
17. Noise Assessment	Approve
18. Commercial Noise	Approve
19. Artificial Lighting Scheme	Not Approved.
20. Ductwork	Approve
29. Ecological Enhancement	Approve
31. Bird Hazard Management Plan	Approve

32. Ecological Design Strategy	Approve
43. EV charging scheme	Not Approved.
51. Travel Plan	Approve

Planning Conditions

1. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans and documents 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.

Management/ Maintenance of streets

- No development above ground level shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details for the life time of the development.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with NPPF (2023) paragraph 114.

Levels

- The proposed streets and access roads 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.

Materials

- Prior to any works above slab level full details including samples of all the materials to be used in the construction of the external surfaces of buildings, including 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, verge 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 and must include green roofs on all flat surfaces where practicable, including dwellings and garages.

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. Sections of proposed fenestration material and colour need to be made available to be viewed held against the brick sample panels.

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

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

Cycle parking

5. The development, hereby permitted, shall not be occupied or the 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. The cycle stores must include a green roof.

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

PV panels

6. Prior to the first residential occupation, a roof plan showing the final layout of the proposed photovoltaic panels along with fixing details/panel specification, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and shall thereafter be retained and remain fully operational.

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

Biodiversity Net Gain (to demonstrate the required 10% BNG has been delivered as part of the final landscape plans)

7. Prior to the first occupation of the development hereby permitted, a scheme demonstrating a biodiversity net gain of not less than 10% shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:
 - Confirm the baseline biodiversity assessment of the site (utilising Defra BNG Metric) and the baseline assessment of the approved layout together with the approved detailed landscaping scheme for the site.
 - Identify the proposed habitat improvements on-site
 - Include an implementation, management and monitoring plan (including the identified responsible bodies) for a period of 30 years for the on site enhancements as appropriate.

- If the final submitted BNG plan fails to demonstrate a 10% net gain then the requirements of Schedule 3, Part 6 of the Section 106 agreement must be complied with.

The scheme shall thereafter be implemented in accordance with the approved implementation, management and monitoring plan.

Reason: To provide ecological enhancements in accordance with the NPPF 2023 para 180, South Cambridgeshire Local Plan 2018 policy NH/4 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

Play equipment

8. No development above ground level shall commence until details of the proposed play spaces and features including the number and type of pieces of play equipment have been submitted to and approved in writing by the Local Planning Authority. The play spaces shall be laid out and equipped as approved and retained as such thereafter.

Reason: To provide appropriate play spaces and equipment in accordance with Cambridge Local Plan 2018 policy 56).

Artificial Lighting

9. Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01/21 (or as superseded).

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

Reason: To ensure compliance with Policy 34 of the Cambridge Local Plan 2018

ASHPs

10. Prior to the installation of any Air Source Heat Pumps (ASHPs) a noise impact assessment, noise insulation/mitigation scheme and monitoring scheme for the ASHPs shall be submitted to and approved in writing by the local planning authority. The noise assessment and schemes shall reduce the noise impacts to future occupiers of the properties internally and externally from ASHPs both individually and cumulatively. The ASHPs shall be installed and maintained in accordance with the approved details and schemes.

Reason: To avoid noise from giving rise to significant adverse impacts on health and quality of life in accordance with the National Planning Policy Framework (NPPF) and policy 35 of the Cambridge Local Plan 2018.

Odour

11. Prior to the installation of any plant within the community or commercial facilities hereby approved, a scheme detailing plant, equipment or machinery for the purposes of extraction, filtration and abatement of odours and to discharge at an appropriate outlet height / level shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the use is commenced and shall be retained as such.

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

Alternative Ventilation

12. Prior to the commencement of development above ground level an alternative ventilation scheme for the habitable rooms on the Babraham Road façade as identified within the *Create Consulting Engineers Ltd Acoustic Assessment – Rev E (ref: SW/CC/P23-2965/02 Rev E) dated 12th July 2024* to negate / replace the need to open windows, in order to protect future occupiers from external traffic noise shall be submitted to and approved in writing by the local planning authority.

The ventilation scheme shall achieve at least 2 air changes per hour. Full details are also required of the operating noise level of the alternative ventilation system.

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

Reason: In the interests of residential amenity, in accordance with Cambridge Local Plan 2018, Policy 35.

Insulation (commercial)

13. Prior to the commencement of development of the buildings containing commercial or community uses a scheme for the insulation of the commercial buildings in order to minimise the level of noise emanating from the said building shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the building hereby permitted is occupied and shall be thereafter retained as such.

Reason: In the interests of residential amenity, in accordance with Cambridge Local Plan 2018, Policy 35.

Community centre noise impact assessment

14. Prior to any superstructure works commencing on site for the community centre hereby approved, a noise impact assessment of the community centre use on neighbouring premises (to include existing residential premises in the area and the proposed habitable rooms of the development itself) and a noise insulation scheme or other noise control measures as appropriate, in order to minimise the level of noise emanating from the community centre uses and associated internal and external spaces having regard to but not exhaustively the following:

- Nature / type of uses and events to be held;
- Sound system setup with in-house fixed sound system incorporating noise limiting control / device set to the satisfaction of the Local Planning Authority;

- Noise egress, airborne, structural and flanking sound via building structural elements;
- Building fabric, glazing, openings and ventilation systems acoustic performance;
- Adequate alternative ventilation should be provided to ensure external doors and windows remain closed.
- Premises entrances / exits and any associated external spaces and patron noise;
- There should be a cut-out device fitted to external entrance / exit doors, so that if they are opened, the electrical supply to amplified music and the in-house fixed sound system is terminated / ceased;

The details above shall be submitted in writing for approval by the Local Planning Authority.

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

Reason: In the interests of residential amenity, in accordance with Cambridge Local Plan 2018, Policy 35.

Community centre post construction noise report

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

The post construction completion, commissioning and testing report shall demonstrate compliance with the community centre use Noise Assessment / Insulation Scheme (as approved / required by condition 14) and shall include airborne and structural acoustic / sound insulation and attenuation performance standard certification / reports for scheme elements, the consideration and checking of the standard and quality control of workmanship and detailing of the sound insulation scheme and any other noise control measures as approved. Full noise insulation scheme sound performance testing and monitoring including noise limiting control / limiter device level setting to the satisfaction of the LPA will be required.

Reason: In the interests of residential amenity, in accordance with Cambridge Local Plan 2018, Policy 35.

Commercial plant

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

The combined rating level of sound emitted from all fixed plant and/or machinery associated with the development at the use hereby approved shall not exceed the rating level limits specified within the *Create Consulting Engineers Ltd Acoustic Assessment – Rev E (ref: SW/CC/P23-2965/02 Rev E) dated 12th July 2024*.

Reason: In the interests of residential amenity, in accordance with Cambridge Local Plan 2018, Policy 35.

Community and Commercial facilities management plan

17. Notwithstanding the approved plans, prior to any superstructure works commencing on site for the community or commercial facilities hereby approved, a management plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan should include, but not be limited to, the following:

- 1) Final floor plans for the community and commercial facilities, including the details of the future management arrangements.
- 2) Allocation and management of car parking spaces.

Reason: To ensure the adequate and uninterrupted, availability of community floorspace (Local Plan policy 73).

Removal of Class A P.D. Rights (extensions)

18. 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), no enlargement, improvement or other alteration consisting of extensions of the dwelling house(s) shall take place without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity (Cambridge Local Plan 2018 policies 55, 56 and 57).

Removal of P.D rights for garages

19. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the garages shown on the approved plans shall not be converted to habitable space without the granting of specific planning permission.

Reason: In the interests of protecting space that could be used for parking bicycles and alternative sustainable transport modes (Cambridge Local Plan 2018, Policies 57 and 82).

BRE Design Stage Certification

20. Prior to the first occupation of each commercial/community unit to be provided within the development, a BRE issued Design Stage Certificate for that unit shall be submitted to and approved in writing by the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met, with

maximum 5 credits achieved for WAT 01. Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development

Reason – In the interest of reducing carbon dioxide emissions, ensuring efficient use of water and promoting principles of sustainable construction and efficient use of buildings, in compliance with Cambridge Local Plan (2018) Policy 28.

BRE Post Construction Certification

21. Within 12 months of first occupation of each commercial/community unit, a BRE issued post Construction Certificate for that unit shall be submitted to and approved in writing by the Local Planning Authority, indicating that the approved 'excellent' BREEAM rating for that unit has been met with maximum 5 credits for WAT01 (water consumption). If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason – In the interest of reducing carbon dioxide emissions, ensuring efficient use of water and promoting principles of sustainable construction and efficient use of buildings, in compliance with Cambridge Local Plan (2018) Policy 28.

Biodiversity Enhancements

22. 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.

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.

Community centre/ commercial use management plan and external signage

23. Prior to the commencement of the community or commercial uses hereby permitted the following details shall be submitted to, and approved in writing by, the Local Planning Authority:

- 1) Final floor plans for the community centre and commercial facilities.

- 2) Details of the future management arrangements.
- 3) Details of the proposed external signage to be installed for the community and commercial facilities.

The approved scheme shall be fully implemented in accordance with the agreed details.

Reason: To ensure acceptable community and commercial facilities are delivered (Cambridge Local Plan 2018 policy 73).

Informatives

1. Attention is drawn to the requirements of detailed specifications to be submitted for approval for landscaping details under outline planning consent (19/1168/NMA1) conditions 27,28,30,39,40,41,44 and 50. The conditions approved under this reserved matters application are set out at paragraph 9 of the committee report.
2. Cranes
Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policycampaigns/operations-safety/> and CAA CAP1096 Guidance to crane users on aviation lighting and notification (caa.co.uk).
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. Materials
The details required to discharge the submission of materials condition above should consist of a materials schedule, large-scale drawings and/or samples as appropriate to the scale and nature of the development in question.
6. Letterboxes
Letterboxes in doors should be no less than 0.7 metres above ground level.
7. Surface water drainage maintenance (construction)

Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

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Cambridgeshire Quality Panel

Phase 3 Newbury Farm (GB2)

16 November 2023

Venue: South Cambridgeshire Hall, Cambourne

Panel: Lynne Sullivan (chair)

John Dales

Luke Engleback

Fiona Heron

David Birkbeck

Kirk Archibald

LPA: Aaron Coe – GCSP

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

Development Overview

Newbury Farm is a site located on the south east side of Cambridge that is allocated within the Cambridge Local Plan as a residential site with a capacity of 230 dwellings, site allocation GB2. In 2021, outline planning permission was granted with all matters other than access reserved for the erection of 230 residential dwellings and up to 400m² of non-residential floorspace to be used for commercial and/or community uses, (application 19/1168/OUT). The Quality Panel reviewed the outline application on 29 November 2019. The proposed scheme is being presented to the Panel following a series of pre-application meetings, the most recent taking place on 1st November 2023.

The outline planning permission was supported by three parameter plans relating to matters of Land Use, Landscape and Movement and Access. Copies of these parameter plans were provided to the Panel.

The outline permission included the full approval of both access onto Worts Causeway and Babraham Road (i.e., not a reserved matter). Reserved matters consent was granted in 2022 for Phase 1 (reference 21/04186/REM) this application included the main infrastructure, spine road, landscape, drainage, and foot/ cycleway connections. Phase 2 (eastern side of the development parcel) was granted planning consent in July 2023 for the erection of 80 residential units and the creation of the central square (application reference. Phase 3 - land west of the spine road is to deliver the remaining 150 dwellings and is the land that is the subject of this presentation.

These reserved matters are being prepared by the Cambridge Investment Partnership. The development is to deliver 150 homes, 40% of which will be provided as affordable housing together with commercial and community floor space and associated open space.

Presenting Team

The scheme is promoted by Cambridge Investment Partnership with the design team lead by BPTW. The presenting team comprised:

- C Audrey Remery – BPTW Architects
- Kaloyan Valkanov – BPTW Architects
- Eric Molloy – Guarda Landscape

- Paul Belton – Carter Jonas
- Will Berry – Cambridge Investment Partnership
- Tom Conlon – Cambridge Investment Partnership

Local Authority's Request

In terms of the housing mix offered the applicants have engaged with the Council's Housing Strategy Team and concerns have been raised as the applicant is currently proposing 95% of the affordable accommodation within apartments and only 5% as 3-bedroom houses. This issue has led to concerns that the scheme is failing to achieve a tenure blind scheme. The Greater Cambridge Housing Strategy (Annexe 10) 2019-2023 and related SPDs require a maximum of units in a cluster of affordable housing of 12 units per core of an apartment building or 25 units in a group of dwellings. In respect of clustering the applicants are working with the Council's Housing Strategy team to ensure the proposals do not contravene the clustering policy (as set out within annexe 10).

The proposed sustainability measures had not been submitted prior to the Panel meeting. However, the applicant has committed to engaging with the Council's sustainability officer prior to submission to ensure acceptable standards are met and relevant planning policy requirements are complied with.

The applicants are proposing to amend the building heights parameter plan to achieve a mixture 2.5 and 3 storey units in certain locations that were previously designated as '2 storeys' under the approved outline parameter plan. Officers consider that the principle of varying the approved parameter plans could be acceptable subject to this being a design led approach which respect the outline masterplan character areas, the interface with Phase 2 and the green belt surroundings.

Officers would also appreciate the views of the panel on the proposed interface and relationship between Phases 2 and 3. Officers have advised the applicants of the importance of achieving a cohesive and coherent relationship with phase 2 along the spine road.

Community – “places where people live out of choice and not necessity, creating healthy communities with a good quality of life”

There is a defined central core to this development that will form the basis for creating the community. However as this is in the control of This Land to deliver and both developers should work together to ensure that this area works for the benefit of the communities on both sites.

As a consequence of the outline parameters the focus of the landscape is on the perimeter of the of the site. Whilst this is necessary it has resulted in a lack of quality and quantum of green landscape within the development creating a built-up core in the central higher density residential blocks.

The Panel considered further consideration should be given to bringing the landscape into the development and enhancing the landscape in the community areas.

Planting needs to define the community lead spaces, for example the courtyard adjoining the central apartment block.

The routes to the play areas are well defined and legible. The play areas themselves could have a stronger sense of character.

The green corridor is a strong community space, however, it is not clear how the planting strategy relates to the This Land plot. It is critical that there is a shared and consistent landscape approach.

The community building would ideally add an element of retail and food and beverage as there is no provision in the locality.

Connectivity – “places that are well-connected enable easy access for all to jobs and services using sustainable modes”

The mews courts are likely to have very little traffic and it will be slow moving. Therefore could these spaces be designed with a more pedestrian focus. For example, could the kerbs be removed and replaced with common surface material that would encourage pedestrian activity and even play in these locations.

It is unclear from the supporting material what the car parking ratios for the different house types are. The ratio appears to be high and therefore there may be an

overprovision of car parking spaces across the development. This needs to be explained more clearly.

There is no issue with the on-plot car parking, however thought should be given to the impact in the streets when garages are not used for parking. More thought needs to be given to the cycle parking strategy. The on-street cycle parking sheds need more detailing.

The layout appears to be very tight for refuse and large delivery vehicles and therefore it is important that the tracking works. It was suggested that the applicant looks at other similar type of development in Cambridge to see what other solutions have been applied.

The western boundary cycle and pedestrian path requires more design and detailing to avoid potential conflict and accommodate the range of users. Further consideration should be given to how it connects with the GB1 site to the north of Worts Causeway. This will be a major route for cycles going between both development and the schools and the park and ride. Does a cycle crossing on Worts Causeway need to be considered?

The cycle paths within the site need to connect with the new cycle path running along the south side of Nine Wells. The distance between where the western boundary path joins Babraham Road and where the Nine Wells path does is only a little over 100m and this provides an ideal opportunity to join the two.

Character – “Places with distinctive neighbourhoods and where people create ‘pride of place’

Landscape

With longer and hotter summers likely to be more frequent the whole layout needs to respond more positively to the challenges posed by the climate and biodiversity emergencies.

The engineered SuDS basins appear to suggest a carbon-intense drainage infrastructure. There is an opportunity to capture water closer to where it falls by introducing rain gardens and rills with less dependence on pipes and underground

storage. This will reduce the embodied carbon in the infrastructure and contribute towards enhancing the landscape character.

Similarly, if the amount of paving can be reduced this will allow the soil to absorb and store more water with less dependence on pipes and consequent embodied carbon. The Panel recommended more tree planting within the residential areas to help break up the predominance of paving and encourage variety of uses within the public realm. This would also help manage peak water flows and capture the pollution in the water.

The green spaces can be used to sequester carbon, especially through hedgerows, trees, and ditches along the perimeter of the site. This will also enhance biodiversity.

The paved areas should use a porous material with a specific recommendation to use crushed carbon or dolerite as a subbase as this will support the capture of carbon.

The site has an inherently field character comprising hedgerows and ditches. The other key structuring element is the gas main easement which drives the landscape and open space concept and the planting strategy. The Panel suggested that a more fluid path through the opens space is needed to make the character less regimented.

To assist the needs for more internal greening the Panel suggested that vertical landscaping should be installed in locations where space is constrained and prevents more conventional planting.

Architecture

The large executive style housing fronting onto Babraham Road does not seem to be in the right location for such high value properties, given the outlook onto the road with its potential traffic and acoustic issues. This typology of housing would be better suited to fronting onto Worts Causeway or the green space.

The Panel was concerned about the lack of architectural response along the western edge. The movement corridor will need good level of surveillance from these properties and it will be important to maximise the fenestration along that boundary together with limiting the amount of boundary enclosures fronting the corridor.

At the northwestern corner there needs to be an appropriate house type that bookends the end of the street and avoids a blank elevation.

The Panel noted the apparent contradictions in the height parameters in the outline permission, which needs to be resolved. It is sensible to use the 10.2 metre parameter to maximise the option for 3-storey units to give more volume.

Climate – “Places that anticipate climate change in ways that enhance the desirability of development and minimise environmental impact”

Avoid traditional water attenuation, bring water to the surface and aim to retain as much surface water as possible on the site.

The emerging climate and sustainability strategy needs to demonstrate how the development will address the climate emergency. Integrating landscape along routes will reduce ambient temperatures. This phase needs to ensure that it provides the environment for future residents to adapt their lifestyles to engage with the climate emergency.

Whilst there is a strong emphasis on house cost affordability there needs to be much more done to make it affordable in terms of the living and operational costs of the housing, such as cost of utilities through on-plot renewable and energy efficiency (Octopus Energy zero bill guarantee for installed PVs and battery storage).

An allowance should be made on-plot for the storage of batteries. There needs to be a diagram showing the location of heat pumps within the gardens to ensure that any noise impacts are mitigated.

The provision of 100% EV chargers is welcomed however consideration should be given to providing 2 per plot on the larger house types which may have several cars. There also needs to be a strategy for EV charging in off-plot parking areas.

The Panel supported the dual facing aspect of the apartments and the provision of outdoor space, however care need to be taken to prevent overheating. It would be beneficial to climate resilience if buildings could be designed with good floor to ceiling heights.

It was noted that the community building will be targeting BREEAM Excellent which is supported.

Embodied carbon contributes significantly towards the whole life carbon impact of the development and it would be good to see firm proposals on how this may be reduced and supported with calculations.

Summary

The Panel thanked the design team for a thorough presentation of the proposals and particularly for bringing the scheme forward at such an early stage of the design process.

Community

The Panel found the development to be well connected to amenities and places the community at its heart. However, whilst there are green areas that will be used for recreation and open space these are generally located at the margins of the site and need to be more integrated. Therefore the landscape needs to be brought into the centre, especially the mews courtyards.

It was recognised that the western edge is principally about movement, however, more needs to be done to enhance its landscape, recreation, and amenity function to complement the cycling and pedestrian function.

The Panel encourages the flexible use of the community space which is a great asset for the development.

Connectivity

The parking strategy needs more rigour and coherence to ensure that all facets of parking, including visitors, deliveries and off-plot EV charging are properly considered.

Securing a safe crossing over Worts Causeway is essential for the success of the western cycle corridor given the anticipated trips from the development to the schools to the north.

The cycle paths through open space need to flow more and avoid straight alignment.

Character

The key issue is to resolve the conflicting issues in the courtyards.

Further ideas about the building heights are logical.

Surveillance along the western corridor is critical to activate the frontage and to enhance the amenity value.

Climate

The Panel recommended a strategy to combine the retention and use of water within the site to support the landscape which will enable climate resilience and enhance the character of the development.

The amount of hard paving should be reduced where this is feasible to minimise the carbon impact of the materials.

The emerging sustainability strategy is very generic and needs to be enhanced to meet the ambition proposed in the emerging local plan.

Contact details

For any queries in relation to this report, please contact the panel secretariat.

Email: GrowthDevelopment@cambridgeshire.gov.uk

Author: Colum Fitzsimons

Issue date: 28 November 2023

Background information list and plan

- Main presentation
- Local authority background note

Documents may be available on request, subject to restrictions/confidentiality

Site Vision - Aerial Sketch



Preliminary Landscape Proposals - Overview





GREATER CAMBRIDGE
SHARED PLANNING

Disability Consultative Panel

Tuesday, 28 November 2023

14:00 – 16:30

Venue

**Swansley A&B, Ground floor, South Cambridgeshire Hall,
South Cambridgeshire District Council, Cambourne
and via Microsoft 'Teams'**

Notes

Attendees

Mark Taylor	Greater Cambridge Shared Planning (Chair)
Sue Simms	Former Housing Officer
Katie Roberts	Greater Cambridge Shared Planning (Notes)
Jean White	Retired City Council employee
Jane Renfrew	Resident
Su Fletcher	Hearing Help Team Leader, Cambridge Deaf Association
Aaron Coe	Principal Planner (CIP and SCIP Projects) (for presentation 2)
Jane Green	Built and Natural Environment Manager (Observer)
Trovine Monteiro	Team Leader – Built Environment (Observer)

Apologies

David Baxter, Rosalind Bird, Betty Watts

Presentation 2: Phase 3 Newbury Farm

Presenters

Kaloyan Valkanov (BPTW)
Audrey Remery (BPTW)
Tom Conlan, Cambridge City Council (CIP)
Eric Molloy, Garda Landscape
Will Berry (CIP)

KV introduced the presentation by explaining that its focus is Newbury Farm (Phase 3), located within Cambridge City Council's boundary (Queen Edith's ward) and the aim is to provide 150 homes, divided between 57 flats and 93 houses. The closest transport service is the Babraham Park and Ride service and vehicular access to the proposals is provided by a connection with Babraham Road in the south east corner of the site. The proposals include a cycle route, which is a cycle pedestrian network and will consist of a 3 metre wide shared foot and cycle path. Details were provided about the current site layout, including the variety of house sizes.

Reference was also made to the houses designed for wheelchair access and the blue badge parking spaces that are in close proximity. EM discussed the landscape strategy, which is designed to ensure the provision of well connected residential areas and multifunctional communal spaces, commenting on the green Edge character area and the Linear Park. Subsequent details were provided about the Local Centre Blocks, including the landscaping and the materials for the shared surface roads, and the initial designs of the Local Centre. Many strategies will be used to support accessibility for all, including contrasting materials and colours and a variety of furniture and play equipment (some seats will have back rests and intermediate arm rests to provide additional support and an additional space 1.2m wide next to benches will be provided for wheelchairs users). Information was provided about the parking strategy, the cycle strategy and the housing strategy. The presentation concluded with specific details explaining how the houses and flats meet the necessary housing standards and building regulations.

Panel comments and queries

- JT and MT liaised with EM about accessible playgrounds, recommending the project which is nearing completion in Great Shelford involving an Architect who is the mother of disabled children. The equipment is designed for children of all disabilities and can be approached by guardians who may be wheelchair users or walk with an aid. MT recommended rubberized surfaces throughout the play area and EM mentioned the benefit of plenty of space around the equipment for wheelchairs. MT added that, in some accessible playgrounds, he has observed the use of sensory plants at the gateways as a means of alerting visually impaired people. JT also requested the use of colour contrast on the pavements and roads on the site, as well as on the ramps and stairs (the handrails are not long enough).
- SS requested the use of sliding doors in the disabled bathrooms in the wheelchair accessible flats to enable the users to operate the doors themselves. With regard to the bathroom, she commented that a wheelchair user might use a bath with a hoist over the top, but suggested that, if the floor is designed to be suitable to become a wet room shower at a later stage, if necessary, it would reduce the need for adaptations. In response, KV commented that it would be possible to install a shower, rather than a bath, at the outset.
- JW commented on the arrangement of the bathroom for the disabled person (bath, basin and toilet in the corner). She suggested moving the basin to the side wall, in order to have the toilet in the middle of the room, allowing access from either side in a wheelchair. KV thanked her for her insightful comments. JW also suggested the use of sliding doors in the entire flat and enquired if there would be a way to install a hoist. KV commented that they would discuss this possibility of sliding doors throughout the flat with their consultants.
- SS asked if the garages belonging to the houses would be large enough to accommodate a family car and if there would be room to get out of the car.
- In response to a query by the Chair about the location of the nearest shop and community facilities, such as the Church Hall, Scout Hut and community centre, reference was made to the M&S at Addenbrooke's and the nearby Nightingale Park Cricket Pavilion. The Chair added that, as a resident on the site, a disabled person would be dependent on vehicular movement to use these facilities. WB mentioned that there will be some commercial and community facilities within the Newbury Farm development, but the exact split has not yet been determined. It is likely that there will be a shop or a café on the western side of the central green square, but it is yet to be defined. TC echoed his comments, referring to a business case that has been submitted to the City Council's community's team.
- The Chair referred to the surfaces on the pavements and footways that had been mentioned. He asked if they are going to be shared services between cyclists and pedestrians or if they will be segregated. The proposals include a cycle route, which is a cycle pedestrian network and

will consist of a 3 metre wide shared foot and cycle path. The Chair urged that they be segregated wherever possible, rather than the proposed shared services, with a 2.5 cm upstand between the pedestrian and cyclist to ensure the safety of people who are visually impaired or who have learning difficulties. Otherwise, there will need to be block paving edging on those areas so those people who use a guidance cane can locate their destination.

- Referring to the 2- bedroom wheelchair M4 (3) accessible flats, it was confirmed that they are all on the ground floor. The Chair mentioned that, ideally, on a M4 (3) the bedroom adjoins the bathroom so that, if someone needs to use a hoist from the bedroom to the bathroom, there is a simple panel that can be used.
- JW asked if there is provision for shopping delivery vans to park because there are no supermarkets in the vicinity.
- The Chair asked if it would be possible to have a number of short stay visitor parking spaces (including signage) throughout the site for the purpose of food deliveries and for peripatetic support workers.
- In response to a query by JR, it was confirmed that the access roads are wide enough for an ambulance or rubbish van when cars are parked on the side of the road and it was also confirmed that there is parking for residents.

The Chair concluded by thanking the members of the applicant team for their presentation.

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Agenda Item 9



Planning Committee Date	2 nd October 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/00245/REM
Site	111 - 113 Queen Ediths Way Cambridge Cambridgeshire CB1 8PL
Ward	Queen Ediths
Proposal	Reserved matters application for approval of access, appearance, landscaping, layout and scale following outline planning ref, 22/01411/OUT (Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge).
Applicant	Mr Leneghan
Presenting Officer	Dominic Bush
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	The Key Issues raised when the application was deferred at Committee on the 3 rd July were: 1.Ownership 2.Access 3.Fire safety 4.Scale 5.Tree impacts
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

1.1 The application seeks approval of reserved matters of access, appearance, landscaping, layout and scale following outline planning ref, 22/01411/OUT (Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge).

1.2 The application was deferred by Members at Planning Committee on the 3rd July 2024 for the following reasons:

- Ownership of the site
- Access and accessibility of the proposal
- Concerns regarding fire Safety
- Potential for the development to be considered overdevelopment of the site

1.3 The applicant has submitted further information to address the issues raised by Members. This comprises the following:

- Tracking plan of the access and parking

1.4 This report is an addendum report to the original Committee report attached as Appendix B.

1.5 It is considered by Officers that the additional information submitted and received from consultees addresses the reasons for deferral as set out above. As such, it is recommended that the Planning Committee approve the application, subject to the recommended conditions and informative.

2.0 Site Description and Context

None-relevant	X	Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1, 2, 3	
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

*X indicates relevance

2.1 The existing site comprises the rear residential gardens of Nos.111 & 113 Queen Ediths Way. The application currently comprises an outbuilding to the rear of the garden of No.113. Within the red line of the application, a pedestrian access is included running along the existing footpath between Nos.113 and 115. Meanwhile the vehicular access is also included within

the red line of the location plan and utilises the existing shared access road that runs to the east of No.117 Queen Ediths Way.

- 2.2 The application site is located to the rear of the predominant building line of houses that front Queen Ediths Way to the south. Immediately to the north of the site is the neighbouring property of No.119 Queen Ediths Way that utilises the same shared access as the proposed dwelling.

3.0 The Proposal

- 3.1 Reserved matters application for approval of access, appearance, landscaping, layout and scale following outline planning ref, 22/01411/OUT (Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge).
- 3.2 This application follows the previously approved outline planning application and seeks approval of access, appearance, landscaping, layout and scale of the proposed development. The proposed dwelling is a single storey in height with a private residential garden provided to the south of the property. Car parking is proposed to the front of the dwelling with a shared bin storage area located part of the way along the pedestrian access.
- 3.3 The application has been amended to address comments received from the Local Highways Authority and Councils Environmental Health officer and further consultations have been carried out as appropriate.

4.0 Relevant Site History

Reference	Description	Outcome
14/1838/OUT	Outline application for construction of bungalow/chalet style bungalow.	Refused
15/1322/OUT	Outline application for construction of bungalow/chalet style bungalow.	Refused
22/01411/OUT	Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge	Permitted

- 4.1 The most recent outline planning application submitted regarding the site was approved as a delegated decision. Within this application, all matters were reserved for the current reserved matters stage, however the principle of development, with the current red line plan was established.

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 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 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

6.0 Consultations following the last committee meeting 3rd July

6.1 Access Officer

6.2 No objection.

6.3 Fire & Rescue officer

6.4 If suitable access to the site cannot be achieved, then the Fire Service would recommend that a sprinkler system is installed.

7.0 Third Party Representations received since the previous committee meeting

7.1 One additional representation has been received, raising the following points of objection

- Concerns regarding potential intensification of use of the access
- Covenants regarding the right of access to the site
- Ownership
- Construction impacts

7.2 Comments have also been received from Cllr Blackburn-Horgan raising the same points in objection as the third-party representation.

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.

7.4 All other consultee comments and representations remain as per the previous report to the Committee, attached as Appendix B.

8.0 Assessment

8.1 Planning Background

8.2 This application follows a previously approved outline planning consent that established the principle of the development of the site outlined in red on the location plan provided. The details of the proposal were not assessed within this previous application and are subject to this application currently under consideration.

8.3 Appendix A is the decision notice for the previous outline permission which includes the conditions applied which would continue to apply in the case that permission is granted for this proposal. This outline permission included conditions requiring further approval of Biodiversity Net Gain, Cycle parking, Drainage, EV Charging, renewable energy, M4(2) compliance and others.

8.4 This application is therefore assessing the proposed development with regards to its access, appearance, landscaping, layout and scale. Where applicable further conditions can be attached to Reserved Matters applications such as this.

8.5 The Committee report for the application when taken to the previous meeting in July is attached as Appendix B.

8.6 Principle of Development

8.7 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.

8.8 Policy 52 requires proposals for the subdivision of existing residential curtilages to be of a form, height and layout appropriate to the surrounding pattern of development and character of the area whilst retaining sufficient garden space and balancing protecting the amenity and privacy of neighbours with creating high quality functional environments for future occupiers.

8.9 This application is proposing the addition of one additional dwelling located within the residential gardens of No.111 and 113 Queen Ediths Way. The principle of the addition of a single residential property within this application site was established within the previous outline permission granted. This is therefore not a matter to be determined within this application.

8.10 The principle of the development is acceptable as approved within the outline permission, reference 22/01411/OUT

8.11 Design, Layout, Scale and Landscaping

8.12 Policies 52, 55, 56, 57 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

8.13 The area surrounding the application site is characterised by pairs of semi-detached dwellings that front Queen Ediths way and have large, deep rear private gardens. As stated above, there are a few, exceptions to this prevailing character, with No119 Queen Ediths Way located beyond the prevailing building line. The majority of the surrounding properties are a full two storey in height, including No. 119 Queen Ediths.

8.14 This application is proposing the addition of a single storey dwelling within the application site. Whilst not for consideration at outline stage, indicative

plans were submitted with the outline application also showing a single storey dwelling within the application site. As was stated at this stage, it is acknowledged by officers that there are no existing dwellings within the immediate surrounding context that are a single storey in height and within the rear gardens of an existing property, there are a number of single storey incidental and ancillary outbuildings. It is considered by officers that the height and footprint of the proposed dwelling is similar to that of a large outbuilding and would therefore not appear out of character with the surrounding area.

8.15 Officers acknowledge that comments were received when the application was last brought to committee that the scale would potentially constitute overdevelopment of the site and that at two bedrooms it could potentially be reduced in scale.

8.16 Firstly, it is of course important to consider that the application must be assessed with regards to the information that is submitted, which in this case is for a two-bedroom dwelling within the application site. Whilst it is acknowledged that a single bedroom dwelling could be provided on site such a proposal has not been submitted. The footprint of the proposed dwelling is considered to be clearly subservient to the other dwellings within the context of the site and acceptable in this instance. There is also space for significantly sized gardens to be retained for both nos.111 and 113 Queen Ediths Way with a moderately sized garden for the proposed dwelling. Officers do not therefore deem that the proposal would result in a cramped form of development within the context, and the proposal is therefore acceptable in its scale.

8.17 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57 and 59 and the NPPF.

8.18 Trees

8.19 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.

8.20 Potential concerns were raised previously at planning committee regarding the impact of the proposed development on the trees surrounding the site, owing to the proximity of the dwelling.

8.21 The application is accompanied by an Arboricultural Impact Assessment and method statement. The Council's Tree officer has been consulted on the application, and whilst initially objecting to the proposal, following the submission of additional information has raised no objection. This is

subject to a condition requiring compliance of works with the details set out in the Arboricultural method statement as provided.

8.22 Given that within the previous outline permission, conditions were attached regarding the submission of an arboricultural method statement and compliance with tree protection methodology and these conditions continue to apply to the site, it is not considered reasonable to attach an additional condition regarding compliance with the method statement provided with this application. To ensure that the development would not harm the root protection areas of the trees within the site a condition will be attached to any permission regarding the foundation design of the dwelling ensuring that it takes account the surrounding trees.

8.23 It is noted that the trees along the northern boundary of the site are within relatively closer proximity to the proposed dwelling and its foundations. However as was explained by the tree officer at the previous meeting, following the agreed removal of T4, the remaining trees within this cluster are mostly of lower value either category C or U, with the exception of T1 which is a category B tree. As shown within the arboricultural information provided, the proposed dwelling is not within the root protection area of T1, whilst the minimal encroachment of the foundations on T5, T6 and T7 is considered to be acceptable subject to the conditions recommended as above.

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

8.25 Fire Safety

8.26 Concerns have been raised by third parties and by Members at the previous committee meeting regarding the potential for the proposed development to fail to provide adequate fire safety measures.

8.27 Since the previous committee meeting discussing this application, the fire and rescue officer was consulted on the application, despite it not meeting the statutory requirements for their consultation. Comments have since been received from the officer stating that it does not appear as though the access to the site is suitable for a fire appliance to enter, turn and leave. As such it is recommended by the fire safety officer that a sprinkler system is installed.

8.28 Planning officers acknowledge that it is likely that a fire appliance would indeed not be able to access the site owing to the narrowness of the access road and lack of turning space for vehicles larger than a domestic car.

8.29 It is important to consider however that this access is shared, for the majority of its length with No.119 Queen Ediths way. Therefore, it is likely that the same issue would exist for this neighbouring dwelling. It is acknowledged that the assessment is for a new dwelling and that it must be considered on its own merits, however, the addition of a sprinkler

system, for example via a planning condition, is not considered to be representative of the scale of development and would not pass the conditions tests such as reasonableness in this case.

8.30 An informative can be attached to any permission to suggest that the applicant considers the addition of a sprinkler system in the case of permission being granted. It must also be noted that any permitted dwelling must comply with the relevant building regulations relating to fire safety set out in Approved Document B.

8.31 For the above reasons, the proposed development is considered to be acceptable with regards to fire safety.

8.32 Highway Safety and Transport Impacts

8.33 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.

8.34 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.

8.35 Access to the site would be along the shared access road that runs between Nos.117 and 121 Queen Ediths Way. This is an existing access road that serves a number of other dwellings and their garages found at the rear of their gardens. This includes Nos.111 and 113 Queen Ediths Way where the proposed dwelling would replace the existing garage.

8.36 At outline stage, no objection was raised to the proposed development and access from the Local Highway Authority as it was deemed that the proposal would not result in an intensification of the use of the access above that of the existing garage location on the application site.

8.37 Within this application, initially the proposed site plan showed a larger area of hardstanding to the front of the property that had the potential for the parking of more than one car, which the Local Highway Authority believed would result in an intensification of the use of the access. Therefore, initially they objected to the proposed development and requested that the access be widened to 5 metres width for a minimum of 5 metres from the highway.

8.38 Following revisions to the provided plans, the layout has been amended to clearly show that there is space for only a single car to park within the application site. Therefore, considering the existing car parking space within the site, the proposed development would not result in any significant increase in car usage into and out of the site. Therefore, in line with the most recent comments received from the Local Highway

Authority, there is no objection to the proposed development with regards to its highway impact, subject to the requested condition regarding access times for heavy construction vehicles, which given the constrained access is considered to be reasonable.

- 8.39 Since the application was last brought to planning committee, a vehicle tracking plan has been provided showing that there is sufficient space for a car to enter the site, park, reverse and leave the site in a forward gear.
- 8.40 It is noted that concern was raised previously that despite the site plan to be approved showing only space for only 1 car to park within the hardstanding to the front of the property, that in practicality there was potential for the space to the front of the dwelling to be used for additional car parking that in turn would result in the intensification of use of the access to the site.
- 8.41 It is not considered that it would be reasonable to assess the application under the assumption that the site could be used for the parking of more than one car. The area of hardstanding is only considered, at 3.8 metres in width, wide enough for the parking of a single car and the application must be assessed at face value, where the assessment of officers and the Local Highway Authority was that the proposal is for a dwelling with a single car parking space.
- 8.42 An additional condition is recommended, removing permitted development rights for hardstanding at the site, to ensure that this cannot be changed to create an additional car parking space. Beyond this condition, it is not considered to be possible to ensure that the development does not include the provision of more than one car parking space, other than through a legal agreement which would be considered onerous and unreasonable in this instance given the scale of development.
- 8.43 It was raised during the previous committee meeting regarding the potential to light the accesses to the dwelling due to the distance to the highway along Queen Ediths Way. Having spoken to the Local Highways Authority since the last meeting, they confirmed that, owing to the width of the vehicular access, it would not be possible to install lighting along this without further impacting highway safety. Whilst the same would apply to the pedestrian access to the site, along which, any lighting would restrict access for bikes and bins which are proposed to use the pathway.
- 8.44 Considering the above, and that the principle of the use of the access has been previously established by the outline permission granted, it is considered that the proposed development is acceptable with regards to its access and any potential highway safety implications.
- 8.45 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

8.46 Third Party Representations

- 8.47 The remaining third-party representations are addressed in the preceding paragraphs:
- 8.48 Ownership
- 8.49 Third party representations received since the application was last taken to planning committee have continued to object to the proposed development due to dispute over the ownership of the land within the application site. Dispute is raised over the ownership of the access to the site for which No.119 claims to have sole ownership with covenants restricting the access to the site solely for garages and not a dwelling as proposed.
- 8.50 Firstly, it is important to note that covenants lie outside of the scope of the planning system and are not a matter for consideration as part of a planning application.
- 8.51 With regards to the ownership of the access, during the outline permission which has been granted previously and remains extant, certificate B was provided and No.119 Queen Ediths Notified as a shared owner of the access. Given that differing views between the applicant and the third party over the ownership of the land, it was considered that this is a civil matter to be resolved by the two parties. Ownership is not a matter for consideration at reserved matters stage, ownership certificates are not required as part of this application.
- 8.52 As such it is considered that the matter of ownership was assessed as part of the outline application and any ongoing dispute over this is a civil matter that does not form the assessment of this application.
- 8.53 Other Matters**
- 8.54 This report to the Committee sets out an assessment of the issues raised as part of the deferral. Matters that have not changed following the previous consideration of the proposal including Amenity, Carbon Reduction and Sustainable Design, Biodiversity, and Water Management and Flood Risk, remain as set out on the previous report to the Committee, attached as Appendix B, and remain policy compliant.
- 8.55 Planning Balance**
- 8.56 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).
- 8.57 The proposed development would preserve the character and appearance of the surrounding area, through the high quality replacement of the existing dwelling and the retention of sufficient garden land and considerable numbers of trees within the site. The scheme provides for a high-quality living environment for future occupiers.

- 8.58 It is considered that on balance, the impact of the proposed development on the amenity of neighbouring properties would not be significant and is acceptable in this instance.
- 8.59 Objections regarding the proposed access and its ownership are noted, however it is considered that the necessary notice has been served to the other owners of the land and that the access to the site is acceptable in this instance.
- 8.60 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.

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.

Conditions

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

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

2. Any demolition, construction or delivery vehicles with a gross weight in excess of 3.5 tonnes shall only service the site between the hours of 09.30hrs -16.00hrs, Monday to Saturday.

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

3. Prior to the installation of any Air Source Heat Pump (ASHP) a noise impact assessment and any noise insulation/mitigation scheme as required for the ASHP 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 neighbouring occupiers in accordance with Policy 35 of the Cambridge Local Plan 2018.

4. 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).

5. No development shall commence until detailed plans and an associated report for the foundation design of the development have been submitted to and approved in writing by the Local Planning Authority. The plans and report shall demonstrate that the foundation design accounts for tree variety and age, soil type, root growth (including root barriers), ground movement and tree growth. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure the tree roots are suitably protected from development and that the design of the foundations are appropriate (Cambridge Local Plan 2018, policy 71).

6. Notwithstanding the provisions of Schedule 2, Part 1, Class F 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 dwellinghouse(s) of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse(s), shall not be allowed without the granting of specific planning permission.

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

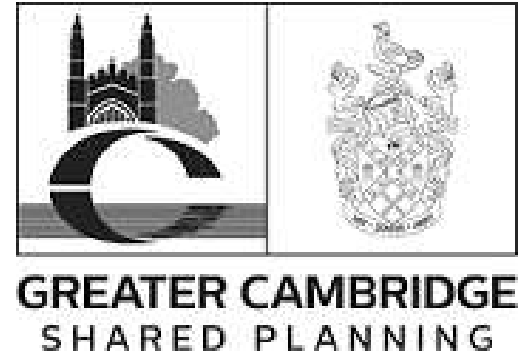
Informatives

1. In line with the comments received from the councils Fire safety officer, the applicant should review the potential for the addition of a fire sprinkler system within the dwelling due to the access arrangement to the site and difficulties for fire appliances.

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Our Ref: 22/01411/OUT
Your Ref: Construction of bungalow on l...

30 March 2023



Wayne Chrzanowski
Ely Planning Company (Cambridgeshire)
Studio 5
Penn Farm
Harston Road
Haslingfield
CB23 1JZ

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

www.scambs.gov.uk | www.cambridge.gov.uk

Dear Sir/Madam

CAMBRIDGE CITY COUNCIL
Application for Outline Planning Permission

Proposal: Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge

Site address: 111 - 113 Queen Ediths Way Cambridge Cambridgeshire CB1 8PL

Your client: Tom Leneghan

Further in the above matter, please find enclosed our formal decision notice relating to your client's application for planning permission. Please be sure to remind your client that the scheme should be carried out in line with the approved plans. This will avoid the need for any enforcement action.

Making changes to the approved plans

In the event that you wish to change your proposal, please contact your case officer who will advise you on whether the change can be dealt with as a "non-material" or "material" amendment. In either case you will have to complete a form and provide fresh drawings.

Important information regarding conditions

If you have been granted Planning Permission / Listed Building Consent / Advertisement Consent you may wish to get started immediately, however it is always important to carefully read the decision notice in full before any work begins.

The majority of planning decisions have conditions attached. Some conditions request further information that requires approval by the Local Planning Authority before any development takes place ('pre-commencement'). All conditions are set out on the decision notice.

Under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is a criminal offence to carry out unauthorised works to a listed building. Under Section 9 of the Act, a person shall be guilty of an offence should they fail to comply with any condition attached to the consent.

How do I discharge the conditions

Please note that the process takes up to eight weeks from the date the Local Planning Authority receives a valid application. Therefore it important to plan ahead and allow plenty of time before work is due to commence.

You need to fill in a form to submit your request to discharge conditions, and accompany the relevant details/samples. You can download the necessary form by using the following link: <https://www.greatercambridgeplanning.org>

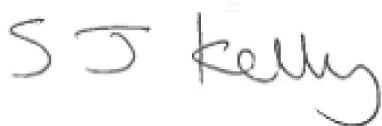
Alternatively you can submit an application to discharge the conditions through the Government's Planning Portal website: <https://www.planningportal.co.uk/applications>. Please note, The Planning Portal refers to it as 'Approval of details reserved by a condition'.

When the required information has been submitted you will receive a reference and an acknowledgement letter. Once the Local Planning Authority is satisfied that the requirement of the condition have been met you will receive a formal notification that the conditions have been discharged.

Appeals against conditions

You should also be aware that the applicant has the right to appeal against any conditions attached to this Notice, please see <https://www.gov.uk/appeal-planning-decision> for details. If you are concerned about any condition you should contact the case officer in the first instance for advice.

Yours faithfully



SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire

Notice of Outline Planning Permission
Subject to conditions

Reference 22/01411/OUT
Date of Decision 30 March 2023



Wayne Chrzanowski
Ely Planning Company (Cambridgeshire)
Studio 5
Penn Farm
Harston Road
Haslingfield
CB23 1JZ

The Council hereby GRANTS Outline Planning Permission for:

Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way
Cambridge

at

111 - 113 Queen Ediths Way Cambridge Cambridgeshire CB1 8PL

In accordance with your application received on 24 March 2022 and the plans, drawings
and documents which form part of the application.

Conditions

- 1 Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 No development shall commence until details of the appearance, landscaping, layout and scale, (hereinafter called the 'reserved matters') have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: This is an Outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority

- 3 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.

- 4 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

- 5 No development above ground level, other than demolition, shall commence until a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

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

- 6 No permanent connection to the electricity distribution network shall be established until a dedicated electric vehicle charge point scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall demonstrate that one active electric vehicle charge point will be designed and installed with a minimum power rating output of 7kW to serve the approved allocated on-plot parking space for the proposed residential unit. The approved scheme shall be fully installed before the development is occupied and retained as such.

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

- 7 No development above slab level shall commence until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning. This shall demonstrate that all new residential units shall achieve reductions in CO2 emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details
- a. Levels of carbon reduction achieved at each stage of the energy hierarchy; and

b. A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit.

Where on-site renewable or low carbon technologies are proposed, the Statement shall also include

c. A schedule of proposed on-site renewable energy technologies, their location, design and a maintenance schedule; and

d. Details of any mitigation measures required to maintain amenity and prevent nuisance

There shall be no occupation of the development until the carbon reduction measures have been implemented in accordance with the approved details.

Statement shall be submitted to and approved in writing by the local planning authority. The revised Carbon Reduction Statement shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution, in accordance with policies 28, 35 and 36 of the Cambridge Local Plan 2018, and Greater Cambridge Sustainable Design and Construction SPD 2020.

- 8 The dwelling, 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 and in accordance with Policy 51 of the Cambridge Local Plan 2018.

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

Reason: To protect the amenity of the adjoining properties, in accordance with Policy 35 of the Cambridge Local Plan 2018.

- 10 The dwelling hereby approved shall not exceed one storey in height.

Reason: To ensure that the appearance of the site does not detract from the character of the area or harm amenities of adjoining properties in accordance with Policies 52, 55, 56 and 57 of the Cambridge Local Plan September 2018.

- 11 The dwelling shall comply with the Residential Space Standards set out under Policy 50 of the Cambridge Local Plan 2018 or successor and demonstrated through the provision of floorspace details within the submission of any reserved matters application.

Reason: To ensure an appropriate level of amenity for future occupiers in accordance with policy 50 of the Cambridge Local Plan 2018.

- 12 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 and in accordance with Policy 35 Cambridge Local Plan 2018.

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

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

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

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

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

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

- 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 Policy 71 of the Cambridge Local Plan 2018.

- 17 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 Policy 71 of the Cambridge Local Plan 2018.

- 18 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 ; car parking layouts, vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. lighting and CCTV installations);

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, management responsibilities and maintenance schedules for all landscape areas.

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

- 19 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, in accordance with policies 55, 57, 59 and 69 Cambridge Local Plan 2018.

- 21 No development, except demolition or site clearance, shall commence until a scheme for the on-site storage facilities for waste, including waste for recycling, has been submitted to and approved in writing by the local planning authority. The scheme shall identify:

a) the specific positions of where wheeled bins will be stationed for use by the resident.

b) The quantity and capacity of the bins per property

c) The walk distances for residents to the kerbside including the specific arrangements to enable collection from the kerbside or within 5m of the adopted highway/ refuse collection vehicle access point.

d) Any designated Bin Collection Points, if practically needed.

e) Details of the management arrangements if bins need to be moved to one designated collection points

No residential unit shall be occupied until the approved arrangements for that particular unit have been provided and shall be retained as such unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To ensure that the need for refuse and recycling is successfully integrated into the development, in accordance with policy 57 of the Cambridge Local Plan 2018.

- 22 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, in accordance with policies 31 and 82 of the Cambridge Local Plan 2018.

- 24 Prior to the first occupation of the dwelling, infrastructure to enable the delivery of broadband services, to industry standards, shall be provided for that dwelling.

Reason: To contribute towards the provision of infrastructure suitable to enable the delivery of high speed broadband across the district, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.

Plans and drawings

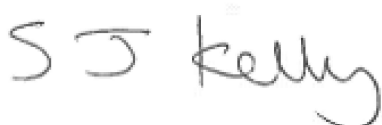
This decision notice relates to the following drawings:

Reference/Document/Drawing Title	Date Received
E01	24.03.2022
P02	24.03.2022
P03 REV A	24.03.2022
P01 Rev C	08.11.2022

It is important the development is carried out fully in accordance with these plans. If you are an agent, please ensure that your client has a copy of them and that they are also passed to the contractor carrying out the development. A copy of the approved plan(s) is/are kept on the planning application file.

Authorisation

Authorised by:



SJ Kelly

Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

Date the decision was made: 30 March 2023

General Notes

This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

It is an offence under Section 171 of the Highways Act 1980 to temporarily deposit building materials, rubbish or other things on the public highway or make a temporary excavation on it without the written consent of the Highway Authority. The Highway Authority may give its consent subject to such conditions as it thinks fit.

The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

Equality Act 2010

Your attention is specifically drawn to the requirements of the Equality Act 2010 and the Equality Act (Disability) regulations 2010, the British Standards Institution BS8300:2009 “Design of Buildings and their approaches to meet the needs of disabled people – Code of Practice” and to Approved Document ‘M’ “Access to and use of buildings”, volumes 1 and 2 of the Building Regulations 2010 and to Approved Document ‘B’ “Fire Safety”, volumes 1 and 2 of the Building Regulations 2010, in request of guidance on means of escape for disabled people. The development should comply with these requirements as applicable

Building Regulations

Your planning application may also require Building Regulations consent. Please follow the link below for more information and to make your application or call 0300 7729622 to discuss your project.

www.3csharingservices.org/building-control/what-are-building-regulations/

3C Building Control offer a voluntary Considerate Contractor scheme. Please the link below for more information.

www.3csharingservices.org/building-control/considerate-contractor-scheme/

Working with the applicant

The LPA positively encourages pre-application discussions. Details of this advice service can be found at <https://www.greatercambridgeplanning.org>. If a proposed development requires revisions to make it acceptable the LPA will provide an opinion as to how this might be achieved. The LPA will work with the applicant to advise on what information is necessary for the submission of an application and what additional information might help to minimise the need for planning conditions. When an application is acceptable, but requires further details, conditions will be used to make a development acceptable. Joint Listed Building and Planning decisions will be issued together. Where applications are refused clear reasons for refusal will identify why a development is unacceptable and will

help the applicant to determine whether and how the proposal might be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with paragraph 38 of the National Planning Policy Framework.

Parking Controls

Please note: On-street parking controls, including residents' parking schemes, are in operation in several parts of the City of Cambridge. There are restrictions on eligibility for residents' parking permits, even for residents within the areas covered by schemes. Implementing a planning consent can remove eligibility for a permit. The County Council can advise whether or not properties qualify for a Residents' Parking Permit. If in doubt, please contact Cambridgeshire County Council, Cambridgeshire Parking Services by telephoning (01223) 727900 or by e-mailing parkingpermits@cambridgeshire.gov.uk, mentioning this planning consent. Please also be aware that the criteria for granting parking permits may change from time to time.

Appeals to the Secretary of State

The applicant has a right to appeal to the Secretary of State against any conditions of this planning permission, under Section 78 of the Town & Country Planning Act 1990. The appeal must be made on a form which may be obtained from:

The Planning Inspectorate,
Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN
Telephone 0303 444 5000 or visit
<https://www.gov.uk/appeal-planning-decision>

If an enforcement notice is or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: **28 days** of the date of service of the enforcement notice, **OR** within **6 months** (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Purchase Notices

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Before starting work

It is important that all conditions, particularly pre-commencement conditions, are fully complied with, and where appropriate, discharged prior to the implementation of the development. Failure to discharge such conditions may invalidate the planning permission granted. The development must be carried out fully in accordance with the requirements of any details approved by condition.

Street Naming and Numbering

In order to obtain an official postal address, any new buildings should be formally registered with Cambridge City Council. Unregistered addresses cannot be passed to Royal Mail for allocation of post codes. Applicants can find additional information, a scale of charges and application form at <https://www.cambridge.gov.uk/street-naming-and-property-numbering>.

For further information please go to <https://www.cambridge.gov.uk/planning>.

Third Party Rights to challenge a planning decision

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>



Planning Committee Date	3 July 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference Site	24/00245/REM 111 - 113 Queen Ediths Way Cambridge Cambridgeshire CB1 8PL
Ward	Queen Ediths
Proposal	Reserved matters application for approval of access, appearance, landscaping, layout and scale following outline planning ref, 22/01411/OUT (Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge).
Applicant	Mr Leneghan
Presenting Officer	Dominic Bush
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1.Design and appearance 2.Amenity 3.Highways 4.Other matters
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks approval of reserved matters of access, appearance, landscaping, layout and scale following outline planning ref, 22/01411/OUT (Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge).
- 1.2 It should be noted that the principle of the proposed development for a single dwelling within the application site is not a matter for consideration within this application. This was established within the extant outline permission on the site. This application can only be assessed on the matters reserved at outline, the access, appearance, landscaping, layout and scale of the proposed development.
- 1.3 Officers recommend that the Planning Committee approves 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, 2, 3	
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

*X indicates relevance

- 2.1 The existing site comprises the rear residential gardens of No.111 & 113 Queen Ediths Way. The application currently comprises an outbuilding to the rear of the garden of No.113. Within the red line of the application, a pedestrian access is included running along the existing footpath between No.113 and 115. Meanwhile the vehicular access is also included within the red line of the location plan and utilises the existing shared access road that runs to the east of No.117 Queen Ediths Way.
- 2.2 The application site is located to the rear of the predominant building line of houses that front Queen Ediths Way to the south. Immediately to the north of the site is the neighbouring property of No.119 Queen Ediths Way that utilises the same shared access as the proposed dwelling.

3.0 The Proposal

- 3.1 Reserved matters application for approval of access, appearance, landscaping, layout and scale following outline planning ref,

22/01411/OUT (Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge).

3.2 This application follows the previously approved outline planning application and seeks approval of access, appearance, landscaping, layout and scale of the proposed development. The proposed dwelling is a single storey in height with a private residential garden provided to the south of the property. Car parking is proposed to the front of the dwelling with a shared bin storage area located part of the way along the pedestrian access.

3.3 The application has been amended to address comments received from the Local Highways Authority and Councils Environmental Health officer and further consultations have been carried out as appropriate.

4.0 Relevant Site History

Reference	Description	Outcome
14/1838/OUT	Outline application for construction of bungalow/chalet style bungalow.	Refused
15/1322/OUT	Outline application for construction of bungalow/chalet style bungalow.	Refused
22/01411/OUT	Construction of detached bungalow on land to the rear of 111-113 Queen Edith's Way Cambridge	Permitted

4.1 The most recent outline planning application submitted regarding the site was approved as a delegated decision. Within this application, all matters were reserved for the current reserved matters stage, however the principle of development, with the current red line plan was established.

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 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 61: Conservation and enhancement of historic environment
Policy 62: Local heritage assets
Policy 70: Protection of priority species and habitats
Policy 71: Trees
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016

6.0 Consultations

6.1 Local Highways Authority – No Objection

6.2 Comments 15.02.2024:

6.3 Objects due to the intensification of the use of the access as a result of the additional dwelling. It is suggested that the access is extended to be 5m in width for a distance of 5m from the highway.

6.4 Comments 11.04.2024:

6.5 No objection to the proposed development subject to conditions regarding:

- Heavy construction vehicle access hours

6.6 Environmental Health – No Objection

6.7 Comments 07.02.2024:

6.8 Confirmation of whether an Air Source Heat Pump is proposed is required.

6.9 Comments 12.02.2024:

6.10 It is suggested that the location of the proposed Air Source Heat Pump is revised to further its distance from neighbouring properties.

6.11 Comments 15.03.2024:

6.12 No objection to the proposed development subject to conditions regarding:

- a noise impact assessment and noise insulation/ Mitigation scheme for the proposed Air Source Heat Pump.

6.13 Sustainability Officer – No Objection

6.14 No objection to the proposed development subject to a condition regarding:

- water efficiency.

6.15 Tree officer – No objection

6.16 Comments 02.04.2024:

6.17 Objects to the proposed development due to discrepancies within the provided arboricultural information, with further information required.

6.18 Comments 09.05.2024:

6.19 No objection to the proposed development, subject to a condition regarding:

- compliance with the provided tree protection methodology.

7.0 Third Party Representations

7.1 Three representations have been received.

7.2 Those in objection have raised the following issues:

- Access concerns including ownership of the shared access.
- Impact upon trees

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

8.0 Assessment

8.1 Planning Background

8.2 This application follows a previously approved outline planning consent that established the principle of the development of the site outlined in red on the location plan provided. The details of the proposal were not assessed within this previous application and are subject to this application currently under consideration.

8.3 Appendix A is the decision notice for the previous outline permission which includes the conditions applied which would continue to apply in the case that permission is granted for this proposal. This outline permission included conditions requiring further approval of Biodiversity Net Gain, Cycle parking, Drainage, EV Charging, renewable energy, M4(2) compliance and others.

8.4 This application is therefore assessing the proposed development with regards to its access, appearance, landscaping, layout and scale. Where applicable further conditions can be attached to Reserved Matters applications such as this.

8.5 Principle of Development

8.6 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.

8.7 Policy 52 requires proposals for the subdivision of existing residential curtilages to be of a form, height and layout appropriate to the surrounding pattern of development and character of the area whilst retaining sufficient garden space and balancing protecting the amenity and privacy of neighbours with creating high quality functional environments for future occupiers.

8.8 This application is proposing the addition of one additional dwelling located within the residential gardens of No.111 and 113 Queen Ediths Way. The principle of the addition of a single residential property within this application site was established within the previous outline permission granted. This is therefore not a matter to be determined within this application.

8.9 The principle of the development is acceptable as approved within the outline permission, reference 22/01411/OUT.

8.10 Design, Layout, Scale and Landscaping

8.11 Policies 52, 55, 56, 57 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

8.12 The area surrounding the application site is characterised by pairs of semi-detached dwellings that front Queen Ediths way and have large, deep rear private gardens. As stated above, there are a few, exceptions to this prevailing character, with No119 Queen Ediths Way located beyond the prevailing building line. The majority of the surrounding properties are a full two storey in height, including No. 119 Queen Ediths.

8.13 This application is proposing the addition of a single storey dwelling within the application site. Whilst not for consideration at outline stage, indicative plans were submitted with the outline application also showing a single storey dwelling within the application site. As was stated at this stage, it is acknowledged by officers that there are no existing dwellings within the immediate surrounding context that are a single storey in height and within the rear gardens of an existing property, there are a number of single storey incidental and ancillary outbuildings. It is considered by officers that the height and footprint of the proposed dwelling is similar to that of a large outbuilding and would therefore not appear out of character with the surrounding area.

8.14 The proposed dwelling measures approx. 7.8 metres in width and is at most approx. 11.3 metres in depth. As such it would be smaller than any of the surrounding neighbouring properties. Additionally, it is considered that its massing would not visually compete with the larger semi-detached dwellings that front Queen Ediths Way. The height of the proposed dwelling measures approx. 2.6 metres to the eaves and 4.8 metres in height to the ridge. It is therefore significantly set down from any of the neighbouring properties and ensures that any views of the dwelling from the public realm along Queen Ediths Way are largely mitigated.

8.15 The provided site plan shows that a single car parking space will be located to the front of the proposed dwelling, located just off of the shared access road, with a private rear garden located to the south which adjoins

the boundary of the rear gardens of Nos. 111 and 113 Queen Ediths Way. The design of the proposed dwelling is of a modest, sympathetic form, with red buff brick work to the walls and a slate roof. Therefore, within the surrounding context, along Queen Ediths Way where the design of surrounding dwellings varies significantly, the design of the proposed development is considered acceptable.

- 8.16 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57 and 59 and the NPPF.

8.17 Amenity

- 8.18 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

- 8.19 Neighbouring Properties

- 8.20 Impact on No. 111 and 113 Queen Ediths Way.

- 8.21 The proposed development, by virtue of its proximity to the existing dwellings of Nos. 111 and 113 would have a minimal impact on the amenity of these neighbouring properties. The height of the proposed dwelling is considered to be modest, the siting of the property is such that it would be set away from the rear elevations of Nos.111 and 113 by approx. 25 metres at the closest point. This distance, in combination with the height of the proposed dwelling is such that it is not considered to break a vertical 25-degree splay from any windows within the rear elevations of the neighbouring properties, and would therefore, not cause any undue harm through overbearing or loss of light.

- 8.22 The proposed site plan also shows a proposed 1.8-metre-high boundary fence between the rear garden of the proposed dwelling and the rear gardens of Nos. 111 and 113 Queen Ediths Way. This boundary treatment would be considered to ensure that there are no views from the rear windows within the proposed dwelling to the amenity space within the gardens of Nos. 111 and 113 or the windows within the rear elevations of the neighbouring properties. Therefore, it would not be considered that the proposed development would lead to any loss of privacy for these neighbouring dwellings.

- 8.23 The proposed development would result in the loss of parts of the residential gardens of both No.111 and 113 Queen Ediths Way. As a result of the proposed development, both neighbouring properties would retain a private rear garden that is approximately 19 metres in length. Which given the width of the gardens is sufficient private amenity space for two dwellings of this size. In addition, given the height of the proposed

dwelling within this application, it is not considered that it would overlook the rear gardens of No.111 or 113. As highlighted on the proposed site plan the area for bin storage is for both the proposed dwelling and Nos. 111 and 113, Indeed No.111 has a right of access across the rear of No.113 for this bin storage area.

8.24 Impact on No. 119 Queen Ediths Way

8.25 The proposed development would have a minimal impact on no.119 Queen Ediths way located to the north of the site on the opposite side of the access road. The front elevation of this neighbouring property is approx. 17 metres set away from the front of the proposed dwelling. Officers therefore consider that the proposed dwelling would also not break a vertical 25-degree splay from any windows within the front of this neighbouring property and would therefore not be deemed to cause any undue harm through overbearing or loss of light.

8.26 This separation distance, in addition to the boundary treatments along the northern edge of the access road also ensure that the windows within the front elevation of the proposed dwelling would not directly overlook those within the front of No.119. Given that the primary external amenity of this neighbouring property is to the rear, it is not considered that the proposal would lead to any loss of privacy for this neighbouring dwelling.

8.27 Impact on nos. 115, 117, 121 and 109 QEW.

8.28 The proposed development, by virtue of its siting and access along the shared driveway would have a minimal impact upon the neighbouring properties that border the access road. It is however important to consider that the principle of a single dwelling and the likely level of car use resulting from this has previously been established and is therefore not disputed in this application. Indeed, given the provision of only one car parking space for the proposed dwelling, officers do not consider, in line with the comments from the Local Highways Authority that the development would result in the significant intensification of use of the access. Therefore, it is deemed that the proposed development would not cause any significant increase disturbance to these neighbouring properties through noise created by the access.

8.29 Future Occupants

8.30 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).

8.31 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	2	4	1	70	71	+1

- 8.32 As shown by the above table, the internal floorspace of the proposed dwelling meets the nationally described minimum standards for a single storey dwelling with this number of bed spaces.
- 8.33 Garden Size(s) and Privacy
- 8.34 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers.
- 8.35 The proposed dwelling would have a private residential garden that is located to the south of the dwelling, as well as a small area of grass to the front of the dwelling. The rear garden would also include a shed/ bike store which would leave a space of approx. 45sq meters of external amenity space. The space would be entirely private and bounded by a 1.8 metre high fence on the southern and western boundaries. It would directly abut the gardens of Nos. 111 and 113 Queen Ediths Way, however the rear elevations of these properties are approx. 19 metres away. Officers therefore consider that the first-floor windows within these elevations would not directly overlook the residential garden and ensure that the space can be effectively and privately used by future occupiers.
- 8.36 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 outline permission granted and would continue to apply in this instance.
- 8.37 Construction and Environmental Impacts
- 8.38 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 8.39 This application is proposing an Air Source Heat Pump to be located to the rear of the proposed dwelling. The location of this pump has been revised during the process of the application to move it away from the neighbouring boundaries as much as possible. As such it is now located a significant distance from any neighbouring properties. The Council's Environmental Health team have assessed the application and raised no objection to the proposal subject to a condition regarding a noise impact

assessment and mitigation measures for the proposed air source heat pump. In addition to the previous conditions regarding construction hours and piling attached to the previous outline permission.

8.40 Summary

8.41 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 and 57.

8.42 Trees

8.43 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.

8.44 The application is accompanied by an Arboricultural Impact Assessment and method statement. The Council Tree officer has been consulted on the application, and whilst initially objecting to the proposal, following the submission of additional information has raised no objection. This is subject to a condition requiring compliance of works with the details set out in the Arboricultural method statement as provided. Given that within the previous outline permission, conditions were attached regarding the submission of an arboricultural method statement and compliance with tree protection methodology, given these conditions continue to apply, it is not considered reasonable to attach an additional condition regarding compliance with the method statement provided with this application.

8.45 It is acknowledged by officers that the proposed development is closely surrounded by a number of trees, although these are not protected by a TPO, nor are they within a conservation area. As a result of this the northern part of the rear garden for the dwelling would be under the canopy cover from trees beyond the northern boundary. It is important to consider however, that there are no windows within the proposed dwelling located beneath this canopy cover and there is a significant portion of the garden that would still receive adequate levels of natural light from the south. Therefore, it is not considered by officers that the proposed development would place significant pruning pressures on the trees surrounding the application site that would in turn harm the potential growth of the trees. To ensure that the development would not harm the root protection areas of the trees within the site a condition will be attached to any permission regarding the foundation design of the dwelling ensuring that it takes account the surrounding trees.

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

8.47 Carbon Reduction and Sustainable Design

- 8.48 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.
- 8.49 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.
- 8.50 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 8.51 The application is supported by SAP calculations and as stated about an Air Source Heat Pump is proposed to heat the proposed dwelling. Conditions regarding EV charging and a Carbon reduction statement were attached to the previous outline planning permission.
- 8.52 The Council's sustainability officer has been consulted on the application and has raised no objection to the proposed development subject to a condition regarding water efficiency. Considering the conditions previously attached to the Outline will continue to apply, subject to the condition regarding water efficiency the proposal is deemed acceptable in this instance.
- 8.53 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.

8.54 Biodiversity

- 8.55 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.

8.56 Within the previous outline application consultation was undertaken with the Councils Ecology officer who raised no objection to the proposed development. Within this outline permission a condition was attached requiring a biodiversity net gain plan, this condition would continue to apply and is considered reasonable to ensure that the proposal is acceptable with regards to biodiversity.

8.57 Water Management and Flood Risk

8.58 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.

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

8.60 The Council's Drainage officer has advised within the previous outline application that the proposal is acceptable subject to conditions regarding surface water drainage and foul drainage. Both conditions were attached to the outline permission and continue to apply.

8.61 Given these conditions remain, in addition to the low flood risk of the site it is considered that the proposed development is acceptable in this regard.

8.62 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.

8.63 Highway Safety and Transport Impacts

8.64 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.

8.65 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.

8.66 Access to the site would be along the shared access road that runs between Nos.117 and 121 Queen Ediths Way. This is an existing access road that serves a number of other dwellings and their garages found at the rear of their gardens. This includes Nos.111 and 113 Queen Ediths Way where the proposed dwelling would replace the existing garage.

- 8.67 At outline stage, no objection was raised to the proposed development and access from the Local Highway Authority as it was deemed that the proposal would not result in an intensification of the use of the access above that of the existing garage location on the application site.
- 8.68 Within this application, initially the proposed site plan showed a larger area of hardstanding to the front of the property that had the potential for the parking of more than one car. Which the Local Highway Authority believed would result in an intensification of the use of the access. Therefore, initially they objected to the proposed development and requested that the access be widened to 5 metres width for a minimum of 5 metres from the highway.
- 8.69 Following revisions to the provided plans, the layout has been amended to clearly show that there is space for only a single car to park within the application site. Therefore, considering, the existing car parking space within the site as existing, the proposed development would not result in any increase in car usage into and out of the site. Therefore, in line with the most recent comments received from the Local Highway Authority, there is no objection to the proposed development with regards to its highway impact, subject to the requested condition regarding access times for heavy construction vehicles, which given the constrained access is considered to be reasonable.
- 8.70 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

8.71 Cycle and Car Parking Provision

8.72 Cycle Parking

8.73 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.

8.74 The provided site plan shows the provision of a cycle parking store to the rear of the garden with convenient access from along the proposed footpath to the dwelling. Revisions have been received to show the rear gate for the site to be widened to 1.1 metres which is considered sufficient to allow access for bikes. Full details regarding design of the cycle parking store have not been provided within this application. However, within

appendix L, the proposal is required to provide 2No. cycle parking spaces within the site. Condition 22 of the outline permission requires details of this cycle parking. This condition is considered sufficient to ensure that the proposed development is acceptable in this regard.

8.75 Car parking

8.76 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.

8.77 The proposed development includes the provision of 1no. car parking space within the application site for the dwelling which would have two bedrooms. As the site is outside of any controlled parking zone, it is considered that the level of car parking provided is acceptable for a dwelling of this size.

8.78 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.

8.79 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.

8.80 Third Party Representations

8.81 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
Ownership	Multiple concerns have been raised regarding the proposed development and the use of the access road to the site. Within the Outline permission notice was served to the other owners of the access road and no conclusive

	evidence has been provided to the council to state that the information regarding this ownership is incorrect.
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8.82 Other Matters

8.83 Bins

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

8.85 The proposed development provides a separate in storage area for the additional dwelling as well as Nos.111 and 113 part of the way along the pedestrian access to the site. With the bin collection point at the end of this access where it joins the highway. Given the distances between these points and the proposed dwelling it is considered that the development provides acceptable refuse provisions and would comply with Policy 57.

8.86 Planning Balance

8.87 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).

8.88 The proposed development would preserve the character and appearance of the surrounding area, through the high-quality replacement of the existing dwelling and the retention of sufficient garden land and considerable numbers of trees within the site. The scheme provides for a high-quality living environment for future occupiers.

8.89 It is considered that the impact of the proposed development on the amenity of neighbouring properties would not be significant and is acceptable in this instance.

8.90 Objections regarding the proposed access and its ownership are noted, however it is considered that the necessary notice has been served to the other owners of the land and that the access to the site is acceptable in this instance.

8.91 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.

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.

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

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

2. Any demolition, construction or delivery vehicles with a gross weight in excess of 3.5 tonnes shall only service the site between the hours of 09.30hrs -16.00hrs, Monday to Saturday.

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

3. Prior to the installation of any Air Source Heat Pump (ASHP) a noise impact assessment and any noise insulation/mitigation scheme as required for the ASHP 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 neighbouring occupiers in accordance with Policy 35 of the Cambridge Local Plan 2018.

4. 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).

5. No development shall commence until detailed plans and an associated report for the foundation design of the development have been submitted to and approved in writing by the Local Planning Authority. The plans and report shall demonstrate that the foundation design accounts for tree variety and age, soil type, root growth (including root barriers), ground movement and tree growth. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure the tree roots are suitably protected from

development and that the design of the foundations are appropriate (Cambridge Local Plan 2018, policy 71).



Planning Committee Date	2 October 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/00961/FUL
Site	Plots 202, 203, 204, 205 and 209, Parcel BDW5/6, Darwin Green 1, Land between Huntingdon Road and Histon Road, Cambridge Castle
Ward / Parish	
Proposal	New dwelling (Plot 202) and amendments to plots 202-205 and 209 of Darwin Green parcel 5/6.
Applicant	BDW Eastern Counties
Presenting Officer	Charlotte Burton
Reason Reported to Committee	Third party representations have been received which are contrary to the officer recommendation of approval.
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Impact on neighbouring residential amenity2. Residential amenity of future occupiers
Recommendation	APPROVE subject to Unilateral Undertaking

1.0 Executive Summary

- 1.1 The application seeks approval of a new dwelling (Plot 202) and amendments to Plots 203, 204, 205 and 209 approved on the residential parcel known as BDW5/6 on the Darwin Green 1 development.
- 1.2 This application has been submitted by the developer BDW Eastern Counties following a planning condition on the reserved matters consent for the BDW5/6 parcel (21/03619/REM) which removed Plot 202 from that approval. The reason for the condition was to protect the amenity of occupiers of adjoining properties on Martingale Close. The current full application seeks approval of revised proposals following a reworking of this area which includes a new proposal for Plot 202 and changes to Plots 203, 204, 205 and 209.
- 1.3 Third party representations including from the Committee of the Windsor Road Residents' Association object to the proposals on the grounds of density and overdevelopment, residential amenity impact, ground level raising, residential amenity of future occupiers, loss of biodiversity, impact on and loss of trees/hedges, future maintenance of trees/hedges, flooding/subsidence, and inadequate consultation undertaken by the developer and inaccurately reported. These have been addressed in the relevant sections in the main body of the report. No objections have been raised by technical consultees.
- 1.4 The key issues for the proposals are: the impact on residential amenity of neighbouring properties in terms of the overbearing and enclosing impact, over-looking and inter-looking, resulting from the height and proximity of the proposed dwellings and positioning of windows; and the residential amenity of future occupiers in terms of floor space. The extant reserved matters consent for the BDW5/6 parcel which includes proposals for Plots 203, 204, 205 and 209 (but excludes Plot 202 by the planning condition) is a fallback scenario and a material consideration.
- 1.5 Specifically addressing the reason for the condition to remove Plot 202, the current proposal for Plot 202 would have a greater impact on the residential amenity of the neighbouring properties compared to the approved reserved matters simply because this plot had been removed from the approval. Nonetheless, the current proposal for Plot 202 would not have an unacceptable impact on their residential amenity and would have a lesser impact than the previous proposals for Plot 202. In the opinion of officers, the current proposal has overcome the reason the condition.
- 1.6 The other changes to Plots 203, 204 and 205 have included an additional dwelling along the section of the boundary to the rear of numbers 2 – 8 Martingale Close. This has reduced the width of the gaps between dwellings compared to the approved reserved matters scheme. This would result in some degree of reduced outlook from numbers 2 – 8 Martingale Close compared to the fallback scenario. At the same time, those plots have been moved away from the boundary with existing properties to increase the separation distance. For this reason, the current proposal would not result in

an unacceptable enclosing or overbearing impact on the residential amenity of neighbouring properties. The current proposal would have more windows than the approved reserved matters scheme. However, this would not result in an unacceptable overlooking or inter-looking impact or loss of privacy because of the increased separation distances.

- 1.7 In terms of benefits, the proposal would deliver five new market homes within the Darwin Green 1 development, which forms part of the strategic housing allocation supported under Policy 20 of the Cambridge Local Plan 2018. These would be 3 and 5 bedroom homes that would contribute to the housing mix on the Darwin Green 1 development, and would provide accessible homes compliant with Building Regulations requirement part M4(2). The proposal would achieve high quality development in terms of urban design and landscaping, and would meet sustainability targets for carbon reduction and water efficiency. Mitigation measures would be secured by conditions to protect residential amenity, existing trees and hedges, and ecology during construction.
- 1.8 In terms of harms, one of the proposed house types fails to meet the more detailed parts of the Technical Housing Standards – Nationally Described Space Standards (2015) and Policy 50 of the Cambridge Local Plan 2018 relating to the size of double bedrooms. The overall floor space for this house type and the two other proposed house types exceeds the standards. These are market homes so the occupier would have an element of choice. This house type has been used elsewhere on the wider BDW5/6 parcel. On balance, this would not result in significant harm the residential amenity for the future occupiers of the proposed development.
- 1.1 In the planning balance, the harms associated with the failure to comply with the more detailed parts of the Technical Housing Standards – Nationally Described Space Standards (2015) and Policy 50 relating to the size of double bedrooms do not outweigh the benefits of delivering five new high-quality homes on an allocated development site supported by Policy 20. Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to conditions.
- 1.9 The reserved matters consent for the BDW5/6 parcel was determined by the Joint Development Control Committee (JDCC) in December 2021. The relevant planning condition was added to the recommendation by the JDCC. The current application is for minor development and therefore does not fall within the remit of the JDCC under the Terms of Reference. Hence, the application falls within the remit of the Planning Committee and has been referred in accordance with the Scheme of Delegation due to third party representations contrary to the officer recommendation.
- 1.10 Officers recommend that the Planning Committee approve the application subject to planning conditions and a Unilateral Undertaking to link the

planning permission to the Section 106 Agreement for the outline planning permission for the Darwin Green 1 development

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 the land area for the plots known as 202, 203, 204, 205 and 209 and adjacent areas of car parking and landscaping. The site is located on the south eastern boundary of the BDW5/6 parcel of the Darwin Green 1 site. The area within the red line boundary for the application includes access from the public highway (Histon Road) along the approved primary road. The site area stated on the application form is 0.85 hectares.
- 2.2 The BDW5/6 parcel is a residential area (including open and play spaces) within the wider Darwin Green 1 development, which has outline planning consent for up to approximately 1,500 homes, a local centre, amenities and open space. The development is currently under construction and earlier phases are occupied. Construction of the BDW5/6 parcel is in two phases with construction of the northern phase having commenced. The current application site is within the southern phase.
- 2.3 The BDW5/6 parcel was granted reserved matters consent in December 2021 and the approved details form the immediate surrounding context for the current application site. To the north of the site is the green corridor including pedestrian and cycle links to Brownlow Road, drainage infrastructure, play spaces and landscaping. To the south are the allotments. To the west are detached homes with rear gardens and on-plot parking.
- 2.4 To the south-east are existing neighbouring properties at Martingale Close. Immediately adjacent to the site and sharing a boundary are numbers 2, 4, 6 and 8 Martingale Close. These are two storey detached dwellings with rear gardens facing towards the application site. The boundary is formed by a hedge understood to be within the application site, and some of the neighbouring properties have fences within the rear gardens.

3.0 The Proposal

- 3.1 The proposal is for the plots known as Plots 202, 203, 204, 205 and 209 on the BDW5/6 approved reserved matters scheme, with associated car parking, landscaping, bin and bike stores.
- 3.2 Compared to the approved reserved matters scheme, the current proposal seeks to re-introduce Plot 202. This was removed by condition 6 of the BDW5/6 parcel reserved matters consent due to the impact on residential amenity of neighbouring properties. See section 4 of this report for the planning history and of the wording of that condition in full.. The current proposal also makes changes to the approved layout of Plots 203, 204, 205 and 209, as well as changes to the house types, landscaping and other associated works.
- 3.3 Compared to the previous proposals for Plots 202, the current proposal is for a two storey dwelling (rather than two-and-a-half storeys), is 20 metres from the rear elevation of number 2 Martingale Close (rather than 13 metres) and only has opaque windows on the rear elevation.
- 3.4 Plots 202, 203, 204 and 205 have been moved away from the boundary with Martingale Close properties. The separation distances are now 26.3 metres from the rear elevations of Martingale Close (rather than 24.4 metres and 25.7 metres). To accommodate this move, one of the houses on the western part of the site has been relocated to the east. As a result, there are now four dwellings backing onto the existing gardens at Martingale Close, rather than two dwellings as approved in the reserved matters consent.
- 3.5 The application is supported by a Planning Statement, Design and Access Statement, Tree Report, Ecological Assessment, Sustainability Statement, Utilities Assessment and Drainage Note. During the course of the application, additional information was submitted including sections, revised house type drawings, updated information on biodiversity net gain, and a draft Unilateral Undertaking.

4.0 Relevant Site History

- 4.1 There is an extensive planning history relating to the Darwin Green 1 development which can be viewed on the public register. The applications that are relevant to the current application are summarised below:

Reference	Description	Outcome
07/0003/OUT	Mixed use development comprising up to 1593 dwellings, primary school, community facilities, retail units (use classes A1, A2, A3, A4 and A5) and associated infrastructure including vehicular, pedestrian and cycleway accesses, open space and drainage works.	Approved subject to conditions and S106 Agreement

21/03619/REM	Reserved matters application for fifth and sixth housing phases and Allotment 3 (collectively known as BDW5 and 6) including 410 dwellings and allotments with associated internal roads, car parking, landscaping, amenity and public open space. The reserved matters include access, appearance, landscaping, layout and scale and the related partial discharge of conditions 8, 10, 14, 22, 25, 26, 27, 29, 35 and 58 pursuant to outline approval 07/0003/OUT.	Approved subject to conditions
21/03619/NMA1	Non Material amendment of reserved matters application 21/03619/REM (Reserved matters application for fifth and sixth housing phases and Allotment 3 (collectively known as BDW5 and 6) including 410 dwellings and allotments with associated internal roads, car parking, landscaping, amenity and public open space. The reserved matters include access, appearance, landscaping, layout and scale and the related partial discharge of conditions 8, 10, 14, 22, 25, 26, 27, 29, 35 and 58 pursuant to outline approval 07/0003/OUT) Addition of substation outside Plot 198	Approved
21/03619/COND6	Submission of details required by condition 6a (Modification condition (details submitted for plot 197) of reserved matters application 21/03619/REM	Condition part-discharged
24/00962/FUL	Amendments to Plots 312 and 313 and the parking for plots 314 and 315 of Darwin Green parcel 5/6	Pending consideration

4.2 The reserved matters consent for the BDW5/6 parcel (21/03619/REM) included the following planning condition which was added to the recommendation by Members of the Joint Development Control Committee when the application was considered in December 2021:

6. *Notwithstanding the approved plans, no development above ground level shall take place until revised a) plans and elevations for plots numbers 197 and 312 and b) plans showing the removal of plot 202 are submitted to and approved in writing by the local planning authority.*

Reason: To protect the amenity of occupiers of adjoining properties, in accordance with Cambridge Local Plan 2018 policies 56 and 57.

4.3 The current application is relevant to part b of the condition in respect of Plot 202. The effect of this condition was to remove Plot 202 from the approved plans. The condition requires submission of amended plans showing its removal. The applicant has not submitted such plans to discharge this part of the condition. As development above ground level has commenced on the BDW5/6 parcel, the developer is currently in breach of this condition. This is a separate matter.

4.4 The other parts of the condition relating to other plots are also separate matters.

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 14: Areas of Major Change and Opportunity Areas
 Policy 20: Land between Huntingdon Road and Histon Road
 Policy 27: Site specific development opportunities
 Policy 28: Sustainable design and construction, and water use
 Policy 29: Renewable and low carbon energy generation
 Policy 30: Energy-efficiency improvements in existing dwellings
 Policy 31: Integrated water management and the water cycle
 Policy 32: Flood risk
 Policy 33: Contaminated land
 Policy 34: Light pollution control
 Policy 35: Human health and quality of life
 Policy 36: Air quality, odour and dust
 Policy 42: Connecting new developments to digital infrastructure
 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 59: Designing landscape and the public realm
 Policy 65: Visual pollution
 Policy 68: Open space and recreation provision through new development
 Policy 69: Protection of sites of biodiversity and geodiversity importance
 Policy 70: Protection of priority species and habitats
 Policy 71: Trees
 Policy 80: Supporting sustainable access to development
 Policy 81: Mitigating the transport impact of development
 Policy 82: Parking management
 Policy 85: Infrastructure delivery, planning obligations and the Community
 Infrastructure Levy

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

5.5 **Other Guidance**

N/A

6.0 **Consultations**

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

6.2 The proposed car parking arrangements for these plots will not adversely affect the operation of the proposed adopted public highway.

6.3 **Lead Local Flood Authority – No Objection**

6.4 The proposed layout results in a decrease in impermeable area in comparison to the previously approved site. There are no proposed changes to the general principles of the surface water drainage network. There is sufficient drainage capacity within the previously approved surface water drainage network for the wider BDW5/6 parcel.

6.5 Recommend conditions for detailed surface water drainage scheme and construction drainage scheme. Recommend informatives for Ordinary Watercourse Consent, pollution control and construction surface water maintenance.

6.6 **Urban Design Team – No Objection**

6.7 The layout and overall design complements the approved BDW5/6 parcel and builds on principles within the wider Darwin Green 1 outline consent and approved Design Code. Building heights are compliant with the approved outline consent parameter plan. Looser grain and more suburban character responds to the guiding design principles of 'lower density' character areas. Building arrangements support a legible structure for the wider development.

6.8 Amendments have addressed the request for split cycle store approach to provide a better balance between functionality, convenience, and visual integration, while also reducing visual obstruction from front windows. However, clarification of materials for the walls and roof of the stores is required, and a wall mounted bar rather than a Sheffield hoop within the stores would provide a useable space for two bikes to be stored. Recommend these could be secured by condition.

6.9 Recommend conditions for materials and brick types to match those agreed through the reserved matters consent for BWD5/6 parcel.

6.10 **Landscape Officer – No Objection**

6.11 No objection to the principle, layout and purpose of the proposals. Very little landscape information has been provided but a marginal increase in street tree planting may be possible to the frontages of the new units. Recommend standard condition for hard and soft landscape details.

6.12 Environmental Health – No Objection

6.13 Required additional information on noise impact assessment for air source heat pumps. Reviewed plan showing the location of air source heat pumps and the noise impact calculations, which are sufficiently low. Recommend a noise compliance condition.

6.14 Contaminated land conditions on the Darwin Green 1 outline consent have been discharged across the wider site. Recommend standard unexpected contamination condition.

6.15 No objection in terms of air quality as the provision of heating and hot water is wholly electric with no combustion emissions to air, and each plot will have an active electric vehicle charging point.

6.16 Recommend standard construction/demolition/delivery hours and piling conditions.

7.0 Third Party Representations

7.1 Representations from the owner/occupiers of 6 properties have been received.

7.2 Those in objection have raised the following issues:

- Density and overdevelopment
- Residential amenity impact (impacts on enclosure, overbearing and privacy)
- Residential amenity impact (noise disturbance from air source heat pumps)
- Ground level raising
- Residential amenity of future occupants (internal space standards)
- Loss of biodiversity
- Impact on and loss of trees/hedges
- Future maintenance of trees/hedges
- Flooding/subsidence
- Inadequate consultation undertaken by developer and inaccurately reported

8.0 Member Representations

8.1 Not applicable.

9.0 Local Interest Groups and Organisations / Petition

9.1 The Committee of the Windsor Road Residents' Association has made a representation objecting to the application on the following grounds:

- Ground level raising

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

10.0 Assessment

10.1 Principle of Development

10.2 The principle of residential development is established by the site allocation for Land between Huntingdon Road and Histon Road (Policy 20 of the Cambridge Local Plan 2018), the Darwin Green 1 outline consent, and Policy 3 of the Local Plan which states that the overall development strategy is to focus new residential development in and around the urban area of Cambridge.

10.3 Furthermore, there is an extant reserved matters consent for four dwellings on the site as part of the BDW5/6 parcel. This is a fallback scenario that could be implemented and is a material consideration relevant to the assessment of the current application. This further supports the principle of residential development.

10.4 Housing Provision

10.5 Policy 45 of the Local Plan requires residential development of 15 units or more to provide a minimum of 40% of affordable housing. The proposed development is for five market homes and therefore affordable housing is not required. Notwithstanding this, the Darwin Green 1 outline consent secures 40% affordable housing across the wider site, including approximately 40% on the BDW5/6 parcel. These plots are market homes in the approved BDW5/6 reserved matters, so the current proposal does not affect the overall tenure split.

10.6 Policy 45 states developments should include a balanced mix of dwelling sizes, types, and tenures to meet projected future household needs within Cambridge. The Darwin Green 1 outline consent achieves a balanced housing mix across the whole site. These plots are 4 and 5 bedroom homes in the approved BDW5/6 reserved matters. The current proposal is for 3 and 5 bedroom homes. This change is not considered to have a significant impact on the overall housing mix across Darwin Green 1 and is acceptable.

10.7 For these reasons, officers are satisfied that the proposal is acceptable and accords with Policy 45 of the Local Plan and the Greater Cambridge Housing Strategy 2019-2023.

10.8 Design, Layout, Scale and Landscaping

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

- 10.10 The proposed dwellings are arranged around a similar road layout to the approved reserved matters scheme, albeit the cul-de-sac has been moved westwards to allow longer rear gardens for the dwellings adjacent to existing neighbouring properties. Plot 205 has been relocated from the north-western corner of the site to the south-eastern side adjacent to neighbouring properties to allow this. Nonetheless, the proposal follows the design principles that were established at the outline stage. This is acceptable.
- 10.11 The Design and Access Statement explains how the proposal follows the approved outline Design Code and parameter plans, notwithstanding that strict compliance is not required for this standalone full planning application. The proposal would be compliant in terms of building heights and the two-and-a-half storey dwellings were assessed to be compliant with the building heights parameter plan in the approved reserved matters. This is acceptable.
- 10.12 In terms of density, the Urban Design team has commented that the domestic height and detached forms proposed create a looser grain and a more suburban character that responds to the guiding design principles of the 'lower density' character areas in the Design Code which this area falls within. The applicant has stated the density would be 27 dwellings per hectare based on a site area of 0.18 hectares excluding the access road, which is within the requirement of up to 40 dwellings per hectare within the Design Code. This is acceptable in design terms.
- 10.13 The proposed arrangement supports a legible structure for the wider development. Plot 202 forms a positive visual terminus to views looking east from the primary street. With its main frontage facing the street, and active facades provided on both sides (north and west), the plot provides natural surveillance of both the tertiary street and the green corridor. The proposal provides active facades onto the street and open spaces, which support the creation of a high-quality key frontage onto the strategic green corridor, in-line with the urban framework parameter plan. This is acceptable.
- 10.14 Materials for the dwellings are shown in the Design and Access Statement. All dwellings would be light red brick with a red-brown clay roof tile. This is similar to the majority of dwellings on the wider BDW5/6 parcel including all those on the eastern boundary with existing neighbours, which are all red brick. Buff brick is typically used on the apartment buildings and other dwellings along the primary road, although there are some other examples. The proposed materials are acceptable in design terms and a condition is recommended for materials and brick types to match those agreed through the reserved matters consent for BWD5/6 parcel (**condition 15 – materials and brickwork**).
- 10.15 Landscape proposals have been submitted showing areas of hard surfacing and planting to the front of dwellings including four trees. The landscaping scheme is similar to the approved reserved matters scheme. The Landscape Officer has recommended a condition for a detailed hard and soft landscaping scheme (**condition 13 – hard and soft landscape**). This advice is accepted.

A condition is also recommended for landscaping materials to be the same as those agreed through the reserved matters consent for BWD5/6 parcel (**condition 15**). Standard conditions are also recommended for replacement planting (**condition 14 – landscape replacement**).

10.16 Cycle stores have been provided to the front of the dwellings. The stores have been positioned to have a minimal impact on the streetscene and on the outlook from living room windows of the proposed dwellings. This approach is supported. The Urban Design team has commented that stores to the front should be constructed in brick to match the dwellings. This is shown in drawings in the Design and Access Statement, which also shows a sloped roof. **Condition 16 – cycle stores** is recommended to secure detailed drawings of the bike and bin stores to the front and rear. A separate condition is recommended for any structures with a flat roof shall be a green biodiverse roof (**condition 17 – green roof**).

10.17 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. Subject to the recommended conditions, the proposal is compliant with Local Plan policies 55, 56, 57, 58 and 59 and the NPPF.

10.18 **Trees**

10.19 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Paragraph 136 of the NPPF seeks for existing trees to be retained wherever possible.

10.20 During the course of the application a tree survey, arboricultural implications assessment (AIA), arboricultural method statement (AMS) and tree protection plan (TPP) were submitted. The tree survey identified two mixed species groups forming a hedge along the eastern boundary within the application site, and one Cherry tree off-site to the north-east. The AIA states that removal of a 2 metre section of the hedge is required within the northern extent of the group to allow a new brick wall along the side of Plot 202 and forming the edge of the strategic open space. The Tree Officer objected to the removal of part of the hedge on the previous reserved matters. An alternative scheme that retained and pruned the hedge was secured by the discharge of planning conditions. It is considered likely that retention of the full hedge could be secured for the current proposal. Therefore a condition is recommended for alternative AIA, AMS and TPP details to be submitted. (**condition 10 – tree protection**). This is acceptable.

10.21 Regarding ongoing management and maintenance of the vegetation, this would be the responsibility of the future occupiers of Plots 202, 203, 204 and 205. The landscape proposals show a 1.2 metre high post and rail fence with galvanised wire mesh attached on the hedge side (leaving a 130mm gap at the base for animal access to the hedge). This is acceptable and a similar

arrangement for hedges in the wider BDW5/6 parcel and the reserved matter consent fallback situation.

- 10.22 During the course of the application, the developer offered to transfer ownership of the hedge to the relevant residents and to include a commitment to this within the Unilateral Undertaking. Officers recognise that this could provide a potential benefit to residents, however do not consider such an obligation would meet the relevant tests set out in the in [regulation 122](#) of the Community Infrastructure Levy Regulations 2010 (as amended by the 2011 and 2019 Regulations). The relevant tests are described in paragraph 10.108 of this report. The transfer of ownership is not considered necessary for the ongoing management and maintenance of the hedge as the proposed arrangements for the future occupiers of the proposed dwellings is considered acceptable for the reasons given in the paragraph above. Therefore, the obligation is not necessary to make the development acceptable in planning terms and fails to meet the relevant tests. Nonetheless, the applicant could still offer to transfer ownership separate from the current planning application.
- 10.23 For these reasons, subject to the recommended conditions, the proposal would accord with Policies 59 and 71 of the Local Plan.
- 10.24 **Carbon Reduction and Sustainable Design**
- 10.25 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.
- 10.26 Policy 28 of the Local Plan 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 relative to Part L 2006 (equating to a 19% reduction compared to 2013 Building Regulations Part L).
- 10.27 Policy 29 of the Local Plan supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 10.28 The application is supported by a Sustainability Statement. The proposed plots are designed to achieve carbon emissions in line with Future Homes Standard through the adoption of good fabric performance and employment of low and zero carbon technologies including air source heat pumps. The proposed dwellings exceed the planning policy requirement of 19% reduction in carbon emissions beyond Part L 2013 by being designed to comply with Future Homes Standard, which represents a 75% reduction in carbon emissions beyond Part L 2013. The use of smart meters will provide occupiers with real time data to manage their energy consumption. This is supported.

- 10.29 The Sustainability Statement confirms the following renewable energy technologies are proposed: photovoltaic panels, decentralised mechanism extract ventilation, waste water heat recovery and air source heat pumps to meet the Future Homes Standard. Hot water cylinders and distribution pipework will have high levels of insulation. Lighting provision will be from LED low energy fittings. Smart meters will be installed on all properties. This is supported. A standard condition is recommended to ensure these technologies are implemented (**condition 19 – implementation of carbon reduction technologies**).
- 10.30 Water efficiency has been reviewed as part of the design process and the Sustainability Statement confirms a Building Regulations Part G compliant specification will be adopted, resulting in the higher standard (lower water use) of 110 litres/person/day. This is supported. A standard condition is recommended to ensure water efficiency measures are implemented in accordance with the optional requirement as set out in Part G (**condition 20 – water efficiency**).
- 10.31 All homes are dual aspect and two storeys or more, and benefit from private gardens to allow good ventilation. The dwellings are orientated with windows approximately north-west and south-east. Windows are a regular domestic scale without large areas of glazing. For these reasons, it is considered the dwellings would have a low risk of overheating. This is supported.
- 10.32 Subject to the recommended conditions, the applicant has suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.
- 10.33 **Biodiversity**
- 10.34 The Environment Act 2021 and the Council's 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. This policy states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 10.35 The relevant primary legislation for the statutory framework for biodiversity net gain is principally set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990. This legislation was inserted into the 1990 Act by Schedule 14 of the Environment Act 2021 and was amended by the Levelling Up and Regeneration Act 2023. The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 made consequential amendments to other parts of the 1990 Act. As part of the biodiversity net gain regulations, a number of exemptions were included and

subject to The Biodiversity Gain Requirements (Exemptions) Regulations 2024 which prescribe exemptions for categories of development to which biodiversity net gain does not apply.

- 10.36 One of the exemptions includes ‘Temporary exemption for small developments’. The biodiversity gain planning condition does not apply in relation to planning permission for small development where the application for planning permission for small development was made before 2nd April 2024, among other exemptions. “Small development” means development which is not major development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015(1).’ The current application is for 5 dwellings on a site less than 1 hectare and the application was received by the local planning authority on 13 March 2024. Therefore the application falls within the exemptions in The Biodiversity Gain Requirements (Exemptions) Regulations 2024 and biodiversity net gain does not apply.
- 10.37 Notwithstanding this, an Ecological Assessment has been submitted with the application, which explains the applicant’s approach to ecological enhancements. The report is based on ecological surveys undertaken in 2021 for the reserved matters application for the wider BDW 5/6 parcel. It describes the majority of the site as unmanaged ruderal/ephemeral vegetation on previous arable cropland considered to be of negligible ecological importance. The proposed landscape enhancements within the site, including new hedging and four trees, and new residential gardens, are expected to deliver a net gain in biodiversity. Furthermore, the applicant proposes three bat boxes, two bird boxes, hedgehog holes in all fencing within new residential gardens, and three insect hotels. This is supported and **condition 12 – ecological enhancements** is recommended to secure implementation of these measures.
- 10.38 It is important to highlight that the current application site is within the wider BDW5/6 parcel for which an Ecological Conservation and Management Plan (ECMP) has been approved, demonstrating compliance with the aims and objectives of the approved Site Wide Ecological Conservation Management Plan under the outline planning consent. This includes ecological enhancements on the wider site near to the boundaries of the current application. For example, drainage ditches across the wider BDW5/6 site are being retained and enhanced as part of the development, including additional planting of aquatic and marginal species and seeding of the banks to continue to provide shelter and foraging opportunities for species.
- 10.39 During construction, measures will be put in place to protect species and habitats. A Construction Ecological Management Plan (CEcMP) has been approved as part of the planning conditions for the wider BDW5/6 site. The Ecological Assessment explains that this will be adhered to on the current planning application site. **Condition 11 – ecological conservation management plan** is recommended to secure this.

10.40 Subject to these conditions, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and would achieve ecological enhancements. Taking the above into account, the proposal is compliant with Policies 57, 69 and 70 of the Cambridge Local Plan (2018).

10.41 **Water Management and Flood Risk**

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

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

10.44 The applicant has submitted a Surface Water Drainage Note which explains how the current proposal relates to the approved drainage network for Darwin Green 1 and the approved drainage scheme for the wider BDW5/6 parcel. It explains that the proposed layout results in a decrease in impermeable area (approximately 23 square metres) in comparison with the approved BDW5/6 site plan. It concludes that there is sufficient drainage capacity within the approved surface water drainage network for the wider BDW 5/6 parcel. Also, that there are no proposed changes to the sewers or general principles of the surface water drainage network as a result of the proposed layout. In terms of foul water capacity, the report explains that the number of plots and associated foul flows from the application area have not changed, therefore there is sufficient capacity within the approved foul network to accommodate foul flows from the redesigned plots.

10.45 The Local Lead Flood Authority was consulted on the application on the basis that it reviewed the drainage scheme for the wider Darwin Green 1 and the reserved matters application for the BDW5/6 parcel. It supports the conclusions of the Surface Water Drainage Note and raises no objection to the current application. It has recommended conditions for a detailed surface water drainage scheme which would include site levels (**condition 8**) and construction drainage scheme (**condition 9**), and informatives. This advice is accepted.

10.46 In conclusion, the applicant has suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

10.47 **Highway Safety and Transport Impacts**

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

10.49 Paragraph 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable

impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.50 The transport impacts have been assessed through the Darwin Green 1 outline application and the previous reserved matters application for parcel BDW5/6. The proposal would not increase the number of dwellings above the outline approval for Darwin Green 1.

10.51 The Highway Authority has advised that the proposed car parking layout would not have an unacceptable impact on the proposed adopted highway and has not objected to the proposal on highway safety grounds.

10.52 For these reasons, subject to the Unilateral Undertaking, the proposal accords with the objectives of Policies 80 and 81 of the Local Plan and is compliant with NPPF advice.

10.53 **Cycle and Car Parking Provision**

10.54 Cycle Parking

10.55 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Local Plan 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, and 3 spaces for 4-bedroom dwellings. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

10.56 In addition to this, the Darwin Green 1 outline consent and approved Design Code requires a higher number of cycle parking spaces than the adopted Local Plan policy. It requires 1 space per bedroom for dwellings up to 3 bedrooms, and 4 spaces per dwelling for 4 or 5 bedroom dwellings (rather than 3 spaces in the adopted standards).

10.57 During the course of the application, amendments were submitted to provide a split store arrangement with each dwelling having a store to the front and within the rear garden. This is consistent with stores approved on parcels BDW3 and BDW4. The stores provide space for two bikes in each (four in total for each dwelling), as shown on the revised site ground floor plan. This meets the requirements of the Design Code and exceeds the adopted standards.

10.58 Information within the Design and Access Statement shows the stores to the front would be brick and to the rear would be timber, however the Urban Design Team has requested confirmation that the brick stores would match the dwellings. The roofs would be sloped. A Sheffield hoop is shown within each store to provide secure storage, however the Urban Design Team has

recommended this is replaced by a wall mounted bar which would be more convenient.

- 10.59 The cycle store provision is acceptable, subject to the Urban Design Team's comments. As the detailed design of the stores is only shown within the Design and Access Statement, a condition is recommended for detailed plans and elevations to be submitted. This should address the consultee's comments. Subject to conditions, the proposal is acceptable
- 10.60 Car parking
- 10.61 Policy 82 of the Local Plan requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.
- 10.62 The proposed development provides two car parking spaces for each dwelling of 3 bedrooms or more. This is compliant with the adopted standards in Policy 82.
- 10.63 In addition to the adopted standards, the Darwin Green 1 outline consent restricts the total number of residential parking spaces for the Darwin Green development (2,389 spaces) and this cap has not been reached (a total of 2,224 residential spaces have been approved). While this condition does not apply to the current full application, it is worth noting that the proposal would not exceed the total number of spaces approved on Darwin Green 1.
- 10.64 The Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking. Car club spaces are secured in the Darwin Green 1 outline consent.
- 10.65 The applicant proposes to install one electric vehicle (EV) charge point for each dwelling. This exceeds the standards set out in the Greater Cambridge Sustainable Design and Construction SPD and is supported. **Condition 26** is recommended to secure this.
- 10.66 Subject to conditions, the proposal is considered to accord with Policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.
- 10.67 **Amenity**
- 10.68 Policies 35, 50, 52, 53 and 58 of the Local Plan 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. The applicant has provided sections and visualisations from neighbouring properties, and the case officer has visited each of the neighbouring properties discussed below.

10.69 Neighbouring Properties

10.70 The nearest existing property to Plot 202 is number 2 Martingale Close. This is a detached two storey dwelling with a garage to the side and a garden to the rear. There are first floor windows serving bedrooms on the rear elevation and a conservatory on the ground floor (in addition to other ground floor windows) which is shown on the amended site plan. The garden is approximately 6.6 metre long at the closest point of the rear elevation of the main house (approximately 4.2 metres long from the conservatory) with a hedge along the rear boundary that is understood to be within the application site.

10.71 The impact of the previous proposals for Plot 202 on the residential amenity of the occupants of this property is understood to be the main reason for condition 6 on the reserved matters and the removal of the previous Plot 202. The owner/occupier objected to the previous reserved matters application and to the current full application. However, their current objections relate to proposed Plots 203-205 and they have commented that they would be 'content' with the current proposals for Plot 202.

10.72 The current proposal for Plot 202 has increased the distance of the rear elevation to the boundary and has reduced the ridge height. The proposed rear garden would be 12.5 metres long compared to 5.5 metres long. The separation distance between two storey elements of the proposed dwelling and the neighbouring property would be 20.4 metres compared to 13.2 metres. The proposed dwelling would be two storeys with a flat roof element, rather than two-and-a-half storeys. The ridge height would be 7.9 metres compared to 8.6 metres. Sections provided by the applicant show this would be approximately 0.6 metres higher than the ridge of number 2 Martingale Close. For these reasons, the proposal would not have an unacceptable overbearing or enclosing impact on number 2 Martingale Close.

10.73 The proposed rear elevation of Plot 202 would have two small windows at first floor level. These would serve a bathroom and an ensuite. The amended plans show these would be obscure glazed and a condition is recommended to secure this (**condition 24**). Further conditions are recommended to removed permitted development rights for additional first floor windows, roof lights and dormer windows, and extensions (**conditions 21, 22, 23**). At ground floor level, the retention of the existing hedge would provide screening to minimise inter-looking. This is described in more detail in paragraph 10.84 below.

10.74 The orientation of the proposed dwellings to the north east of Martingale Close means there would be no unacceptable loss of light or overshadowing impact on the properties on Martingale Close.

- 10.75 In summary, the current proposal for Plot 202 would have a greater impact on the residential amenity of the occupants of number 2 Martingale Close compared to the approved reserved matters which had this plot removed by condition 6. However for the reasons above, the current proposal for Plot 202 would not have an unacceptable impact on their residential amenity and would have a lesser impact than the previous proposals that were removed from the reserved matters consent. In the opinion of officers, the current proposal has overcome the reason for applying condition 6.
- 10.76 Plots 203, 204 and 205 as currently proposed would be to the rear of numbers 2, 4 and 6 Martingale Close, and offset to the rear of number 8 Martingale Close. Numbers 4, 6 and 8 are also two storey properties with conservatories to the rear and rear gardens. The rear gardens are approximately 9 or 10 metres long (from the two storey rear elevation and not from the conservatory). The owner/occupiers of these properties have objected to the current application due to concerns about the impact on their residential amenity, primarily the overbearing and enclosing impact and overlooking resulting from one additional dwelling proposed along this section of the boundary and the reduced gaps between the proposed dwellings.
- 10.77 The reserved matters approved two dwellings along this section of the boundary. This is the fallback situation. One is two storeys and the other is two-and-a-half storeys. There is a gap the width of two car parking spaces between the dwellings. The approved dwellings have rear gardens between 14.1 – 15.5 metres long. The separation distance between the two storey rear elevations of the approved dwellings and numbers 4 and 6 Martingale Close is between 24.4 – 25.7 metres.
- 10.78 The current proposal has three dwellings along this section of the boundary. These would be a narrow house type. The gaps between the dwellings would also be narrower, between 1.7 and 2.7 metres to accommodate the width of a path. Parking would be relocated to the front.
- 10.79 The proposed dwellings would be two storeys. The proposed Plots 203, 204 and 205 would all have a ridge height of 8.3 metres. Sections provided by the applicant show the ridge height of Plots 203 and 204 would be the same as the approved scheme, and would be just over 1 metre higher than the ridge height of number 4 Martingale Close. Further sections show the ridge height of Plot 205 would be approximately 0.8 metres lower than the approved two-and-a-half storey dwelling, and would be approximately 1.3 metres higher than number 6 Martingale Close.
- 10.80 The proposed dwellings would be further away from the boundary with longer rear gardens increasing the separation distance with existing neighbouring properties. The rear gardens have been increased in length between 0.7 and 1.1 metres. This has increased the separation distance between the two storey rear elevations of Plots 203, 204 and 205 and numbers 4 and 6 Martingale Close to 26.3 metres. The distance to the conservatories of those properties would be between 22.9 – 23.5 metres.

- 10.81 In assessing the impact of the additional dwelling and reduced gaps between dwellings proposed along this section of the boundary, officers have considered the representations from third parties, the sections and visualisations provided by the applicant, and visits to the existing neighbouring properties. The existing reserved matters approval for two dwellings in this location is a material consideration as the fallback situation.
- 10.82 The additional dwelling and reduced width of the proposed gaps between dwellings would reduce the glimpses between the proposed dwellings. This would result in some degree of reduced outlook from numbers 2 – 8 Martingale Close compared to the approved scheme. However, this would not result in an unacceptable enclosing or overbearing impact because of the proposed ridge heights and increased separation distances, as explained above. For this reason, the combined impact of the proposed changes to the layout of this section of the boundary result in a proposal that would not have an unacceptable impact on the residential amenity of neighbouring properties.
- 10.83 Plots 203 – 205 would have two windows each on the first floor rear elevation (six in total). These would each serve bedrooms and would be unobscured (**condition 24**). The approved reserved matters scheme has three unobscured windows on the first floor (plus two obscured bathroom windows). The current proposal would have more windows than the approved reserved matters scheme. However, this would not result in an unacceptable overlooking or inter-looking impact or loss of privacy because of the increased separation distances, as explained above.
- 10.84 At ground floor level, the retention of the existing hedge along the boundary would reduce inter-looking between Plots 202, 203, 204 and 205 and existing neighbouring properties. As covered in the 'Trees' section of this report, the retention of the hedge would be secured through the implementation of tree protection measures during construction. Ongoing management and maintenance would be the responsibility of the future occupants of the proposed plots. The future occupants would have an interest in maintaining their own privacy. Nonetheless, the occupiers of the existing neighbouring properties could erect screening within their own gardens. Moreover, the relationship would be similar to the approved reserved matters scheme for the BDW5/6 parcel which is the fallback scenario.
- 10.85 As noted in paragraph 10.22, the applicant has offered to transfer ownership of the hedge to the occupiers of existing neighbouring properties. This is not considered necessary to make the development acceptable in terms of residential amenity for the reasons given in the paragraph above. Therefore it fails to meet the relevant tests to be included as a planning obligation within the Unilateral Undertaking. Nonetheless, the applicant could still offer to transfer ownership separate from the current planning application.
- 10.86 For these reasons, and subject to the recommended conditions to remove permitted development rights for new windows, roof lights and roof

extensions, and extensions (**conditions 21, 22 and 23**) the proposal would not have an unacceptable impact on neighbouring properties in this regard.

10.87 In conclusion, the proposal would not have an unacceptable impact on neighbouring properties and complies with Policies 35, 50, 52, 53 and 58.

10.88 Future Occupants

10.89 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government’s Technical Housing Standards – Nationally Described Space Standards (2015).

10.90 During the course of the application, further consideration of the floor spaces was provided by the applicant including amended house type drawings. The gross internal floor space measurements for dwellings in this application are shown in the table below. Some of the amended house types benefit from studies which are supported.

Plot	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 (m ²)
202	3	4	2	84	114.2	+30.2
203	3	5	2	93	100.6	+7.6
204	3	5	2	93	100.6	+7.6
205	3	5	2	93	100.6	+7.6
209	5	9	3	134	157.6	+23.6

10.91 Third party representations have noted that one of the proposed house types fails to meet the more detailed parts of the Technical Housing Standards – Nationally Described Space Standards (2015) and policy 50 relating to the size of double bedrooms. The Kingsley house type (Plots 203, 204 and 205) would have two double bedrooms 9.5 square metres which is smaller than the standards that require double bedrooms to be at least 11.5 square metres. This would compromise the residential amenity of the future occupiers to some degree, however these homes benefit from studies and meet the overall floor space requirements. Furthermore, these are market homes so the occupier would have an element of choice and this house type has been used elsewhere on the wider BDW5/6 development. This would not result in significant harm and, on balance, the residential amenity for the future occupiers of the proposed development would be acceptable.

10.92 The proposal would be acceptable in terms of the relationship between the proposed dwellings and other homes, and also with dwellings on the approved reserved matters scheme. In particular, the relationship between proposed Plot 209 and the approved dwelling to the rear. The separation distance and number of windows on the rear elevation is similar to the approved reserved matters, and therefore would be acceptable in terms of overlooking, inter-looking and privacy.

- 10.93 Policy 50 of Local Plan 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 dwellings would have gardens to the rear which would provide appropriate private amenity space for the size of the dwellings. The proposal complies with policy 50 in this respect.
- 10.94 Accessibility
- 10.95 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 confirms that all proposed homes would meet the requirement part M4(2). Officers consider that the layout and configuration enables inclusive access and future proofing. The proposal complies with policy 51.
- 10.96 Noise
- 10.97 The application proposes air source heat pumps for each dwelling. During the course of the application, a plan showing the location of air source heat pumps close to the rear of the dwellings and a noise impact assessment were submitted. The Environmental Health team have reviewed this information and advised that the air source heat pumps have been located to maximise separation from the existing properties off site at Martingale Close and those within the Darwin Green development. The consultee has raised no objection and recommends a noise compliance **condition 18** to ensure implementation of the mitigation measures set out in the applicant's noise impact assessment. This advice is accepted. Subject to these conditions, the proposal is acceptable.
- 10.98 Construction and Environmental Impacts
- 10.99 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 10.100 The Council's Environmental Health team have assessed the application and recommended standard conditions relating to construction impacts (**conditions 3, 4, 6 and 7**). This advice is accepted. An additional condition is recommended to secure compliance with the construction mitigation measures approved for the wider Darwin Green 1 development and the BDW5/6 reserved matters scheme, namely the Construction Environmental Management Plan (CEMP) and the Construction Method Statement (CMS) (**condition 5**). Subject to these conditions, the proposal is acceptable in accordance with policy 35.

10.101 Summary

10.102 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 52, 53, 57 and 58.

10.103 **Third Party Representations**

10.104 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
Density and overdevelopment	<p>Density has been assessed in the 'Design, Layout, Scale and Landscaping' section of this report.</p> <p>The proposed density is in accordance with the Design Code for the Darwin Green 1 development and follows the design principles with lower density development along the margins of the site near to existing residential properties.</p> <p>Third party concerns about density refer to overdevelopment and the resulting impact on residential amenity of neighbouring properties. This has been assessed in the 'Amenity' section of this report.</p> <p>The proposed density is acceptable in terms of urban design and residential amenity.</p>
Residential amenity impact (impacts on enclosure, overbearing and privacy)	The impact on residential amenity of existing neighbouring properties has been assessed in detail in the 'Amenity' section of this report.
Residential amenity impact (noise disturbance from air source heat pumps)	The impact on residential amenity of existing neighbouring properties has been assessed in detail in the 'Amenity' section of this report.
Ground level raising	<p>The finished ground levels are shown on the proposed sections. This has allowed an assessment to be made of the ridge heights and the impact on residential amenity. This has been assessed in the 'Amenity' section of this report.</p> <p>Third party representations have also raised concerns about ground raising in terms of the impact on flooding.</p>

	<p>Drainage and flooding are discussed in the 'Water Management and Flood Risk' section of this report. The detailed drainage design which will include levels is secured by condition 8 – detailed surface water drainage scheme, as recommended by the Lead Local Flood Authority.</p> <p>Third party concerns about evidence of ground raising on the wider Darwin Green 1 development site are a separate matter for compliance and enforcement.</p>
Residential amenity of future occupants (internal space standards)	This is assessed in the 'Amenity' section of this report.
Loss of biodiversity	This is addressed in the 'Biodiversity' and 'Trees' sections of this report.
Impact on and loss of trees/hedges	This is assessed in the 'Trees' section of this report and tree/hedge protection measures are recommended to be secured by condition 10 – tree works compliance .
Future maintenance of trees/hedges	The hedge would be maintained by the future occupants of Plots 202, 203, 204 and 205. This is acceptable. Notwithstanding this, the applicant has offered to transfer ownership to neighbouring properties, but this would be subject to further discussions separate from the planning process.
Flooding/subsidence	Drainage and flooding are discussed in the 'Water Management and Flood Risk' section of this report.
Inadequate consultation undertaken by developer and inaccurately reported	<p>Planning officers have encouraged the developer to engage with local residents throughout all stages of developing this proposal.</p> <p>Concerns about accuracy of the developer's reporting of that process are noted.</p> <p>Nonetheless, a full and appropriate consultation has been undertaken as part of the planning application and representations have been given full consideration.</p>

10.105 **Planning Obligations (S106)**

10.106 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.*

- 10.107 Policy 85 states that planning permission for new developments will only be supported/permitted where there are suitable arrangements for the improvement or provision and phasing of infrastructure, services and facilities necessary to make the scheme acceptable in planning terms.
- 10.108 The applicant has submitted a Unilateral Undertaking to link any planning permission granted for the current application to the Section 106 Agreement for the outline planning permission for the Darwin Green 1 development. This is to ensure that the delivery of the five units proposed would be bound by the terms of the outline Section 106 Agreement. This is particularly important for the housing delivery numbers and meeting the triggers for delivery of infrastructure.
- 10.109 This is 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).
- 10.110 The applicant has also offered to transfer ownership of the hedge to the relevant existing neighbouring properties and to make a commitment within the Unilateral Undertaking to offer the land. Officers do not consider this to be necessary to make the development acceptable in terms of the ongoing management and maintenance of the hedge and in terms of residential amenity for the reasons stated in this report. Therefore it fails to meet the tests set by the Community Infrastructure Levy Regulations 2010 and is not included within the Unilateral Undertaking.
- 10.111 A draft Unilateral Undertaking has been shared with Cambridge City Council and the terms are agreed in principle, subject to agreement of the final wording. The Unilateral Undertaking is also subject to agreement with Cambridgeshire County Council.

10.112 **Other Matters**

10.113 Bins

- 10.114 Policy 57 requires refuse and recycling to be successfully integrated into the proposals. The proposal includes bin stores within the rear gardens. Recommended **condition 16 – cycle and bin stores** would secure the detail. Subject to this, the proposal complies with policy 57.

11.0 **Planning Balance**

- 11.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 11.2 Specifically addressing the reason for the condition that removed Plot 202 from the reserved matters approval, the current proposal for Plot 202 would have a greater impact on the residential amenity of the occupants of number 2 Martingale Close and other properties compared to the approved reserved matters simply because this plot had been removed by that condition. However, the current proposal for Plot 202 would not have an unacceptable impact on their residential amenity and would have a lesser impact than the previous proposals for Plot 202. In the opinion of officers, the current proposal has overcome the reason the condition to remove Plot 202 was applied.
- 11.3 The other changes to Plots 203, 204 and 205 have included an additional dwelling along the section of the boundary to the rear of numbers 2 – 8 Martingale Close. This has reduced the width of the proposed gaps between dwellings compared to the approved reserved matters scheme. This would result in some degree of reduced outlook from numbers 2 – 8 Martingale Close compared to the fallback scenarios. At the same time, those plots have been moved away from the boundary with existing properties to increase the separation distance. For this reason, the current proposal would not result in an unacceptable enclosing or overbearing impact on the residential amenity of neighbouring properties. The current proposal would have more windows than the approved reserved matters scheme. However, this would not result in an unacceptable overlooking or inter-looking impact or loss of privacy because of the increased separation distances.
- 11.4 Summary of harm
- 11.5 One of the proposed house types fails to meet the more detailed parts of the Technical Housing Standards – Nationally Described Space Standards (2015) and policy 50 relating to the size of double bedrooms. The overall floor space for this house type and the two other proposed house types exceeds the standards. These are market homes so the occupier would have an element of choice. This house type has been used elsewhere on the wider BDW5/6 development. On balance, this would not result in significant harm to the residential amenity for the future occupiers of the proposed development.
- 11.6 Summary of benefits
- 11.7 The proposal would deliver five new market homes within the Darwin Green 1 development, which forms part of the strategic housing allocation supported under Policy 20 of the Cambridge Local Plan 2018.

- 11.8 The proposed 3 and 5 bedroom homes would contribute to the housing mix on the Darwin Green 1 development, and would provide accessible homes compliant with Building Regulations requirement part M4(2).
- 11.9 The proposal would achieve high quality development in terms of urban design and landscaping, and would meet sustainability targets for carbon reduction and water efficiency. The dwellings would have high quality cycle parking facilities and electric vehicle charging points. Ecological enhancement measures have been included in the proposals.
- 11.10 Mitigation measures would be secured by conditions to protect residential amenity, existing trees and hedges, and ecology during construction.
- 11.11 In the planning balance, the harms associated with the failure to comply with the more detailed parts of the Technical Housing Standards – Nationally Described Space Standards (2015) and Policy 50 relating to the size of double bedrooms do not outweigh the benefits of delivering five new high-quality homes on an allocated development site supported by Policy 20.
- 11.12 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.

12.0 Recommendation

12.1 **Approve** application reference 24/00961/FUL subject to:

(i) The planning conditions and informatives as set out below with minor amendments to the conditions as drafted delegated to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) prior to the issuing of the planning permission; and. (ii) Satisfactory completion of a Unilateral Undertaking to link any planning permission granted for the current application to the Section 106 Agreement for the outline planning permission for the Darwin Green 1 development.

13.0 Planning Conditions

1. Standard time

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Approved drawings

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. CE16AC – Construction / demolition hours

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

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

4. CE17AC – Demolition / construction collections / deliveries

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).

5. CEMP and CMS compliance

Development shall only be carried out in accordance with the Construction Environmental Management Plan (CEMP) approved in writing by the local planning authority as required by condition 51 on the outline consent 07/0003/OUT, and in accordance with the Construction Method Statement (CMS) approved in writing by the local planning authority as required by condition 52 on the outline consent 07/0003/OUT in relation to the reserved matters 21/03619/REM. The approved CEMP and CMS shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

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

6. CE19AS – Piling

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)

7. CE05AS – Unexpected Contamination

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).

8. Construction Surface Water Drainage Scheme

No development, including preparatory works, shall commence until details of measures for 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, and shall be retained for the duration of the works.

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

9. Detailed Surface Water Drainage Scheme

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Surface Water Drainage Note (Plot 202, BDW 5&6, Darwin Green One) prepared by Woods Hardwick (ref: 18906/SWDN (PLOT 202))

dated March 2024, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling hereby approved, and shall be retained as such thereafter.

Reason To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity (Cambridge Local Plan 2018 policies 31 and 32 and the National Planning Policy Framework).

10. Tree protection

Prior to commencement of development, including demolition, and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to and agreed in writing by the local planning authority before any tree works are carried out and before any 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 (allowing for tree root growth and accounting for heave and subsidence), storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Development shall be carried out fully in accordance with the approved AMS and TPP thereafter.

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).

11. Ecological Conservation Management Plan

Development shall only be carried out in accordance with the Construction Ecological Management Plan (CEcMP) approved in writing by the local planning authority as required by condition 2 on the reserved matters consent 21/03619/REM. The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

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

12. Ecological Enhancements

Prior to first occupation of the dwellings hereby permitted, the ecological enhancements detailed in the approved Ecological Assessment Issue Number 2 report prepared by Eight Versa Ltd. dated 03.04.2023 shall be fully installed and operational. The ecological enhancements shall be retained as such thereafter.

Reason: To conserve and enhance ecological interests, in line with Cambridge Local Plan 2018 Policy 57.

13. CL01DS Hard and soft landscape

No development above ground level, other than demolition, shall commence until all details of hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The works shall be fully carried out in accordance with the approved details prior to the occupation of the development, unless an alternative phasing scheme for implementation has otherwise been agreed in writing by the Local Planning Authority.

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).

14. CL02BS Landscape replacement

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).

15. Materials and Brickwork

The materials and brickwork used in the construction of external surfaces on the development hereby permitted (including, for the avoidance of doubt, all dwellings, stores and hard landscaping) shall be the same as those used on the parcel known as BDW5/6 approved by reserved matters consent 21/03619/REM, or shall be in accordance with details that have been submitted to and approved in writing by the local planning authority prior to commencement of development above ground level.

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

16. Cycle and bin stores

No development of any cycle and bin stores above ground level shall commence until detailed plans and elevations of the stores, including materials, have been submitted to and approved in writing by the local planning authority. The details shall include the means of providing secure storage and the materials for the external walls and roofs. Development shall be carried out in accordance with the approved details.

Reason: To provide convenient cycle storage for two cycles to promote the use of sustainable transport modes (Cambridge Local Plan 2018 policy 82).

17. Green roof (bin and bike stores)

Any flat roof of the stores within the development hereby permitted 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 60 mm thick.
- b) Provide 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 occupation of the dwellings.

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

18. Air Source Heat Pumps Compliance

The Air Source Heat Pumps, associated equipment and specified mitigation hereby approved shall be installed and implemented fully in accordance with the operational noise levels and noise mitigation scheme measures as specified in the submitted *24 Acoustics "Noise Assessment – Technical Report: R10712-1 Rev 0" dated 22nd July 2024*.

Reason: In the interests of noise mitigation and the impact on residential amenity (Cambridge Local Plan 2018, policy 35).

19. Implementation of carbon reduction technologies and Future Homes Standards

No dwelling shall be occupied until the approved carbon reduction strategy for that dwelling as set out in the Sustainability Statement Darwin Green BDW 5&6 – Plots 202 to 205 and 209 version 1 report prepared by Environmental Economics dated 22 January 2024 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.

The dwellings hereby approved shall be constructed to the Future Homes Standard. Post-construction assessments demonstrating compliance with the relevant standard shall be submitted to and approved in writing by the local planning authority prior to occupation of the dwelling to which the assessment relates.

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).

20. Water efficiency (CR10BS)

No dwelling shall be occupied until water efficiency measures for the scheme have been implemented in accordance with the optional requirement as set out in Part G of the Building Regulations, which requires all dwellings to achieve a design standards of water use of no more than 110 litres/person/day.

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).

21. Removal of permitted development rights (windows)

Notwithstanding the provisions of Article 3 Schedule 2 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 windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the rear elevations of Plots 202, 203, 204 and 205 at and above first floor level 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 52, 55, and 57).

22. Removal of Class A permitted development rights (extensions)

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), no enlargement, improvement or other alteration of the dwelling

house(s) shall be constructed on Plots 202, 203, 204 and 205 without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity (Cambridge Local Plan 2018 policies 55, 56 and 57).

23. Removal of Class B and C permitted development rights (alterations to roof)

Notwithstanding the provisions of Schedule 2, Part 1, Classes B and C 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, additions or alterations to the roof of the dwelling house(s) shall be constructed on Plots 202, 203, 204 and 205 without the granting of specific planning permission.

Reason: In the interests of protecting residential amenity (Cambridge Local Plan 2018 policies 55, 56 and 57).

24. Opaque and fixed windows for all bathroom and ensuites

No dwelling hereby permitted shall be occupied until all windows shown as obscure glazed on the approved drawings 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, 56 and 57).

25. Curtilages

No dwelling hereby permitted shall be occupied until the curtilage of that dwelling has been fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 55 and 56).

26. Electric Vehicle Charging

No dwelling shall be occupied until one active electric vehicle charge point for each dwelling has been installed and functioning with a minimum power rating output of 7 kilowatts. The electric vehicle charge points shall be designed and installed in accordance with BS EN 61851 or any superseding standard or Building Regulations.

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 NPPF and policy 36 of the Cambridge Local Plan 2018 and with Cambridge City Council's adopted Air Quality Action Plan 2018.

INFORMATIVES

Unilateral Undertaking

This application is subject to a Unilateral Undertaking dated [insert date].

Environmental Health Conditions

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

- 6: Requirements for Specific Lighting Schemes
- 7: The Development of Potentially Contaminated Sites in Cambridge and South Cambridgeshire: A Developers Guide
- 8: Further technical guidance related to noise pollution

Green Roofs

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

Ordinary Watercourse Consent

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

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

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.

Construction Surface Water Maintenance

Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs



Planning Committee Date	2 nd October 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/02669/FUL
Site	23 The Westering, Cambridge, CB5 8S
Ward	Abbey
Proposal	Part two, part single storey side and rear extensions, single storey front extension, hip to gable roof extension including rear dormer and change of use from C3 (dwelling) to C4 (HMO) for 6 persons along with bin and cycle storage to the front.
Applicant	Zodiac Property Group Ltd
Presenting Officer	Melissa Reynolds
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Design2. Amenity3. Parking and highways
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks planning permission for 'Part two, part single storey side and rear extensions, single storey front extension, hip to gable roof extension including rear dormer and change of use from C3 (dwelling) to C4 (HMO) for 6 persons along with bin and cycle storage to the front'.
- 1.2 Permitted development rights enable a house in use class C3 to change use to use class C4 without the need for formal planning consent. As an objection on amenity grounds has been received and the description of development includes a change of use, notwithstanding permitted development rights, a decision is to be made by Planning Committee.
- 1.3 The proposed extensions to the property would be of an appropriate design that would contribute positively to its surroundings. Cycle parking would be provided to the front of the property.
- 1.4 Officers recommend that the Planning Committee approve the application subject to planning 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	
Cambridge Airport Safeguarding Zones (all structures)	X	Area Action Plan: Cambridge East Area Action Plan	X
Lords Bridge: Lords Bridge Consultation Zone	X	County Mineral Waste CA: Cambridge East	X
Waste Consultation Area	X		
None-relevant		Tree Preservation Order	

*X indicates relevance

- 2.1 The site comprises a residential property currently in C3 use. Within the site is a semi-detached post-war house. It has a hipped roof, central chimney stack, and front bay. To the front and rear are gardens. There is a single storey brick outbuilding to the rear adjacent to the boundary with the rear garden of no. 25. Rear boundaries are marked with 1.8m high fencing

to the boundary with no. 21 and a mix of low timber fence and post-and-wire fence.

2.2 The site backs onto the Cambridge Airport site to the east. Adjacent to the site is car parking, an access road, and large hangar related to the airport operation. The Westering is a residential street, accessed from Newmarket Road.

3.0 The Proposal

3.1 Part two, part single storey side and rear extensions, single storey front extension, hip to gable roof extension including rear dormer and change of use from C3 (dwelling) to C4 (HMO) for 6 persons along with bin and cycle storage to the front'.

3.2 The proposals within the site include:

- A single storey front extension with a front gabled roof. This would project approximately 2.8m forward of the front wall of the house. The front door would be relocated to the side elevation.
- Part single, part-two-storey rear extension providing a kitchen and bedroom at ground floor and an additional bedroom at first floor. These would have rear facing gables. The two-storey element is to be set in from the northern boundary with no. 21 The Westering by approximately 1.6m and would project from the rear by approximately 3.5m. The single-storey element would cover the full width of the house and project approximately 5.5m from the rear wall of the house.
- A second floor to the house would be provided by extending the roof to form a side gable in replacement of the hipped roof and a rear flat-roofed dormer the full width of the roof, set back approximately 0.5m from the eaves with bedroom window and ensuite windows. Three rooflights would be added the front roofslope.
- A bin area and cycle stands are proposed in the front garden adjacent to the northern boundary with no. 21's front garden. No details are provided.

3.3 The application also seek permission for change of use from a single dwelling house (use class C3) to a small house of multiple occupation (C4 use class) for up to six persons. Permitted development rights enable a house in use class C3 to change use to use class C4 without the need for formal planning consent. However, the applicant does not wish to amend the description, which as stated, provides clarity about the intended purpose of the proposed works.

3.4 The application has been amended to include a small window to the front extension to break up this elevation and match a similar front extension to no. 21. This is considered non-material and has not been reconsulted on.

4.0 Relevant Site History

4.1 None.

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 30: Energy-efficiency improvements in existing dwellings

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding

Policy 39: Mullard Radio Astronomy Observatory, Lord's Bridge

Policy 48: Housing in multiple occupation
Policy 50: Residential space standards
Policy 51: Accessible homes
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 58: Altering and extending existing buildings
Policy 66: Paving over front gardens
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management
Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

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 Cambridge City Airport – No Objection

6.2 The proposal does not conflict with the safeguarding criteria for the airport. An informative relating to use of cranes is requested.

6.3 County Highways Development Management – No Objection

6.4 No significant adverse effect upon the Public Highway.

6.5 The site is in an area of uncontrolled parking. There is no effective means of preventing residents from owning a car and seeking to keep it on 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.

6.6 Environmental Health – No Objection

6.7 A planning condition limiting construction hours is recommended. In addition, informatives are recommended concerning hazards, HMO management and licensing.

7.0 Third Party Representations

7.1 14 representations have been received.

7.2 Those in objection have raised the following issues:

- Principle of development - HMO use
- Residential amenity impact (impacts on daylight, sunlight, noise and disturbance)
- Highway safety
- Car parking and parking stress
- Cycle parking provision
- Loss of biodiversity
- Drainage pressure
- Bin storage

7.3 No representations in support have been received.

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

8.0 Assessment

8.1 Planning Background

8.2 Many of the representations received relate to the proposed use as a small HMO. The applicant has requested that this element of the application be retained in the description of development.

8.3 Change of use from a dwelling (C3 use class) to a small HMO (C4 use class) is a permitted change of use under Part 3, Class L of the Town and Country (General Permitted Development) England) Order 2015 (as amended) ("GDPO"). Nonetheless, a condition is recommended as part of any consent that the site is not occupied by more than six people at any one time, to ensure compliance as a six-person HMO and to protect the amenity of neighbouring properties.

8.4 This report focuses on matters relating to the extensions required, which are not permitted development, as described in Part 1, Class A of the GDPO. Extensions to dwellings within use class C3 (and C4) are permitted, subject to the relevant limits and conditions.

8.5 Principle of Development

8.6 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.

- 8.7 The requirements under Policy 58: Altering and extending existing buildings are considered in the following sections.
- 8.8 The principle of the development, including the change of use Class C3 to Class C4, is acceptable and in accordance with policies 3 and 58 of the Cambridge Local Plan (2018).

8.9 Design, Layout, Scale and Landscaping

- 8.10 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. Appendix E of the Local Plan provides a 'Roof extensions design guide'.
- 8.11 The proposed extensions would mostly be to the rear of the dwelling and would not be visible in public views.
- 8.12 The front extension would balance the pair of semi-detached dwellings by replicating an existing extension at no. 21, the adjoining semi-detached house. At officer request a window in the front elevation has been added to the room created to mirror that at no. 21 and break up the otherwise blank elevation.
- 8.13 The proposed rear extensions have been designed to maintain a 45/25-degree line from the neighbouring first floor rear window that lies north of floor and would project approximately 1.9m past the single-storey rear extension at no. 21.
- 8.14 Policy 58 permits extensions and / or alterations to existing buildings provided they do not unacceptably overlook, overshadow or visually dominate neighbouring properties. The proposed extensions comply with policy 58.
- 8.15 The proposed change from hip to gable reflects development elsewhere in the street, including to the neighbouring property at no. 25. Appendix E of the Local Plan indicates that roof extensions which 'perpetuate forms of existing, but poorly designed roof extensions' or 'are insensitively designed large 'box type' roof extensions' are unlikely to be acceptable. The proposals are similar in form and scale to an extension on the neighbouring property at no. 25 and elsewhere in the street. The street is characterised by a uniformity to its roofscape that has been slightly eroded by previous roof extensions, however the overall appearance of the street has not been harmed by these as the overall appearance of a regular rhythm to the roofline has been retained and as matching materials have been used.

8.16 Provided materials used reflect the existing ones this will not be harmful to visual amenity or character of the area; this can be secured by condition.

8.17 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, 58 and 59 and the NPPF.

8.18 Biodiversity

8.19 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.

8.20 Biodiversity Gain does not apply in relation to planning permission for development which is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

8.21 A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building. The application has sought a change of use that falls within the permitted development rights and it is considered unreasonable to apply the statutory requirements in this instance.

8.22 As the development does not require the mandatory 10% BNG, to ensure net gain is secured.

8.23 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 69 and 70 of the Cambridge Local Plan (2018).

8.24 Water Management and Flood Risk

8.25 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.

8.26 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. The proposals are for extensions to an existing dwelling.

8.27 The applicants have suitably addressed the issues of water management and flood risk, and conditions are not necessary to ensure the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

8.28 Highway Safety and Transport Impacts

8.29 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.

8.30 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.

8.31 The extensions to the dwelling are to enable the owner to change the use to a small HMO with a maximum of six occupiers being permitted. As noted elsewhere in this report, the change of use is permitted development. The concerns are noted; however, the change of use can be achieved without express planning permission. Nonetheless, the scale of development proposed is not one that would give rise to highway safety or transport impacts that would warrant a refusal of the application.

8.32 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority which raises no objection to the proposal.

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

8.34 Cycle and Car Parking Provision

8.35 Cycle Parking

8.36 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 58 requires extensions to existing buildings to 'retain sufficient amenity space, bin storage, vehicle access and cycle and car parking' under point (g).

8.37 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.

- 8.38 The submitted block plan indicates there is room to the front of the house for five cycle stands. A planning condition is recommended to secure the provision of cycle parking along with details of an enclosure for these to ensure sufficient cycle parking is provided.
- 8.39 Car parking
- 8.40 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.
- 8.41 Policy 58 requires extensions to existing buildings to 'retain sufficient amenity space, bin storage, vehicle access and cycle and car parking' under point (g).
- 8.42 The site currently has a dropped kerb, and the front garden is hard surfaced, providing space to park two cars off-street. Subject to the necessary provisions for bin and bike stores in relation to the small HMO use, one space on site can be retained. This is adequate for a single dwelling with good access to active travel routes and public transport.
- 8.43 Concerns locally about the need for additional car parking arising from the small HMO use are noted, however, a restriction on either occupancy numbers or car parking provision is unreasonable in this instance, as the proposed use would also constitute permitted development, for which no such control would be applied. The proposed layout enables one space to be retained, which meets the standards set out in Appendix L.
- 8.44 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.
- 8.45 Provision for an EV charging point has not been made. As no additional parking is proposed, the EV requirement is not to be applied. The proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.
- 8.46 Amenity**
- 8.47 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

- 8.48 Neighbouring Properties
- 8.49 Impact on No. 21 The Westering.
- 8.50 The adjoining house has been extended at ground floor to the front and rear. The proposed extensions would not be unduly overbearing, due the stepped design at first to the rear and single storey front extension being away from it as the houses are handed. The roof extension will not add significantly to overlooking.
- 8.51 Impact on No. 25 The Westering.
- 8.52 The neighbouring house to the south of the site has been extended at ground floor the rear that is approximately 3.5m deep, with no side windows in. It also has a roof extension that has altered the hipped roof to a gable, with a large box rear dormer. It has an outbuilding to the rear adjacent to the boundary with no. 23. Due to the existing extension to no. 25, existing outbuilding, orientation so the extensions proposed will be north of this property, and windows at no. 25 closest to the boundary serving non-habitable rooms, the proposals will not be harmful to the amenities of this dwelling.
- 8.53 Future Occupants
- 8.54 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).
- 8.55 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	6	8 (max 6 under pd)	3	138 (129)	129	-9

- 8.56 Policy 50 paragraph 6.32 states that residential units created through conversions should seek to meet or exceed the internal space standards as so far as practicable to do so.
- 8.57 As a permitted change of use of an existing dwelling, the application of these standards is not a requirement for planning permission to be granted. It is notable that as a six-person dwelling the unit meets the requirements (noting storage space would need to be added). The dwelling would not meet space standards if more than six persons were to live in it, however this would be a change of use to a large-HMO which would require planning permission in its own right and is not a material consideration in this application.

- 8.58 Garden Size(s)
- 8.59 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 dwelling would retain a generous rear garden area that is suitable for the number of occupants.
- 8.60 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings. Policy 51 is not applicable as it's not a new residential unit being proposed. Therefore, it is not practicable to require part M4(2) compliance in this instance.
- 8.61 Construction and Environmental Impacts
- 8.62 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. This condition is considered reasonable and necessary to impose, as requested by the Council's Environmental Health team, which has assessed the application and not raised objections.
- 8.63 Summary
- 8.64 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, and 58.
- 8.65 Other Matters**
- 8.66 Bins
- 8.67 Policy 57 requires refuse and recycling to be successfully integrated into proposals.
- 8.68 The application drawings indicate that an area for storing bins is proposed close to the front boundary of the dwelling in its front garden. This is of a sufficient area to accommodate bins for the dwelling measuring approximately 2.4m (w) by 1.35m(d). This is large enough to accommodate 3no. 240-litre wheelie bins.
- 8.69 Planning Balance**
- 8.70 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).

8.71 Summary of harm

8.72 Loss of one off-street car parking space.

8.73 Summary of benefits

8.74 The extension proposed will provide a larger house.

8.75 The proposal includes cycle parking to the front of the dwelling, which encourages active travel.

8.76 Conclusion

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

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 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.

Plans to be listed:

8133 – Proposed Plans and Elevations
8133/1 – Location and Site Plan

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

3. 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).

4. The development, hereby permitted, shall not be occupied or brought into use until a car parking space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented and retained as such.

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

5. Prior to occupation, the area for the storage of bins, as detailed on the approved plans, shall be provided and retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To ensure that the need for refuse and recycling is successfully integrated into the development. (Cambridge Local Plan 2018 policy 57).

6. The application site shall have no more than 6 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).

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

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

11.0 Informatives

1. Housing Health & Safety Rating System

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, habitable rooms without adequate lighting or floor area etc. Further information may be found here:

<https://www.cambridge.gov.uk/housing-health-and-safety-rating-system>

2. Management of Houses in Multiple Occupation (HMOs)

Management Regulations apply to all HMOs (whether or not they are licensable) and impose certain duties on managers and occupiers of such buildings. Persons in control of or managing an HMO must be aware of and comply with the Management of Houses in Multiple Occupation (England) Regulations 2006. These regulations stipulate the roles and responsibilities of the manager and also the occupiers of HMOs. Further information may be found here:

<https://www.cambridge.gov.uk/houses-in-multiple-occupation>

3. Licensing

The Housing Act 2004 introduced Mandatory Licensing for Houses in Multiple Occupation (HMOs) across all of England. This applies to all HMOs occupied by five or more persons forming more than one household and a person managing or controlling an HMO that should be licensed commits an offence if, without reasonable excuse, he fails to apply for a licence. It is, therefore, in your interest to apply for a licence promptly if the building requires one. Further information and how to apply for a Licence may be found here:

<https://www.cambridge.gov.uk/licensing-of-houses-in-multiple-occupation>

Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

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Planning Committee Date	2 October 2024
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	24/02473/FUL
Site	232 Mill Road
Ward / Parish	Romsey
Proposal	Change of use from (dry cleaner) Use Class Sui Generis to (hot food takeaway) Use Class Sui Generis
Applicant	M Khawaja
Presenting Officer	Grace Cherrington
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	1. Highway Safety 2. Amenity
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks planning permission for the change of use from (dry cleaner) Use Class sui generis to (hot food takeaway) sui generis.
- 1.2 The application is proposing the change of use of the building with limited external alterations. Information has been provided in support of the application, and reviewed by Environmental Health Officers, to ensure that the extraction system would not lead to any significant harm to the adjacent premises.
- 1.3 The application has been reviewed by the Local Highways Authority who have raised no concerns regarding highway safety. The application is not proposing any alterations to the existing access or vehicle arrangements.
- 1.4 Officers recommend that the Planning Committee approve the application subject to conditions.

2.0 Site Description and Context

Conservation Area	X	Local Neighbourhood and District Centre	X
Controlled Parking Zone	X		

*X indicates relevance

- 2.1 232 Mill Road, set to the southern side of Mill Road, is part of a terrace of shops units at ground floor with residential dwellings at first floor.
- 2.2 The site falls within the Mill Road Conservation area, the Mill Road Opportunity Area and the Mill Road District Area.

3.0 The Proposal

- 3.1 The application seeks planning permission for the change of use from (dry cleaner) Use Class sui generis to (hot food takeaway) sui generis.

4.0 Relevant Site History

Reference	Description	Outcome
C/93/0679	Alterations to existing shop front	Permitted
C/80/0382	Change of use from electrical retail to dry cleaners.	Permitted

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

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 2: Spatial strategy for the location of employment development

Policy 24: Mill Road Opportunity Area

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 58: Altering and extending existing buildings

Policy 61: Conservation and enhancement of historic environment

Policy 64: Shopfronts, signage and shop security measures

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

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

5.4 Other Guidance

Mill Road conservation area

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 No objection. A condition is recommended regarding construction and delivery vehicles hours.

6.3 A note has been attached stating that loading restrictions to the front of the property on Mill Road prohibit loading and unloading at any time.

6.4 Conservation Team – No Objection

6.5 The application has been assessed and it is considered that the proposal would not give rise to any harm to any heritage assets.

6.6 Environmental Health – No Objection

6.7 A condition is recommended regarding kitchen equipment/extract compliance to protect the amenity of adjoining/nearby properties in regard to policy 35.

7.0 Third Party Representations

7.1 3 representations have been received.

7.2 Those in objection have raised the following issues:

- Residential amenity impact (noise and disturbance, litter)
- Highway safety
- Car parking provision
- Proposed use – want community shops
- Loss of service (Dry Cleaning)
- Publication
- Local Authority should be committed to health food choices.
- Litter

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 The provision of employment development is supported in the Cambridge Local Plan (2018). Policy 2 states that employment development will be focuses on the urban area, Areas of Major Change, Opportunity Areas and the city centre.

8.3 The application site falls within the Mill Road District Centre. Policy 72 outlines the uses acceptable in Local, District and Neighbourhood Centres and permits the change of use to centre uses provided the vitality, viability and diversity of the centre is maintained or enhanced. Policy 72 continues to state inappropriate uses in designated centres at ground floor, which

comprise former B1 (office), B2 (light industrial), B8 (storage and distribution), C2 (residential institutions), C3 (dwellinghouses), C4 (houses of multiple occupation) and other 'sui generis' uses.

8.4 The application is proposing to change the use from a dry cleaner (use class Sui Generis) to a take away (Use Class Sui Generis). Therefore, the change of use of the property is considered acceptable and would not to harm the vitality of viability of the wider district centre. Given the close proximity of the building to multiple residential uses the proposal would need to accord to other Policies in the Local Plan assessed below.

8.5 This section of Mill Road is characterised by a mix of uses, with active frontages including a restaurant to the west and a betting shop to the east. Beyond this there is a further range of retail units. The proposed use would retain the active frontage in this location and support a mix of uses along Hills Road, adding to the thriving city centre.

8.6 Subsequently, the principle of the development is acceptable and in accordance with policies 2 and 72 of the Cambridge Local Plan 2018.

8.7 Design, Layout, Scale and Landscaping

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

8.9 The application seeks planning permission for a change of use of the existing dry cleaners (use class Sui Generis) to a takeaway use (use class Sui generis) and minor alterations.

8.10 The change of use would comprise minimal changes to the shopfront, including replacement of the signage. No details have been provided regarding the proposed signage and separate advertisement consent would be required to be submitted. The proposed changes would retain the shopfront features that are considered to be important in terms of its character and as such the proposed frontage is considered to be respect the existing built form and surrounding area.

8.11 Internally a couple of internal partitions are proposed to be removed to reconfigure the internal alterations of the shop unit. These would not impact the shop unit. There are no alterations proposed to the rear elevation.

8.12 Overall, the proposed development is compliant with Cambridge Local Plan (2018) policies 55, 56 and 58 and the NPPF.

8.13 Heritage Assets

8.14 The application falls with the Mill Road Conservation Area.

- 8.15 Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 8.16 Para. 205 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.
- 8.17 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.
- 8.18 The Conservation Officer has been formally consulted on the application and has raised no objection to the proposal. As such, the proposal is considered to maintain the significance of the Conservation Area.
- 8.19 It is considered that the proposal would not harm the character and appearance of the Conservation Area. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60.

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 application would not alter access or parking arrangements as part of the development. It is in a sustainable location within the Mill Road District Centre which is accessible for cycles, pedestrian and those using public transport. The Local Highways Authority have no objection to the application and therefore it is considered to be acceptable.
- 8.24 Given that there is a restriction on parking on Mill Road a condition has been recommended restricting construction or delivery vehicles in excess of 3.5 tonnes to service the site between the hours of 09:30 and 15:30 which is considered necessary and reasonable given the site location.

- 8.25 Third party comments have been received regarding the delivery of goods to the shop. This has not been raised as a concern by the Local Highways Authority, however, an informative is recommended setting out that deliveries cannot be made on Mill Road.
- 8.26 Comments have been received regarding the increase in collection vehicles parking on the street and pavements. There is no on street parking on Mill Road and therefore drivers picking up food are required to follow the Highway markings. Officers cannot refuse an application based on these impacts as they are outside of the remit of Planning Control.
- 8.27 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

8.28 Cycle and Car Parking Provision

- 8.29 The application would not alter access nor parking arrangements as part of the application. It is in a sustainable location within a District Centre which is accessible for cycles, pedestrians and those using public transport. The highways Authority have not objection to the application and therefore it is considered to be acceptable.
- 8.30 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.

8.31 Amenity

- 8.32 Policy 35 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.
- 8.33 The proposal seeks to change the use of the building to a takeaway. As such, there is minimal external work proposed and it is not considered and as such have the potential to give rise to any loss of privacy, loss of light or overbearing impact. The change of use however, could lead to additional noise and odour implications beyond the existing use as a Dry Cleaners. Whilst the adjacent buildings are occupied by commercial users at ground floor level there are residential occupants at first floor level both above the proposal site and at the surrounding buildings.
- 8.34 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.

- 8.35 The Environmental Health Officer has been formally consulted on the application and does not object to the proposed change of use.
- 8.36 The applicant has provided details within the Planning and Design Statement of extraction and ventilation. Subject to the kitchen equipment and extraction systems being installed, operated and maintained in accordance with this information it is not considered that the proposal would give rise to odour or noise impact to the neighbouring dwellings and commercial units from the proposed takeaway. A condition has been recommended by the Environmental Health Officers to ensure compliance with this information. Officers suggest this is a reasonable request given the risk of noise nuisance to the above occupier from the proposed use.
- 8.37 The opening times proposed by the applicant are 11am – 11pm Monday – Sunday. These are such that they would coincide with other uses in close proximity and therefore is not considered likely to give rise to any harmful level of noise impact on the nearby residential properties.
- 8.38 Third party comments regarding waste and litter are noted. Environmental Health have not raised any concerns with this front and there are other take-away and restaurant businesses in the vicinity. Additionally, there are two waste bins on Mill Road within a very short distance of the proposed takeaway. Given the location of these, and other premises in the area, it is not considered that the change of use would lead to a significant increase in litter in the area to warrant a refusal of the application.
- 8.39 An informative is recommended regarding the change in licensing for Environmental Health. This is considered necessary to ensure that the premises is licensed accordingly.
- 8.40 Summary
- 8.41 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35 and 58.
- 8.42 Third Party Representations**
- 8.43 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to below:
- 8.44 There are objections to the proposal to an additional hot food takeaway use in the locality. Some of the objection is related to matters outside planning control, specifically competition for existing uses in the area, which is not a justifiable planning reason for refusal. While Officers understand concerns about the loss of a Dry Cleaners, there is another shop within close proximity on Mill Road and it is not possible to limit the use to a specific use. It is also not possible to ensure that a unit is for a community purpose.

8.45 Comments have been received regarding the publication within the newspaper being insufficient. In addition to the advertisement within the local newspaper, a site notice was put up in front of the unit and third parties were notified via letter. This level of consultation is in accordance with the Development Management Procedure Order and the Statement of Community Involvement.

8.46 Other Matters

8.47 Bins

8.48 Policy 57 requires refuse and recycling to be successfully integrated into proposals. The proposal would not alter the existing bin storage area to the rear of the unit. Given that the proposal is changing the use of the property and internal alterations it is considered that the existing situation would be satisfactory.

8.49 Planning Balance

8.50 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).

8.51 Summary of benefits

8.52 The proposed use is considered to be an acceptable use at ground floor within a District Centre. Sufficient information has been provided in support of the application to ensure that the proposal would not give rise to any harmful noise or odour impacts to the surrounding properties.

8.53 Summary of harm

8.54 As set out within the report above it is not considered that the change of use to a takeaway would give rise to any significant harm in regards to highway safety, environmental impacts or the character and appearance of the street scene or Conservation Area.

8.55 Conclusion

8.56 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

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.

Plans to be listed:

Location Plan

201 – Proposed Plan and Elevation(1)

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 proposed use and purchase of takeaway food from within the restaurant, shall not be operated outside of the following hours:

Monday to Sunday 11:00 - 23:00

Reason - To protect the amenity of surrounding occupiers in accordance with policies 35, 56 and 58 of Cambridge Local Plan 2018.

4. The kitchen equipment and extract system shall be installed, operated and maintained in accordance with the extraction and ventilation details contained within the submitted document "Change from Class E (dry cleaner) to Sui Generis (hot food takeaway), 232 Mill Road, Cambridge, CB1 3NF; Planning and Design Statement including Extraction and Ventilation Details" (prepared by Studio Charette).

The extract system shall be maintained and retained thereafter.

Reason: To protect the amenity of nearby / adjoining properties (Cambridge Local Plan 2018 policy 35 - noise, and vibration and policy 36 - air quality, odour and dust).

5. Construction or delivery vehicles with a gross weight in excess of 3.5 tonnes shall only service the site between the hours of 09.30hrs -15.30hrs, Monday to Saturday.

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

11.0 Informatives

1. Use of the premises is currently Permitted as a Dry Cleaners (Permit reference 2007/52). Under the Pollution Prevention and Control Act (1999 Environmental Permitting (England and Wales) Regulations 2016), this Permit needs to be surrendered if the dry cleaning process will no longer be carried out on the premises. The applicant must still pay for the permit until the surrender of all of it.

A "Notification of Surrender" form can be found at the following link:

<https://www.cambridge.gov.uk/media/6929/part-b-permit-surrender-notice.pdf>

Permit fees must be paid by the applicant in full until the Permit is fully surrendered.

2. The loading restrictions to the front of the property on Mill Road prohibit loading and unloading at any time.

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24/01787/FUL – Outpatients' Building Courtyard and Hospital Campus, Cambridge Biomedical Campus

Application details

Report to: Cambridge City Council Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Queen Ediths

Proposal: Erection of substation, transformers, switch rooms, gantry, cable connections and associated infrastructure.

Applicant: Cambridge University Hospitals NHS Foundation Trust (CUH)

Presenting officer: James Truett (Senior Planner)

Reason presented to committee: Departure application

Member site visit date: N/A

Key issues:

1. Planning background
2. Assessment
3. Principle of development
4. Design, layout, scale and landscaping
5. Trees
6. Carbon reduction and sustainable design
7. Biodiversity
8. Water management and flood risk
9. Amenity/Environmental Considerations

Recommendation: **APPROVE** subject to conditions

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Table 1 Contents of report

1. Executive summary

- 1.1 The application seeks erection of substation, transformers, switch rooms, gantry, cable connections and associated infrastructure.
- 1.2 The proposed scheme would meet an identified local and regional healthcare need on the Addenbrookes Campus and seeks to secure a reliable provision of electricity to the hospital campus by replacing end of life and outdated equipment.
- 1.3 The proposed substation, located within an internal courtyard, is not readily visible externally and will provide additional capacity and reduce the dependence on emergency generators.
- 1.4 The proposed development does not include the provision of a green or brown roof, due to infection control concerns, and therefore falls short of the aspirations of Policy 31 of the Cambridge Local Plan (2018).

- 1.5 Additional planting is secured via condition for within the internal courtyard, and the scheme proposes a Biodiversity Net Gain of 48.05% (which exceeds the aspirations of the emerging local plan) to be located on the roundabout along Robinson Way and Francis Crick Avenue.
- 1.6 Considering the nature of the proposals, which will provide an essential facility vital for hospital operations, Officers recommend that the Planning Committee **Approve** application 24/01787/FUL, subject to the conditions set out in this report.

2. Site description and context

- 2.1 The Cambridge Biomedical Campus (CBC) comprises biomedical research, patient care and education on a single site. It is located south of Cambridge City centre, accessed via Cambridgeshire Guided Busway and Via Long Road to the north, Hills Road/Fendon Road/Robinson Way roundabout to the east, and from the south-west via Addenbrooke's Road.
- 2.2 The site is located within the enclosed internal courtyard for the Outpatients' Department (Clinic 14), sited north of Robinson Way and to the east of the CBC. The courtyard is surrounded on all sides by hospital buildings. The cable route is proposed to run from the Addenbrooke's Hospital bus station substation to the existing substation on Robinson Way. The proposed route will run adjacent to Robinson Way. The site area is around 1680sqm.
- 2.3 The site is within the Cambridge Biomedical Campus (including Addenbrooke's Hospital) Area of Major Change covered by Cambridge Local Plan (2018) policy 17.

3. The proposal

- 3.1 The proposal is for erection of substation, transformers, switch rooms, gantry, cable connections and associated infrastructure.
- 3.2 The proposed scheme seeks to combine the two existing substations and house substations and switch room within separate rooms of a brick-built structure. It is proposed that the structure will utilise a buff-coloured brick and will have a high-level gantry containing cables and services connecting to the substation structure from the existing switch room to the south.

- 3.3 The structure itself will sit at the lowest level of the internal courtyard and is proposed to be 4.5m high, 9.2m wide and 12.7m long. The substation building is proposed to be constructed with a buff brick and concrete roof, including a number of ventilation openings on the external walls.
- 3.4 Additional planting has been proposed within the roundabout along Robinson Way and Francis Crick Avenue. This includes birch trees, snow drops, and daffodils. This site is outside the redline boundary of the site but is still within the ownership of the Applicant.
- 3.5 The application has been amended to address technical responses received and further consultations have been carried out as appropriate.

4. Relevant site history

Reference	Description	Outcome
17/0710/FUL	Extension and alterations to single storey existing electrical substation (DSS01). New single storey electrical substation (DSS5/6).	Approved – 03 July 2017
20/02917/FUL	Provision of new and relocated plant and means of access on the roof of existing outpatients department to serve internal expansion.	Approved – 09 September 2020
23/01182/FUL	Installation of new ramp, stepped access and associated works	Approved – 19 May 2023

Table 2 Relevant site history

5. Policy

5.1 National policy

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Circular 11/95 (Conditions, Annex A)

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

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Cambridge Local Plan (2018)

Policy 1: The presumption in favour of sustainable development

Policy 14: Areas of major change and opportunity areas – general principles

Policy 17: Cambridge Biomedical Campus (including Addenbrooke’s Hospital) Area of Major Change

Policy 18: Southern Fringe Areas of Major Change

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Protection of human health from noise and vibration

Policy 36: Air quality, odour and dust

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 71: Trees

Policy 75: Healthcare facilities

Policy 80: Supporting sustainable access to development

5.3 Supplementary Planning Documents (SPD)

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

6. Consultations

County Highways

- 6.1 No objection. No significant adverse effect upon the Public Highway should result from this Proposal. Recommends a **condition** that ensures pedestrian access to the Bus Station to the front of Addenbrookes Hospital be maintained at all times for the duration of the works.

Sustainability Officer

- 6.2 No objection. There are considered to be no material sustainability issues with the proposal.

Environmental Health

- 6.3 No objection. The development is acceptable subject to **conditions** related to construction phase compliance, and noise operational compliance.

Nature Conservation Projects Officer

- 6.4 No objection.

Landscape Officer

- 6.5 Further information/amendments are required regarding landscaping details including new planting and seating to improve the quality of the space. The tree removal should be compensated by new tree planting elsewhere on campus. Additionally, a green roof is recommended due to surface water run-off, heat reduction, and amenity properties. Temporary car park planting is not acceptable if temporary.

Tree Officer

- 6.6 *As amended:* Part of the problem is the lack of site specific detail in the AMS and the conflicting details in plans and statements. If they come back saying the trench is only 500mm wide and can be located up against the pavement, if not within it, and that the cables and ducting are sufficiently flexible to allow them to be threaded between roots, it would not be a formal objection subject to a better AMS.
- 6.7 *As submitted:* Objection. There are no objections to the removal of T1 and T2 subject to replacement planting. The report is formed mainly of a set of generic statements with very limited site specific information/instruction. Statements in the report seem to conflict. It is not clear how deep the trench will be or how wide – and this will impact on the need for root severance where the purple and yellow exclusion zones are where the tree protection barrier is to be located where ground protection is proposed.

Cambridgeshire Fire and Rescue

- 6.8 No objection. We do not require any additional Fire Hydrants adding to this planning application.

7. Third party representations

- 7.1 No representations have been received

8. Member Representations

- 8.1 No representations have been received.

9. Planning background

- 9.1 In July 2017 planning permission was granted under application 17/0710/FUL for an extension and alterations to a single storey existing electrical substation and the erection of a new single storey electrical substation. This was located along Robinson Way South of the cycle parking and North of some Mature Trees.

- 9.2 Phases one and two of a three-phase upgrade had been completed. However, changes in the required plant size have resulted in the previously approved site, on Robinsons Way, being unsuitable to accommodate the proposed requirement.

10. Assessment

- 10.1 From the consultation responses and representations received and from an inspection of the site and the surroundings, the key issues are:
- Principle of development
 - Design, layout, scale and landscaping
 - Trees
 - Carbon reduction and sustainable design
 - Biodiversity
 - Water management and flood risk
 - Highway safety and transport impacts
 - Car and cycle parking
 - Amenity/ Environmental Considerations
 - Other matters
 - Planning balance
 - Recommendation
 - Planning conditions

11. Principle of Development

- 11.1 The principle of development is established under policy 17 of the Cambridge Local Plan 2018 relating to the Cambridge Biomedical Campus Area of Major Change. This policy supports development where it can be demonstrated that it is required to meet a local, regional or national health care need or for biomedical and biotechnological research and development activities within class B1(b), related higher education and sui generis medical research institutes.
- 11.2 The proposed substation, transformers, switch rooms, gantry, cable connections and associated infrastructure helps to meet local, and regional healthcare needs by providing additional resilience in the electrical infrastructure on the Biomedical Campus. The submitted Design, Access, and Planning Statement identifies historical failings and disruption to patient services due to ageing and lower capacity electrical systems. The proposed scheme will provide additional capacity and reduce the dependence on emergency generators. The proposed scheme would accommodate anticipated demand for a predicted 25 to 30 years.
- 11.3 Whilst the scheme would alter the internal layout and appearance of the courtyard, it is not readily publicly visible externally on or off the Campus.
- 11.4 The principle of the development is therefore considered acceptable and in accordance with policy 17 of the Cambridge Local Plan 2018.

12. Design, layout, scale and landscaping

- 12.1 The site is located within the enclosed internal courtyard for the Outpatients' Department, sited north of Robinson way and to the east of the CBC. The courtyard is surrounded on all sides by hospital buildings. The Cable route itself is proposed to run from the Addenbrooke's Hospital bus station substation to the existing substation on Robinsons Way. The proposed route will run adjacent to Robinsons way.
- 12.2 The proposed High-Voltage Substation is 4.5m high, 12.7m long, and 9.2m wide at the widest section containing the transformers. Whilst the design of the substation itself will have a functional form, it is proposed that the external materials will complement the adjacent building. **Condition 4** is proposed to ensure the external appearance of the development do not detract from the character and appearance of the area.

- 12.3 The substation is proposed to have a high-level gantry connecting it to the existing store and switch room. The gantry will leave the substation at a height of around 3m and enter the existing storeroom at around 2.4m.
- 12.4 The scheme also proposes to run a new below ground cable from the existing substation adjacent to the Addenbrooke's bus station along Robinson Way to the low-voltage switch room on Robinson Way. The surfacing will subsequently be replaced to match the existing surfacing.
- 12.5 The proposed substation will be subservient in comparison to the surrounding hospital building; however, it will be a prominent feature within the courtyard. This is considered acceptable given the functional nature of the proposal.
- 12.6 The nature of the proposal and its location within the courtyard would result in the loss of all the landscaping within the immediate footprint of the proposed substation including a Category U and Category B tree. Following amendments and initial comments from officers, additional planting has been proposed to overcome the loss of the landscaping within the area within the roundabout along Robinson Way and Francis Crick Avenue. This includes birch trees, snow drops, and daffodils. Further to this, **Condition 8** has been recommended to secure the proposed hard and soft landscaping, including that within the courtyard.
- 12.7 The proposed scheme does not include a green or brown roof as requested by the Council's Landscape Officer, which would contribute towards better amenity, improved surface water runoff, and reduce heat build-up. However, the Council's Landscape Architect has also recommended that the courtyard is improved and adapted to include new planting and seating to make it a more useable and attractive space. This is secured via **Condition 8** which will help to negate the loss of some of this amenity space and would contribute towards some of the benefit which could be achieved with a green roof.
- 12.8 Considering the context, that the proposals will not be visible externally, and the recommended conditions as set out above, the proposal conforms with policies 55 and 56 in respect of context of site, design and external spaces.
- 12.9 Overall, the proposals represent appropriate design, layout, and scape considering the functional nature of the development. Subject to the conditions as recommended the proposals would accord with the Cambridge Local Plan (2018) policies 17, 55, and 56 and the NPPF.

13. Trees

- 13.1 Policy 71 of the Cambridge Local Plan (2018) seeks to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 13.2 The Council's Tree Officer has raised concerns regarding the location of the proposed cable route and the potential impact upon the mature trees along Robinson Way. No concern is raised regarding the removal of the trees within the courtyard, subject to the replacement planting proposed. The Applicant has confirmed that the trench is only 500mm wide and can be located up against the pavement, if not within it, and that the cables and ducting are sufficiently flexible to allow them to be threaded between roots. **Conditions 5, 6, and 7** are recommended for an Arboricultural Method Statement and Tree Protection Plan, and to ensure that any damaged or destroyed trees are replaced.
- 13.3 Subject to conditions as appropriate, the proposal would accord with policy 71 of the Cambridge Local Plan (2018).

14. Carbon reduction and sustainable design

- 14.1 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 as required by policy 28.
- 14.2 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal and notes that the new substation will help to provide additional infrastructure capacity.
- 14.3 The proposed scheme will not generate additional water demand as stated within the submitted Design, Access, and Planning statement.
- 14.4 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is compliant with Cambridge Local Plan (2018) policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

15. Biodiversity

- 15.1 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) require 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 accords with policies 69 and 70 of the Cambridge Local Plan (2018) which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 15.2 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal which sets out that the estimated net gain would be 48.05%, exceeding the 20% goal of the emerging local plan. This is achieved through the landscaping within the area within the roundabout along Robinson Way and Francis Crick Avenue. Which is proposed to incorporate birch trees, snow drops, and daffodils.
- 15.3 The site is considered to have limited value for biodiversity and contains no suitable habitats for protected or notable species, being predominantly within a hard surfaced courtyard with limited soft landscaping. The proposed enhancement planting would provide a wider benefit to the Campus.
- 15.4 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal. **Condition 9** is recommended to ensure that the estimated biodiversity gain is protected.
- 15.5 In consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development complies with policies 69 and 70, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

16. Water management and flood risk

- 16.1 Policies 31 and 32 of the Cambridge Local Plan (2018) require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk.
- 16.2 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. As the site is less than 1ha a Flood Risk Assessment is not required.

- 16.3 The proposals would not increase the quantum of impermeable surfaces on the site and is therefore considered not to increase the flood risk on or off the site.
- 16.4 Limited Surface Water Drainage details have been submitted, however, it is understood that the proposals would feed into the existing system **Condition 3** has been recommended to secure the details of the surface water drainage.
- 16.5 The proposed scheme does not include a green or brown roof. Policy 31 part f of the Cambridge Local Plan (2018) states that development will be permitted provided that any flat roof is a green or brown roof. The proposals do not accord with this section of Policy 31. The justification provided is that this reflects the need to prioritise patient care and reduce the risk of infection. Comments in support of this approach have been provided on behalf of the Hospital Trust Infection Control Team who raise concerns regarding the potential risk to immunosuppressed patients should a green or brown roof be provided. This is because the existing ventilation systems of the surrounding buildings in the immediate vicinity of the site are reaching the end of their lifespan, and there is a need to minimise the strain on these systems by reducing the source of potentially harmful spores and pathogens.
- 16.6 Officers consider that given the justification provided by the Applicant and the specific location, within an enclosed courtyard, there is sufficient justification to allow a departure from Policy 31 part f. These specific circumstances are such that it would be difficult to control the potential infection risk from the proposed development if a green or brown roof were enforced.
- 16.7 Subject to conditions the applicants have addressed the issues of water management and flood risk, excluding the inclusion of a green or brown roof. The proposals largely accord with Policies 31 and 32 of the Cambridge Local Plan, and the NPPF.

17. Highway safety and transport impacts

- 17.1 Policy 81 of the Cambridge Local Plan (2018) states that developments will only be permitted where they do not have an unacceptable transport impact.
- 17.2 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an

unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 17.3 The application has been subject to consultation with the Local Highways Authority and is considered to have no significant adverse impact on the Public Highway. **Condition 12** is recommended to ensure that pedestrian access to the bus stop is retained at all times for the duration of the works.
- 17.4 The application is considered to accord with Policy 81 of the Cambridge Local Plan (2018) and is compliant with NPPF advice, and is not considered to cause a significant adverse impact upon the highway safety.

18. Car and cycle provision

- 18.1 The proposed scheme does not propose to include any additional car and cycle parking and is not envisaged to generate any increase in users. The scheme would therefore have no impact on the car and cycle provision on the Biomedical Campus.

19. Amenity/Environmental Considerations

- 19.1 Policies 35 and 36, sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.
- 19.2 There are no residential dwellings immediately adjacent to the site. The site is surrounded by potentially sensitive receptors. Considering the size and nature of the development and the surroundings, it is considered that the proposed development will not cause significant overshadowing or overlooking. There is no external lighting proposed as part of the permission.

Construction and environmental health impacts

- 19.3 The land contamination, air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed by Local Plan policies 33, 34, 35, 36. Paragraphs 183 - 188 of the NPPF are relevant.
- 19.4 The Council's Environmental Health Team have assessed the application and recommend the proposals are acceptable subject to the inclusion of conditions.

- 19.5 The construction/demolition pollution has been considered and there is the potential that there could be an amenity impact on properties in the wider vicinity of the site if not controlled. Therefore, **Condition 10** has been recommended so that the submitted Construction Phase Plan, Environmental & Traffic Management Plan is secured.
- 19.6 The substation operational noise has also been considered. An Acoustic Assessment has been submitted as part of the application which concludes that the proposed substation would not give rise to any unacceptable adverse noise impacts. **Condition 11** has been recommended by the Council's Environmental Health Team to ensure compliance with the submitted Acoustic Assessment.
- 19.7 There are no known contamination issues or concerns associated with the proposed site.

Summary

- 19.8 The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy 55 of the Cambridge Local Plan (2018). The associated construction and environmental impacts would be acceptable in accordance with policies 33, 34, 35, and 36 of the Local Plan.

20. Third party representations

- 20.1 No third party representations have been received.

21. Planning balance

- 21.1 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).
- 21.2 The principle of the proposed development is established under policy 17 of the Cambridge Local Plan 2018 relating to the Cambridge Biomedical Campus Area of Major Change. This supports development where it can be demonstrated that development is required to meet a local, regional or national health care need or for biomedical and biotechnological research and development activities within class B1(b), related higher education and sui generis medical research institutes.

- 21.3 The proposals seek to secure a reliable provision of electricity to the hospital campus by replacing end of life and outdated equipment.
- 21.4 The proposed scheme falls short of the requirements of the Cambridge Local Plan (2018) policy 31, requiring that any flat roof is a green or brown roof. The scheme is however considered appropriate given that the intention of this policy is for the purpose of surface water management. Further details of the surface water management scheme are secured via **condition 3**.
- 21.5 The proposed development secures a Biodiversity Net Gain of 48.05% which exceeds the aspirations of the emerging local plan. Additionally, conditions are recommended to secure hard and soft landscaping details to aid in improving the quality of the space surrounding the proposed development.
- 21.6 On the basis of the above evaluation and considering the nature of the proposals, it is considered appropriate to approve the proposed development subject to conditions.
- 21.7 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

22. Recommendation

- 22.1 **Approve** application 24/01787/FUL subject to:
- (i) The conditions and informatives as set out below in this report, with authority delegated to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) prior to the issuing of the planning permission.

23. Planning conditions

Time limits

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).

Approved Plans

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.

Surface water Drainage

3 – No development, other than demolition, shall commence until a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented 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 ensure appropriate surface water drainage and prevent the increased risk of flooding (Cambridge Local Plan 2018 policies 31 and 32).

Materials

4 – No development shall take place above ground level, except for demolition, until details of all the materials for the external surfaces of buildings to be used in the construction of the development have been submitted to and approved in writing by the local planning authority.

Development shall be carried out in accordance with the approved details.

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

Arboricultural Method Statement and Tree Protection Plan

5 – Prior to commencement and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and

Tree Protection Plan (TPP) shall be submitted to the local planning authority and written approval given, 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.

Tree Protection compliance

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

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

Tree replacement

7 – 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.

Hard and Soft Landscaping

8 – No development above ground level, other than demolition, shall commence until a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a) proposed finished levels or contours; pedestrian access and circulation areas;
- b) hard surfacing materials;
- c) Street furniture and artefacts;
- d) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, species, plant sizes and proposed numbers/densities where appropriate;
- e) an implementation programme.

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

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

Ecology BNG compliance

9 – Prior to the occupation of the development, the ecological mitigation shall be carried out in full in accordance with the details contained in Addenbrookes HV Proposed Planting (3271-5-2 DR-002 S5-P1). The ecological measures shall thereafter be retained for the lifetime of the development.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018, policy 57, 59 and 70)

Construction Phase Plan, Environmental & Traffic Management

10 - The development hereby approved shall be constructed in accordance with the submitted 'HV Upgrade Phase 3: CONSTRUCTION PHASE PLAN, ENVIROMENTAL & TRAFFIC MANAGEMENT - ISSUE 01 APRIL 2024'.

Reason: Cambridge Local Plan, 2018 - Policy 35: Protection of human health and quality of life from noise / vibration and Policy 36: Air quality, odour and dust.

Noise Operational - Compliance

11 - The substation, transformers, switch rooms, gantry, cable connections and associated infrastructure hereby approved, shall be constructed / installed, operated, and retained / maintained thereafter in accordance with the submitted Plans and the

Chris Wood Acoustics '*MEMO: ADDENBROOKES HOSPITAL PROPOSED HV SUBSTATION - ACOUSTICS ASSESSMENT, 15 March 2024 (Ref. 238_01M_2-0_CWA)*'.

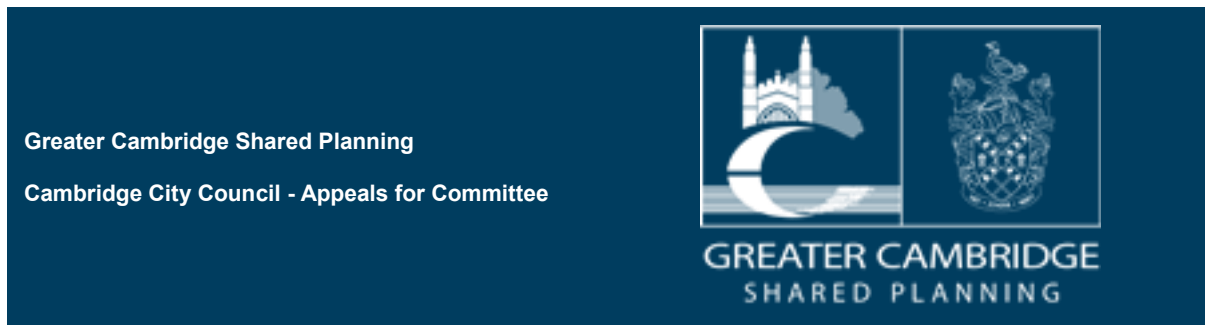
Reason: Cambridge Local Plan, 2018 - Policy 35: Protection of human health and quality of life from noise and vibration and 34: Light pollution control

Pedestrian access to the Bus Station

12 – During the construction of the development hereby permitted and until completion of the development, the pedestrian access to the bus station to the front of Addenbrookes Hospital shall be maintained free from obstruction at all times.

Reason: To ensure continued pedestrian access to the Bus station to the front of Addenbrookes Hospital, and in the interests of highway safety. (Cambridge Local Plan 2018 policy 81).

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Appendix 1: Decisions Notified By The Secretary of State

REFERENCE	SITE ADDRESS	DETAILS	DECISION	DECISION DATE	PLANNING 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 Dismissed	11/09/2024	Appeal against enforcement notice

Appendix 2: Appeals received

NO RESULTS

Appendix 3a: Local Inquiry dates scheduled

NO RESULTS

Appendix 3b: Informal Hearing dates scheduled

NO RESULTS

Appendix 4: Appeals Awaiting Decision from Inspectorate

REFERENCE	SITE ADDRESS	DETAILS	REASON
23/00566/FUL (APP/Q0505/W/23/3324785)	Pavement Outside Y59 Grafton Centre Cambridge CB1 1PS	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator	Refusal of planning permission (Delegated Decision)
23/00567/ADV (APP/Q0505/Z/23/3324786)	Pavement Outside Y59 Grafton Centre Cambridge CB1 1PS	Installation of 1no 86 inch LCD screen capable of showing	Refusal of planning permission

		illuminated static displays in sequence.	(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)
23/03069/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)
23/03070/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)
23/03993/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.	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))
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.	Refusal of planning permission (Delegated Decision)
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).	Refusal of planning permission (Delegated Decision)

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	Refusal of planning permission (Delegated Decision)
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Appendix 5: Appeals Pending Statement

REFERENCE	SITE ADDRESS	DETAILS	STATEMENT DUE
24/00658/FUL (APP/Q0505/W/24/3348170)	36 Peverel Road Cambridge Cambridgeshire CB5 8RH	Erection of two dwellings and associated works	11/10/2024

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REPORT TO:

Planning Committee October 2024

LEAD OFFICER:

Joint Director of Planning and Economic Development

Compliance Report

Executive Summary

1. On September there were 574 open cases in South Cambridgeshire and Cambridge City. There are currently 208 identifiable open cases in Cambridge city.
2. From 1st January 2024 to August 30th 2024 the compliance team have received a total of 479 compliance referrals across both South Cambridgeshire and Cambridge City.
3. Details of all compliance investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
4. Statistical data is contained in Appendices 1 and 2 attached to this report.
5. Data contained in the appendices relates to up to end of August 2024 statistical information, The reporting date is one-month in arrears to allow for the provision of the report to committee by the report deadline.

Updates to Service Delivery

The Planning Compliance Team is part of the Development Management service of the Greater Cambridge Shared Planning Service.

Rebecca Smith
Delivery Manager (Development Management and Compliance)

Chris Braybrooke
Planning Compliance Manager

Chris Barnes
Principal Planning Compliance Officer. Start date 9th September.

Alistair Funge
Principal Planning Compliance Officer

Nick Smith
Senior Planning Compliance Officer

Tony Wallis
Senior Planning Compliance Officer

Robert Bird
Planning Compliance Officer

Oscar Langford
Apprentice Planning Compliance Officer.

Lydia Green
Apprentice Planning Officer (section 106 / Strategic sites / compliance).

Team structure

Planning Compliance Manager – Chris Braybrooke

East Team

Principal Compliance Officer (Secondment)

Alistair Funge

Senior Planning Compliance Officer

Tony Wallis

Compliance Officer

Rob Bird

West Team

Principal Compliance Officer

Chris Barnes

Senior Planning Compliance Officer

Nick Smith

Planning Compliance Apprentices

Oscar Langford

Lydia Green

Updates on significant cases

Should Members wish for specific updates on cases they have involvement in or have been made aware of then please feel free to contact the Planning Compliance Manager, or Area Principal Compliance Officers who will be able to update you or advise you of the case officer and request that the officer contacts you.

Performance Management and new reporting update

The case priorities are as follows.

- **High priority (Priority A)** cases are for work which is irreversible or irreplaceable and these will be immediately investigated within 5 working days of receipt. Examples include damage or loss of Listed Buildings or protected trees.
- **Medium priority (Priority B)** cases are for activities have or can cause harm, such as adverse effects on conservation areas or breaches of conditions. Our aim is to instigate the investigation and assess whether a breach of planning control within 10 working days of the site visit.
- **Low priority (Priority C)** cases are for a development which may cause some harm but could be made acceptable by way of implementing conditions or simple correction action. Our aim is to instigate the investigation and assess whether a breach of planning control within 20 working days of the site visit.

The figures at Appendix 2 currently reflect the cases for all enforcement cases within GCSP, and not just Cambridge City. Further reporting enhancements will allow for separate reporting of these figures in the future.

The figures at Appendix 2 relating to the average time to first site visit in days from allocation currently include older casefiles which have been open before the case priority implementation. Due to the way the reporting system works, when older cases are closed this causes discrepancies in the reports This is currently being investigated to ensure the older cases do not impact these figures in subsequent reports. The targets are broadly being met for newer cases, and are not reflective to the figures seen in the report.

Further updates on performance management will be provided when they are available.

Background Papers

Planning Enforcement Register.

Statistical Analysis of Uniform Planning Enforcement Software Program.

Appendices

Appendix 1: Notices Served.

Appendix 2: Caseload Statistics.

Report Author:

Chris Braybrooke – Planning Compliance Manager Date: 16/09/2024

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Appendix 1

Public Enforcement Notices served.

Cambridge City Council

September 2024

Reference	Ward	Parish	Address	Notice Issued
*** No Notices Issued ***				

August 2024

Reference	Ward	Parish	Address	Notice Issued
*** No Notices Issued ***				

July 2024

Reference	Ward	Parish	Address	Notice Issued
EN/00572/23	Abbey		22 The Westering Cambridge Cambridgeshire CB5 8SF	Material Change of use Enforcement Notice

Appendix 2

Caseload statistics

These statistics relate to both South Cambridgeshire District Council and Cambridge City Council.

Total open cases	574
Identifiable cases in South Cambridgeshire	366
Identifiable cases in Cambridge City	208

Open cases less than 6 months old	161
Identifiable cases within Cambridge City	56

Open cases by priority.

Priority A	1
Priority B	16
Priority C	142

Open cases more than 6 months old	413
Identifiable cases within Cambridge City	152

Open Cases by priority.

Priority A	13
Priority B	43
Priority C	357

Statistical data for priorities of cases more than 6 months old is now starting to become available as more than 6 months has passed since the priority system has been brought into effect.

Cases closed August 2024	107
Identifiable cases within Cambridge City	34

Cases closed by priority.

Priority A	4
Priority B	9
Priority C	93

Average time in days taken from receipt of a complaint by the compliance team to file creation and acknowledgement sent (where applicable) to customer. The target is 3 days.

Priority A	
Priority B	
Priority C	0.21 days

of case to the case officer.

The target is Priority A - 5 working days. Priority B – 10 Working days. Priority C – 20 working days.

	(Avg. Days)	(Percentage on target)
Priority A	3.00 days	100%
Priority B	310.50 days	16.7%
Priority C	74.3 days	70%