



## Cambridge City Council Planning

**Date:** Wednesday, 5 February 2025

**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 two part agenda and will be considered in the following order:

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

(Pages 5 - 10)

### **Part 1: Minor/Other Planning Applications**

#### 5 22/02066/CONDE Owlstone Croft

(Pages 11 -  
158)

#### 6 24/03840/FUL 16 Golding Road

(Pages 159 -  
180)

7 24/01861/FUL 74 St Philips Rd (Pages 181 - 196)

8 24/04016/FUL Land Rear of 321 and 323 Milton Road (Pages 197 - 216)

**Part 2: General and Enforcement Items**

9 Appeals Information (Pages 217 - 220)

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

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**PLANNING**

4 December 2024

10.00 am - 12.27 pm

**Present:**

**Planning Committee Members:** Councillors Smart (Chair), Baigent (Vice-Chair), Dryden, Gilderdale, Lokhmotova, Porrer, Griffin, Howard and Nestor

**Officers:**

Delivery Manager: Toby Williams  
 Principal Planner: Mairead O'Sullivan  
 Principal Planner: Alice Young  
 Senior Planner: Dominic Bush  
 Senior Planner: Phoebe Carter  
 Legal Adviser: Keith Barber  
 Committee Manager: Sarah Steed  
 Meeting Producer: Claire Tunnicliffe

**FOR THE INFORMATION OF THE COUNCIL****24/120/PlanApologies**

Apologies were received from Councillors Bennett, Thornburrow and Todd-Jones. Councillors Howard, Nestor and Griffin attended as Alternates.

**24/121/PlanDeclarations of Interest**

<b>Name</b>	<b>Item</b>	<b>Interest</b>
Councillor Baigent	All	Personal: Member of Cambridge Cycling Campaign.
Councillor Smart	24/126/Plan	Withdrew from the meeting and did not take part in item 24/126/Plan.

**24/122/PlanMinutes**

The minutes of the meeting held on 2 October 2024 were approved as a correct record and signed by the Chair.

**24/123/PlanCommittee Recording**

The Committee minutes list public speakers at Committee. Please view the recording of the meeting on [Cambridge City Council - YouTube](#) to see/hear more detail about statements from public speakers and Ward Councillors.

### **24/124/Plan24/02948/FUL Land North of Babraham Park and Ride**

The Committee received an application for full planning permission.

The application sought approval for the installation of a 132-33kV substation including 2 grid transformers and raised switch house, incorporating all works ancillary to the development of a substation.

Rachel Woodman (Applicant's Representative) addressed the Committee in support of the application.

#### The Committee:

**Resolved (by 8 votes to 1)** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report and subject to the conditions and informatives recommended by the Officer with 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.

### **24/125/Plan24/01241/FUL 6-8 Grantchester Road**

Upon Officer recommendation the application was withdrawn from the agenda and deferred to a future Planning Committee.

### **24/126/Plan24/01777/FUL Darwin Drive Mosque**

Councillor Smart withdrew from the Chamber for this item and did not participate in the discussion or decision making. Councillor Baigent as Vice-Chair of Planning Committee chaired this item.

The Committee received an application for full planning permission.

The application sought approval for the part retrospective permission for the single storey front and two storey rear extension with single storey projecting bay for a Mimbar pulpit. Two storey side extension and external alterations.

Abu Uddin (Applicant's Representative) addressed the Committee in support of the application.

The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report and subject to the conditions recommended by the Officer with delegated authority to Officers to make minor amendments to the conditions as drafted.

**24/127/Plan23/03942/FUL 380 Milton Road**

Councillor Smart returned to the Chamber and chaired the rest of the meeting.

The Committee received an application for full planning permission.

The application sought approval for demolition of existing garage and construction of new single storey 2 bed dwelling.

The Committee Manager read out a statement on behalf of a local resident in objection to the application. Another local resident addressed the Committee speaking in objection to the application.

The Delivery Manager offered the following summary of amendments to the Officer's recommendation for the application reflecting Members' debate:

- i. to approve the application subject to the planning conditions set out in the Officer's report with minor amendments to the conditions as drafted delegated to Officers; and with
  - a. an additional informative regarding the Fire Service Part B and a sprinkler system; and
  - b. an amendment to condition 4 to make reference to the maintenance of the green wall; and

- c. to include a condition requiring the windows in both bedrooms to be openable.

The Committee:

**Resolved (by 7 votes to 2)** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report and subject to the conditions recommended by the Officer (with delegated authority to Officers to make minor amendments to the conditions as drafted) including:

- i. an additional informative regarding the Fire Service Part B and a sprinkler system; and
- ii. an amendment to condition 4 to make reference to the maintenance of the green wall; and
- iii. a condition requiring the windows in both bedrooms to be openable.

**24/128/Plan24/02836/FUL 26 Foster Road**

The Committee received an application for full planning permission.

The application sought approval for extension to existing garden room conservatory and change of use from C4 (small HMO) to Sui Generis (Large HMO), including cycle parking to front garden.

The Delivery Manager offered the following summary of amendments to the Officer's recommendation for the application reflecting Members' debate:

- i. to approve the application subject to the planning conditions as set out in the Officer's report with minor amendments to the conditions as drafted delegated to Officers including a revision to condition 5 to include reference to the outbuilding to the rear of the property to ensure its non-habitable use.

The Committee:

**Resolved (by 8 votes to 0)** to grant the application for planning permission in accordance with the Officer's recommendation, for the reasons set out in the Officer's report and subject to the conditions recommended by the Officer with



delegated authority to Officers to make minor amendments to the conditions as drafted including a revision to condition 5 to include reference to the outbuilding to the rear of the property to ensure its non-habitable use.

### **24/129/Plan24/01706/FUL 24 Mere Way**

The Committee received an application for full planning permission.

The application sought approval for the erection of a one-bedroom single storey dwelling at the rear of 24 Mere Way.

The Committee Manager read a statement on behalf of a local resident in objection to the application.

The Committee Manager read a statement on behalf of Dean Taylor (Applicant) in support of the application.

#### The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the Officer's recommendation, for the reasons set out in the Officer's report, and subject to the conditions recommended by the Officer with delegated authority to Officers to make minor amendments to the conditions as drafted.

### **24/130/PlanAppeals Information**

The Committee noted the Appeals List.

The meeting ended at 12.27 pm

**CHAIR**

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# Agenda Item 5



<b>Planning Committee Date</b>	5 <sup>th</sup> February 2025
<b>Report to Lead Officer</b>	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
<b>Reference</b>	22/02066/CONDE
<b>Site</b>	Owlstone Croft, Owlstone Road CB3 9JJ
<b>Ward / Parish</b>	Newnham
<b>Proposal</b>	Submission of details required by condition 3 (Phasing Strategy) of planning permission 22/02066/FUL
<b>Applicant</b>	Queen's College
<b>Presenting Officer</b>	Tom Gray
<b>Reason Reported to Committee</b>	Called in by Cllr Glasberg and Cllr Clough
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	Whether the details are acceptable and in conformity with the reasons and policy requirements for this condition.
<b>Recommendation</b>	<b>APPROVE</b>

## 1.0 Executive Summary

- 1.1 The application seeks to discharge condition 3 of planning consent 22/02066/CONDE attached by the Planning Inspector.

The condition states: No development shall commence until a Phasing Strategy has been submitted to and approved in writing by the local planning authority setting out the phases and sub phases of development, and a mechanism for its update as required. Development shall be carried out in accordance with the agreed details.

- 1.2 In providing a reason for this condition, the Planning Inspector stated that *“a condition is necessary to provide a phasing strategy if there is to be more than one phase of development which is necessary due to the way the site may come forward.”* It is noted that officers previously recommended this condition to Planning Committee members to ensure appropriate timing for the discharge of other conditions.
- 1.3 The applicant has confirmed that a single phased approach for the development will be employed. Whilst several representations have been received contending that the information provided is not sufficient, officers consider that when referring to the reason for this condition, that the information provided is acceptable and ensures that the details for the other conditions are submitted based on a single phase basis rather than the submission of multiple condition applications as would be the case for a multi-phased approach.
- 1.4 Representations have been received questioning the lack of details covering matters such as construction impacts, traffic etc. These matters are covered by other conditions attached to the planning consent and the submission/approval of these details will be required prior to the relevant trigger.
- 1.5 In conclusion, officers consider that the information provided to satisfy this condition are acceptable and in conformity with the reasons and policy requirements.

## 2.0 Site Description and Context

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

- 2.1 Owlstone Croft is owned by Queens' College and the application site is situated within the Newnham Croft Conservation Area. The Porter's Lodge is identified as a Building of Local Interest (BLI) and Block A (Owlstone

House) is listed as a positive building within the Newnham Croft Conservation Area Appraisal. Block A is the original Owlstone House which has seen a series of extensions built during the 20<sup>th</sup> Century. This building currently consists of 29 student rooms, a dining room, kitchen, common room, computer room, archive room and store.

- 2.2 The existing site comprises several other buildings. Block B (former nurses accommodation) is a four storey building and houses 68 student rooms and WCs; Block D (nursery building) was originally built in the 1930s and was significantly altered in 2013 when it was converted to a nursery with 5 student rooms above; outbuildings behind the Lodge connect to Block D and are used as garaging and for storage; finally, cycle sheds and a refuse storage area are located on part of the site of former Block C (built in 1963 and demolished above slab level in 2001). Consent was granted in 2021 for two storage containers used as a temporary gym within this area. The remainder of the site comprises hardstanding, parking areas and a large lawned area.
- 2.3 The site is located immediately north and west of the Paradise Nature Reserve (a semi-wetland habitat), which is a Local Nature Reserve (LNR), Protected Open Space and County/City Wildlife Site. This area borders the river Cam on its eastern side. The application site is also adjacent to existing Green Belt land to the east.
- 2.4 The site is located to the east of residential properties' gardens along Owlstone Road and the south of playing fields of Newnham Croft Primary School.
- 2.5 The vast majority of the application site is within Flood Zone 1 with areas near and on the eastern boundary of the site within Flood Zone 2 and 3. Several trees are situated along the eastern and northern boundaries of the site. Vehicular access is via residential streets, leading from Barton Road. The nearest residential streets of Owlstone Road and Grantchester Meadows are controlled parking zones.

### **3.0 The Proposal**

3.1 The application seeks to discharge condition 3 (Phasing Strategy) of planning permission 22/02066/FUL.

3.2 Condition 3 states:

No development shall commence until a Phasing Strategy has been submitted to and approved in writing by the local planning authority setting out the phases and sub phases of development, and a mechanism for its update as required. Development shall be carried out in accordance with the agreed details.

### **4.0 Relevant Site History**

<b>Application</b>	<b>Description</b>	<b>Outcome</b>
22/02066/FUL	Demolition of nursery building, part of outbuildings; partial demolition, refurbishment and extension of other existing college buildings and the erection of four accommodation blocks containing 60 rooms for postgraduate students; associated landscaping, car and cycle parking, refuse and other storage and new electricity substation within outbuildings	Refused, Appeal Allowed
22/02066/CONDA	Submission of details required by condition 26 (arboricultural method statement) of planning permission 22/02066/FUL	Pending consideration
22/02066/CONDB	Submission of details required by condition 20 (Hydrological Report) of planning permission 22/02066/FUL	Discharged in Full
22/02066/CONDC	Submission of details required by condition 17 (written scheme of investigation) of planning permission 22/02066/FUL	Discharged in Full
22/02066/CONDD	Submission of details required by condition 35 (non-translucent fence) of planning permission 22/02066/FUL	Pending consideration
22/02066/CONDF	Submission of details required by condition 8 (Air Quality and Dust Management Plan) of planning permission 22/02066/FUL	Pending consideration
22/02066/CONDG	Submission of details required by condition 28 (Replacement Nursery Provision) of planning permission 22/02066/FUL	Refused to Discharge
22/02066/CONDH	Submission of details required by conditions 30 (Landscape and Ecological Management Plan), 31(Bird and Bat Boxes), and 33 (Ecological Design Strategy) of planning permission 22/02066/FUL	Pending consideration

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2024  
Circular 11/95 (Conditions, Annex A)

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

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 55: Responding to context

Policy 57: Designing new buildings

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of historic environment

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats  
Policy 71: Trees  
Policy 81: Mitigating the transport impact of development

### **5.3 Neighbourhood Plan**

South Newnham Neighbourhood Plan (2024)

### **6.0 Consultations**

**6.1 South Newnham Neighbourhood Forum** – No details have been submitted other than setting a single completion date. No details to reduce construction impacts, how long they expect the works to last, vehicles per day, how it meets the criteria within the arboricultural management plan. Not possible without details to monitor/enforce all conditions. No details of measures to protect trees, reduce noise and traffic. Detailed breakdown is required.

### **7.0 Third Party Representations**

7.1 6 representations have been received from different addresses, summarised as follows:

7.2 Those in objection have raised the following issues:

- Noise, dust and inconvenience
- No details regarding how the development will be managed
- Construction impacts
- Detailed breakdown of works required
- Can be seen from public land
- No evidence that a one phase approach will benefit residents

### **8.0 Member Representations**

8.1 Councillor Clough and Councillor Glasberg have commented on this application and have called in the application to Planning Committee. Their comments are summarised as follows:

- Complex site and evidence needs to be provided to demonstrate how constraints will be managed
- Programme details and details of any liquidated and ascertained damages
- No details of vehicles used
- No evidence of how this will be achieved at each phase or what will be the details of the timeline for completion
- How other conditions such as the traffic and construction management plan will fit into each phase of the overall strategy
- Developer does not have the right to alter approach to suit their own convenience

- Details of all phases and sub-phases of an overall phasing strategy should be provided
- Application for a single-phase delivery does not comply with this condition
- No detail on piling mats/when piling will be carried out. Raft foundations would be safer
- No detail on delivery of tower cranes and how they would be delivered
- No programme for hard and soft landscaping

## **9.0 Local Interest Groups and Organisations / Petition**

9.1 Friends of Paradise Nature Reserve have commented as follows:

- Condition should set out the framework for the overall management of the development
- Lack of information provided

9.2 Newnham Croft Primary School have commented as follows:

- Phasing is critical to ensure measurable milestones are set, coordination streamlines and potential issues addressed
- All demolition must occur during school holidays
- Timetable for noisy and polluting works are required

9.3 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.

## **10.0 Assessment**

10.1 This discharge of condition application follows the planning consent granted at appeal under reference 22/02066/FUL in which Planning Inspector attached condition 3 (phasing strategy).

10.2 The reason for the original phasing condition (condition 3) as noted in the committee report on application reference 22/02066/FUL (see Appendix ii) was to ensure appropriate timing for the discharge of other conditions. The Planning Inspector agreed that this draft condition was necessary and stated in Paragraph 65 of the Appeal Decision (Appendix i), the following:

*“a condition is necessary to provide a phasing strategy if there is to be more than one phase of development which is necessary due to the way the site may come forward.”*

10.3 The applicant proposes to undertake all the works in one phase and has provided the following information to support this discharge of condition application:

- Covering letter



- Phase Plan Rev C drawing
  - Email clarification
  - Construction programme
- 10.4 These submitted details have been assessed against the reasons and policy requirements of this condition.
- 10.5 The applicant has stated that to ensure that the project minimises disruption to the local community, a single phased approach to the development has been chosen.
- 10.6 It is notable in the Inspector's reasoning that a condition is necessary if there is to be more than one phase. This was because at the time that the appeal was being considered, it was not known whether multiple phases would be proposed. Noting that the applicant has now proposed a single phased approach, based upon the Inspector's reasoning, officers do not consider that there is any recourse to request further information beyond that already provided by the applicant.
- 10.7 Moreover, the applicant has clarified that in all discharge of condition submissions including those already approved and those to be submitted, it will be expected that details will be provided as per a single phase (rather than the multi-phased approach). This is reflected in the details approved for condition 17 (Written Scheme of Investigation, 22/02066/CONDC) and likewise for the details pending consideration for conditions 8 (Air Quality and Dust Management Plan, 22/02066/CONDF), 26 (arboricultural method statement, 22/02066/CONDA), 30 (Landscape and Ecological Management Plan, 22/02066/CONDH), 31 (Bird and Bat Boxes, 22/02066/CONDH) and 33 (Ecological Design Strategy, 22/02066/CONDH) which align with one condition application per condition attached on the planning consent.
- 10.8 Several representations have been received from third parties including the adjacent school and Friends of Paradise Nature Reserve, ward members and the South Newnham Neighbourhood Forum regarding construction impacts (dust, noise etc.) and construction management, traffic management, trees and the implications for other conditions. Whilst these comments are all noted, as detailed above, the phasing condition dictates in how many phases the development comes forward and in turn the number of application submissions per condition to be expected. In this instance, details of the other conditions will come forward on the basis of a single phase and the other conditions these will cover the details of construction management/mitigation measures, tree protection measures, traffic management plan etc.
- 10.9 Whilst comments have also highlighted the lack of detailed breakdown of the works, following amendments, at the request of officers, a construction programme has been provided which sets out the schedule of works to completion. This programme demonstrates that building works on different elements across the site will be carried out sometimes simultaneously and

other times with considerable time overlap, resulting in single phase approach. The level of detail contained within this programme is considered acceptable and in conformity with the reasons for this phasing condition. The details of mitigation measures to control certain impacts of the development will be submitted under relevant separate condition/s.

10.10 Given the reason for phasing condition which dictates the way in which the details of the other conditions are submitted, officers consider that this phasing condition would be one of the first condition applications to be submitted prior to the detailed submissions of other conditions. On this basis, it would not be expected that the applicant would at this stage have finalised the details of all other conditions and therefore the request for additional information submitted by representations are not considered reasonable or necessary to satisfy this phasing condition.

10.11 Representations have reported that the application form is incorrect in referring to the application as not being able to be seen from public land. Whilst this is noted and officers consider that the applicant has ticked the incorrect box, this has no bearing on the application assessment in terms of the submission of details to discharge said condition.

## **10.12 Conclusion**

10.13 Officers consider that the details submitted are considered acceptable and in conformity with the reasons and policy requirements of the condition.

## **11.0 Recommendation**

**11.1 Approval** of the following details:

- Covering Letter
- Construction Programme (received 9th January 2025)
- Clarification email (dated 4th December 2024)
- Phase Plan Rev D

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### Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs



## Appeal Decision

Inquiry Held 26 - 29 September and 3 - 6 October 2023

Site visit made on 28 September 2023

**by Philip Mileham BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15<sup>th</sup> November 2023**

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**Appeal Ref: APP/Q0505/W/23/3323130**

**Owlstone Croft, Owlstone Road, Cambridge CB3 9JJ**

- 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 The Queen's College of St. Margaret and St. Bernard against the decision of Cambridge City Council.
  - The application Ref 22/02066/FUL, dated 22 April 2022, was refused by notice dated 13 January 2023.
  - The development proposed is described as the demolition (in a conservation area) of nursery building and part of outbuildings; partial demolition, refurbishment and extension of other existing college buildings and the erection of four accommodation blocks containing 60 rooms for postgraduate students; associated landscaping, car and cycle parking, refuse and other storage and new electricity substation within outbuildings.
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### Decision

1. The appeal is allowed and planning permission is granted for the demolition (in a conservation area) of nursery building and part of outbuildings; partial demolition, refurbishment and extension of other existing college buildings and the erection of four accommodation blocks containing 60 rooms for postgraduate students; associated landscaping, car and cycle parking, refuse and other storage and new electricity substation within outbuildings at Owlstone Croft, Owlstone Road, Cambridge CB3 9JJ in accordance with the terms of the application, Ref 22/02066/FUL, dated 22 April 2022, subject to the conditions set out in the attached schedule at Annex A.

### Preliminary matters

2. During the course of the Inquiry, it was identified that part of the appeal site along its eastern boundary falls within the designation of Protected Open Space (POS) which was not otherwise referenced on the Council's decision notice. I have therefore addressed this point as part of my consideration of the first main issue.
3. A Statement of Common Ground (SoCG) between the appellant and the Council confirmed that the first part of reason for refusal number 3 relating to the layout of the proposal for future students adversely affecting the ecological relationship with the Paradise Local Nature Reserve (PLNR) was no longer being pursued by the Council (or indeed any other parties to this appeal).

4. Since the appeal was lodged, the Government has published a revised National Planning Policy Framework (the Framework) in September 2023. The parties did not indicate that any of the new or amended paragraphs of the Framework were of relevance to this appeal nor have any paragraph numbers of relevance to this appeal altered. However, I have nonetheless had regard to the latest iteration of the Framework in reaching my decision.
5. The Friends of Paradise Nature Reserve (FPNR) and Newnham Croft Primary School (NCPS) were both granted Rule 6 status and took part as main parties to the appeal.
6. A legal agreement has been submitted along with this appeal which secures a number of planning obligations and I discuss these later in my decision.
7. The final sitting day of the Inquiry was 6 October 2023. It was agreed that the final signed planning obligation was to be submitted by not later than 16 October and this was subsequently provided on 12 October.

### **Main Issues**

8. The main issues are the effect of the proposed development on:
  - the character and appearance of the area;
  - the recreational and amenity value of the Paradise Local Nature Reserve; and
  - ecology and biodiversity having regard to the Paradise Local Nature Reserve.
9. The decision will also consider any benefits that would arise from the proposed development and this forms part of my conclusions as set out below.

### **Reasons**

#### *Character and appearance*

10. The appeal site comprises a number of existing buildings including the Owlstone House building (referred to as block A on the plans) which has previously been subject to a number of alterations. To the immediate south of Owlstone House is a four-storey accommodation block (block B on the plans) and to the southern end of the site is a part two-storey building finished with a light-coloured external render which has a nursery school on the ground floor and accommodation at first floor level. The site also includes a large area of formal managed lawn with some planted borders and is bordered to its east by the Paradise Local Nature Reserve (PLNR) and to the north by the Newnham Croft Primary School (NCPS). The appeal site has an institutional character, distinct from that of the surrounding streets which are themselves characterised by longer rows of terraced properties of predominantly two storeys.
11. The proposal would result in the development of four new accommodation blocks, described as 2 and a half storeys high. Block T4 as it is referred to on the plans would be located to the south of the site and replace the nursery building. The block would be around 16.6 metres high to the eaves line and around 19.4 metres high to the ridge with the uppermost floor comprising of accommodation within a mansard roof. The height of block T4 would be greater

than that of the terraced properties in nearby streets including Owlstone Road. Although the eaves and ridge would be in excess of the prevailing character of dwellings in the area, the accommodation blocks would not be read as part of a single street-scene. Instead, the proposed accommodation blocks would be read in the context of the appeal site itself which as set out above, includes Owlstone House but also the existing four storey accommodation on site. As a result, I do not find the height of the proposed accommodation blocks to be harmful.

12. The eastern elevation of Block T4 would be sited closer to the boundary of the site with the PLNR than the existing nursery. This would result in a building that would be more prominent than the existing building when viewed from the boardwalk within the PLNR. The appeal site slopes gradually towards the PLNR and Block T4 would have a finished floor level above that of the boardwalk within the PLNR. However, the eastern gable of the Block T4 would be narrower than the width of the existing nursery building. Therefore, although it would be both taller and closer to the PLNR than the nursery, the width of the gable would limit the sense of bulk arising from its height and massing. The light-coloured render of the existing nursery building currently draws attention to itself when viewed from the boardwalk within the PLNR. However, the proposed eastern gable of Block T4 would be faced with brick which would provide a more subtle and less stark elevation than currently experienced from the boardwalk. The accommodation blocks would not be a copy of the design characteristics in the wider area, but would, in terms of their design and layout, respond positively to their context as an educational institution and would not result in a stark and overbearing elevation adjacent the PLNR.
13. Concerns were raised that the scheme would fail to be subservient to the PLNR. The existing lawned area within the appeal site is a highly managed outdoor space with planted borders. The lawn and grounds of Owlstone Croft provide a clear visual contrast to the more enclosed, wild and unmanaged PLNR to its east. The appeal proposal would result in the development of the lawned area of the site due to the terraced accommodation blocks. However, the appeal site's formal managed lawn and grounds do not currently exhibit any existing subservient characteristics to the PLNR, instead, it is more representative of a large residential garden which would not be unexpected in an urban edge environment. As such, there would be no harm in respect of subservience arising from its development.
14. During the Inquiry, it was identified that a narrow part of the appeal site along the eastern boundary is included within an area of designated Protected Open Space (POS) which also covers the PLNR<sup>1</sup>. Policy 67 of the Cambridge Local Plan (2018) (the CLP) seeks to protect, amongst other things, the character of POS. There are currently three poplar trees (Ref G002) and two ash trees (T008, and T009) within this strip of land on the eastern boundary of the site which would be removed as part of the proposed development. The PLNR is characterised by, amongst other things, its dense woodland and resulting sense of enclosure. The removal of the trees would result in the loss of a component of the character of the PLNR as designated POS. Whilst the removal of the trees would adversely affect the small strip of POS within the appeal site, when viewed against the backdrop of the wider POS encompassing the PLNR, there would be no overall visual change in the character of the wider POS. I find no

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<sup>1</sup> CD14.21 – Owlstone Croft Protected Open Space boundary

evidence that the character of the strip of POS on the appeal site should be considered separately to the PLNR as it is a single designation. The PLNR would continue to be viewed as an unmanaged woodland area. As I find the overall character of the POS would not be altered, the removal of the trees would not be harmful to the character of the POS and would thereby accord with Policy 67 of the CLP.

15. The three poplar trees have previously been pollarded and along with two ash trees on the eastern boundary of the site are identified in the Tree Survey<sup>2</sup> as being 'Category C' trees of low quality. Evidence was presented which indicates that the poplars are of a non-native species and have a lifespan of around 10 or more years. The trees have a reasonable lifespan remaining and although the poplars have been pollarded, they do make a modest positive contribution to the character of the area as part of the boundary between the appeal site and the PLNR. Policy 59(b) of the CLP seeks to ensure trees and habitats which contribute to the character and quality of an area are retained. Whilst the contribution of the trees is modest, their removal would nonetheless fail to accord with Policy 59(b) which expects proposals to demonstrate that existing features that positively contribute to the character and quality of an area are retained and protected.
16. From my site visit conducted during late summer when significant leaf coverage was still present, there are glimpsed views possible over the lawned area and across to Owlstone Croft from the boardwalk side of the PLNR into the site between existing gaps in vegetation. Policy 8 of the CLP seeks that landscape improvement proposals strengthen or recreate the well-defined and vegetated urban edge. Concerns were raised that the proposed landscaping would blur the boundary between the site and the PLNR harming the edge of the PLNR. However, the soft landscape plan indicates that there would be considerable native hedge planting along the eastern boundary, a significant proportion of which would be allowed to grow out. Some areas along the boundary would have deliberate gaps left, and these would allow framed views into the site from the boardwalk. The extent of the proposed hedge planting, whilst broken in places, would become established and although the verified views indicate this would take time to mature, it would provide a well-defined vegetated edge along a majority of the eastern boundary. I find that the extent of landscaping, whilst changed, would not be harmful and would accord with the provisions of Policy 8 of the CLP.
17. The PLNR is located within the Green Belt which the Framework seeks to keep land permanently open and not approve inappropriate development. However, the proposed development would not be within the Green Belt and it is noted that there would be no direct Green Belt impact as a result of openness. The PLNR is predominantly characterised by dense woodland and there are some areas, such as those along the boardwalk, where there are gaps in the tree canopies where views of the lawn, Owlstone House and the nursery on the site can be seen. Despite the availability of some limited views into the site, I do not find that the boardwalk side of the PLNR to be particularly open even having regard to the proposed removal of the poplar and ash trees discussed above. Whilst the appeal development would be visible through the gaps in the proposed hedge planting, this would allow views of and in between the proposed accommodation blocks. Whilst the terrace blocks would be closer to

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<sup>2</sup> CD1.13 – Tree Survey AIA and method statement and tree protection plan

- the PLNR on the boardwalk side than the existing development on site, due to the spacing of the blocks and the ability to gain longer views in between, there would be no harmful reduction to the sense of openness.
18. The proposed development would create an area of damp meadow along the eastern boundary of the site. The damp meadow would link to the existing ditch which provides, amongst other things, a visual cue to the presence of the nearby wet woodland of the PLNR. The appeal proposal would include native trees of a range of sizes planted along the eastern boundary and interspersed within the damp and general meadow which would be created. The proposed soft landscaping which includes significant hedge planting would continue to provide a clear, albeit changed boundary between the site and the PLNR. The overall landscaping to the east of the site would respond to the wider context of the PLNR as a feature of natural importance which Policy 55 of the CLP expects development to demonstrate. Whilst the proposal would not accord with Policy 59(b), the use of native species within the proposed soft landscaping scheme is supported by Policy 59(g) and (h) of the CLP.
  19. The proposal pulls at odds with two elements of Policy 59 as set out above. However, when considering the design of the scheme overall, the use of the cranked design for the terrace blocks would relate positively to the character and function of the site and its surrounding buildings, whilst the integration of outdoor spaces, public realm enhancement, design and use of materials would provide a high-quality development. Therefore, overall I find the proposal would accord with Policy 59 of the CLP.
  20. The appeal site also forms part of the Newnham Croft Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area, to which I attach considerable importance and weight.
  21. The Newnham Croft Conservation Area Appraisal (CAA) identifies that the significance of the CA is derived from its open spaces as much as its buildings. The CAA also highlights the poor condition and general appearance of the Owlstone Croft site and buildings (noting the recent repairs to the gatehouse) as negative features, with the later additions to Owlstone House, the 4-storey accommodation block and the nursery buildings as features which detract from the conservation area.
  22. The proposed development would result in significant additional built form on the current grassed land area, which may have been associated with the original garden setting of Owlstone Croft House. However, the removal of the nursery building and the later alterations to Owlstone House, which currently detract from the significance of the CA, would make a positive contribution to the character and appearance of the area. It is therefore common ground between the Council and the appellant that no harm would occur. Based on the evidence provided I agree, and find that overall, the proposal would enhance the character of the conservation area.
  23. In conclusion, the proposal would therefore not result in harm to the character and appearance of the area. It would therefore accord with policies 8, 59 and 67 of the CLP for the reasons set out above. It would also accord with policies 55 and 56 which state that development will be supported where it responds

positively to its context and is designed to be attractive, high quality, accessible, inclusive and safe.

24. The proposal would, overall, accord with paragraph 130 of the Framework which seeks to, amongst other things, ensure developments function well and add to the overall quality of the areas and are visually attractive as a result of good architecture.

*Recreational and amenity value*

25. The PLNR is well used by local residents and visitors to the area but also provides a route between the Lammas land car park and the wider Newnham Croft area. The PLNR has a wider recreational value as it provides the opportunity for a range of activities to take place including walking and watching birds, bats and other species. The boardwalk side of the PLNR appears to be well-used and evidence indicated that the river walk side is also popular during warmer weather as a result of the attraction of the river environment of the Cam for boats, punts and canoes. The boardwalk side of the PLNR may be quieter during warmer months albeit users would still experience intermittent and transient noise from children using the outdoor area of the nursery and the Newnham Croft Primary School (NCPS) and its playing field. Noise would also be generated by existing students utilising the lawned area for recreation. Noise from these users may be limited, but the boardwalk side of the PLNR is not an entirely quiet and tranquil area, instead its character is impacted by these existing uses.
26. The existing lawn of the appeal site is currently used as recreation space for the students and gatherings can currently take place informally on this area. The proposed development includes outdoor seating areas for each of the accommodation blocks and these would be relatively self-contained and landscaped. Whilst students could make use of other areas within the site which also serve as part of the landscaping, wet meadow or drainage network, the outdoor courtyard seating areas would act as honeypot features for socialising. In respect of the outdoor area for block T4 which would be close to the boundary with the PLNR, the extent of proposed hedge and tree planting in this part of the site would, over time, screen the seating area from the boardwalk. This part of the appeal site experiences some noise as a result of the nursery and noise could be generated by future occupants of the development, albeit this may be at different times, such as later into the evening. However, the extent of proposed screening within the site boundary combined with the depth of vegetation between the boundary of the PLNR and the boardwalk would serve to reduce the visibility and audibility of future occupiers using the proposed seating.
27. Concerns were raised that the proposed development would result in additional noise from future occupiers which would harm the recreation and amenity value of the PLNR. The proposal would result in a net gain of around 45 units accommodated on site, and therefore there would be additional students using the site. The proposed development includes a meadowed area to the east of the site, as well as a number of outdoor seating spaces located to the south of each of the four proposed new accommodation blocks (T1-4). There would also be further space in an area of land to the north of block T1 where students may also gather. Whilst the presence of additional people on site would be evident from the PLNR, there is no clear evidence presented that there would be an



adverse impact arising from domestic paraphernalia or additional future occupiers on site. Furthermore, the Student Management Plan which would be secured by the proposed planning obligation would be capable of addressing any potential concerns regarding the behaviour of future occupiers in a way that would not be possible with conventional residential accommodation. I therefore do not consider there would be any detrimental impact on the tranquillity of the PLNR.

28. The existing views of buildings on the appeal site from the boardwalk, although glimpsed at the time of my visit when the vegetation is verdant, provide a more formal outlook from the edge of the PLNR. The lawned grounds of the appeal site have an appearance akin to a large managed residential garden with views of the nursery close to the boardwalk and Owlstone Croft further away. The proposed terrace blocks would significantly increase the amount of built development on site, however, the spacing of the terrace blocks and gaps in the boundary planting would continue to allow for longer views of Owlstone House. The boardwalk side of the PLNR would continue to be influenced by a more formal and managed outlook as a result of the proposed development, but the overall character of the PLNR as an unmanaged woodland would not be altered. The existing buildings on site do not currently have any adverse impact on the PLNR, nonetheless, I find no clear evidence as to how the presence of additional buildings would directly, or indirectly harm the recreational amenity of the reserve.
29. In light of the above, the proposal would not result in harm to the recreation and amenity value of the PLNR. It would therefore accord with Policy 67 of the CLP which seeks to ensure, amongst other things, that proposals do not harm or lead to loss of open space of recreational importance.

#### *Ecology and biodiversity*

30. The PLNR is a designated Local Nature Reserve (LNR) and is home to, amongst other things, a number of species of bats including Barbastelle which are amongst the rarest bats found within the United Kingdom. There is no dispute that Barbastelle passes have been recorded by the appellant and FPNR in their evidence. Although there is disagreement on the adequacy of survey efforts undertaken, it is clear that there is consistent bat activity at the boundary of the appeal site and the PLNR.
31. Concerns were raised that the proposed development was not accompanied by an Ecological Impact Assessment (EcIA) and a thorough assessment of the effects of the proposal had not been undertaken. Paragraph 7.66 of the supporting text to Policy 69 of the CLP indicates that where development is proposed within, adjoining or which will otherwise affect a locally designated nature conservation site (such as the PLNR), comprehensive surveys of the historic and existing biodiversity importance, and professional ecological assessment of the proposed development and measures to protect and enhance habitat or species will be required. Furthermore, Policy 70 of the CLP sets out that where development is proposed adjoining a site hosting priority species and habitats, an assessment will be required covering the issues set out in criteria e-h.
32. The appellants have not provided a single EcIA but have produced a Preliminary Ecological Appraisal (PEA) along with a Preliminary Roost Assessment and Nocturnal Bat Survey which included dusk emergence and

dawn re-entry surveys. The additional studies include an evaluation of impacts and the studies clearly indicate that they are based on combined information and provide recommendations, including in respect of lighting. Although there is no other survey in relation to protected species within the PLNR other than bats, the PEA nonetheless indicates at paragraph 3.3 that it has assessed the interconnectivity of suitable habitats, which would include the adjacent PLNR. Furthermore, the protected species scoping survey section at paragraph 4.3 of the PEA considered the potential to support each species category, whilst section 5 considered off-site habitats and set out recommendations.

33. The PEA and subsequent reports set out above collectively provide a professional assessment of relevant ecological information, including the status of bats and the impact of the appeal proposal. I find nothing within the text of either Policy 69 or 70 which expressly requires a single EcIA, and whilst the Council's Biodiversity Supplementary Planning Document (SPD) includes a requirement for an EcIA, this is included in the requirements for validation. The appeal scheme was originally validated by the Council without an EcIA, and although the SPD can be given weight, it cannot introduce policy content to require an EcIA that is not otherwise present within the Development Plan. As such, I find that a suitable professional assessment has been carried out and thereby no conflict with Policies 69 and 70 of the CLP in this regard.
34. In regard to the loss of poplars on ecology, the trees were identified in evidence as having importance for Barbastelle as potential roost features and for their vertical complexity in terms of available food sources for bats. The proposed damp meadow to the east of the appeal site would provide opportunities for insects although it was suggested this may be less preferable to Barbastelle than other species. Whilst there may be some difference in the ecological value of the poplars when considered against the proposed damp meadow, the proposed damp meadow would nonetheless provide opportunities for a range of insect prey that would support bats, including Barbastelle. Although concerns were raised that the damp meadow would potentially attract other bat species and place Barbastelle at competitive disadvantage, there is no clear evidence that the location of the damp meadow adjacent to the ditch and boundary with the PLNR would have this effect.
35. I turn now to the matter of lighting on protected species, particularly in respect of Barbastelle bats which are a light-sensitive species. The Institute of Lighting Professionals (ILP) Guidance Note 08/18<sup>3</sup> recommends that where bats are identified, lighting levels are kept to 'complete darkness', and a lighting level of 0.4 lux on the vertical plane would be an appropriate level. There is no dispute between the parties that there would be no harm to bats if the lighting levels could be kept below this level on the boundary of the site with the PLNR. The appellant's modelled lighting scheme shows that around 3.5% of the 1,800 points on the vertical plane south of proposed accommodation block T4 would exceed the 0.4 lux level showing a maximum of 0.55 lux at a vertical plane around 15m from the southern edge of T4<sup>4</sup>. The points which would currently exceed the proposed condition principally relate to light emanating from the south elevation of block T4. However, this exceedance is based on a modelled initial lighting scheme rather than a final scheme and which the lighting design

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<sup>3</sup> CD13.10 ILP GN08/18 – Bats and artificial lighting in the UK

<sup>4</sup> CD1.25 – Lighting design parameter plan and modelling (Pg 14)

- and parameter plan modelling states would be a worst-case scenario with all interior and exterior lights on and no vegetation.
36. The initial lighting scheme is based on recommended lux levels specified by the appellant's consulting engineers which in a number of instances require lux levels above ILP guidance levels. The appellant considers that the proposed lux levels could be reduced by 25% which would ensure that lighting on the boundary of the site would not exceed 0.4 lux. Concerns were raised that this proposed reduction would be inappropriate due to the potential harm to the living conditions of future occupiers due to the poor standard of living accommodation. However, as the modelled lighting levels are in excess of the ILP guidance in certain categories of internal living spaces, these levels could be reduced and still provide a lighting scheme in compliance with ILP guidelines. Furthermore, having regard to the points on the vertical plane within the initial assessment exceeding 0.4 lux, I find that the extent of exceedances to be limited even in a worst-case modelled scenario. Some parts of the site boundary would be several metres further to the south of the modelled plane, and therefore levels would further reduce towards the boundary as light levels decrease with distance.
37. The assessment of the baseline lighting levels particularly in respect of lighting at the nursery has been disputed. Evidence on behalf of the Friends of Paradise Nature Reserve (FPNR) indicated that lighting at the nursery may not be switched on and therefore baseline levels would be lower than identified by the appellant. However, even if baseline levels are at the levels the FPNR suggest, it was not disputed that the levels of lighting once operational are determinative as to whether harm would arise to protected species of bats. Even if there were an increase in light levels above the FPNR baseline, I am satisfied the proposal could be made acceptable subject to a proposed lighting condition requiring the scheme not exceeding 0.4 lux.
38. In order to ensure the proposed development would not harm ecology as a result of lighting, a condition has been suggested which would require the proposal to not exceed 0.4 lux at the boundary. Taking into account the ability to reduce lux levels whilst remaining within appropriate lighting guidance, I am satisfied a compliant lighting scheme could be achieved which would meet the proposed condition of not exceeding 0.4 lux at the boundary. Furthermore, there is additional planting proposed to the south of block T4 which would help to mitigate the extent of light at the boundary.
39. There is disagreement on submitted amendments to the draft lighting condition and whether it could be adequately monitored or enforced. This was particularly highlighted having regard to the potential for future occupiers to bring in their own lamps and lighting either in bedrooms/ study rooms or in other outdoor areas, especially that associated with block T4 which is closest to PLNR. A condition would be capable of addressing this issue albeit I consider it is necessary for the condition to include the requirement for a baseline position to be established. This is due to evidence given during the Inquiry which indicated that in some instances, the brightness of a full moon could result in readings of greater than 0.4 lux being recorded at the site boundary even if no artificial light was present.
40. No evidence was presented during the Inquiry as to how future students may adversely affect the ecological relationship with the PLNR. The proposed

development would be largely self-contained and whilst future students may use outdoor space for recreation, the proposed damp meadow along the boundary with the PLNR would be less attractive for students and would therefore minimise activity along this part of the boundary, and thereby avoiding any harm to the ecological relationship with the PLNR.

41. An additional condition was suggested during the Inquiry to include the control of lighting in the student management plan. Unlike a private market dwelling, due to the managed nature of the proposed accommodation, the potential use of portable lighting is a matter that is capable of being controlled. I find such a condition to be necessary in order ensure that there would be no harm to protected species arising from any portable additional lighting not otherwise addressed by a lighting scheme.
42. My attention was drawn to a recent appeal decision at 18 Adams Road (APP/Q0505/W/22/3299064) adjacent to the Adams Road Bird Sanctuary which is a County Wildlife Site. In that decision, the Inspector noted that there was no evaluation of the appeal site's potential role as a buffer to the nearby County Wildlife Site. Furthermore, the Inspector considered there was no demonstration of the role of the site for feeding, sheltering or breeding of amphibian, mammal and invertebrate species. The Inspector in that case had no particular evidence that proposed conditions would be capable of overcoming the specific harm. That is not the case in this appeal where there are further surveys and assessments which follow from the PEA, and agreement that controlling lighting levels would avoid harm to bats. Therefore, the circumstances in that decision are materially different to those before me.
43. I therefore conclude that, subject to the imposition of a suitably worded condition to limit lighting levels, the proposal would not result in harm to ecology and biodiversity having regard to the Paradise Local Nature Reserve. It would therefore accord with Policies 55, 69 and 70 of the CLP which seek to ensure development responds positively to features of natural importance on or close to the site, will not have an adverse effect on a site of biodiversity importance and protects priority species and habitats.
44. As I find there would be no harm to ecology, the proposal would also accord with paragraphs 174 and 180 of the Framework which seek to, amongst other things, minimise impacts on and provide net gains for biodiversity and avoid, mitigate or compensate any significant harm to biodiversity and protect priority species and habitats.

### **Other matters**

#### *Traffic and transport*

45. The appeal proposal would be accessed via Short Lane which is an unadopted highway. Concerns were raised that there is insufficient width in the local highway network to accommodate construction traffic and larger delivery vehicles. Whilst parts of the local highway network are narrow, there would be sufficient width to allow construction vehicles to access the site. However, due to the presence of on-street parking particularly along Short Lane, if construction traffic is not managed appropriately, it could result in harm to highway safety including conflict with pedestrians. The effects of construction traffic could be controlled via planning conditions to manage delivery routes and the timing of deliveries. In respect of the movement of larger vehicles, the

use of bankspersons would provide satisfactory control over their movement to and from the site which can be secured via a traffic management condition. Therefore, I am satisfied that subject to the imposition of such conditions, any harms can be mitigated during the construction period.

46. My attention was drawn to concerns regarding the effect of traffic movements once the scheme is operational as a result of delivery vehicles, predominantly from online retailers visiting the site. Whilst there may be an increase in the number of delivery vehicles accessing the site as a result of the increase in students, no concerns have been raised by the local highway authority in respect of traffic movements from this source. Furthermore, popular online retailers are likely to group deliveries together to the same location for their own reasons of efficiency which may serve to limit the number of movements to and from the site.
47. The proposed loss of the existing nursery would remove a number of vehicle movements from the local area. This would be expected during the morning and afternoon peaks once the site is operational having regard to the existing vehicle movements associated with the drop-off and collection of children at the nursery. This reduction would offset any limited increase that might arise from delivery vehicles to the site. As such, I find there would be no harm in this regard.

#### *Effect on Newnham Croft Primary School*

48. The proposed development includes a number of alterations and extensions to Owlstone House which is sited directly to the south of Newnham Croft Primary School (NCPS). An existing tall brick wall forms the boundary between the NCPS and Owlstone House itself. Concerns were raised that the construction of the appeal proposal would adversely impact the health of the children due to dust and particulate emissions as well as cause disturbance to their learning due to noise. The land within the school immediately north of Owlstone House is used as an outdoor classroom where the youngest year group within the school are taught. However, the control of construction and demolition emissions and noise are matters which are capable of being addressed by the imposition of suitable planning conditions which I assess below.
49. NCPS have raised safeguarding concerns as a result of construction, but also in relation to future occupiers of the site utilising the proposed gathering lawn to the north of accommodation block T1. Safeguarding concerns during construction can be addressed via condition to ensure a solid fence is erected along the school boundary for its duration. This existing lawned area contains no restriction about where and when students may use the lawn and this would be no different to the 'gathering lawn' area to the north of block T1 which would be visible by children playing in the trees along the boundary in the same way as the current lawn. As such, a condition to erect permanent screening is not necessary to make the proposed development acceptable in planning terms.

#### *Flood risk and drainage*

50. Concerns have been identified that the proposal would fail to provide an appropriate approach to the use of attenuation ponds for surface water

infiltration. The Flood Risk and Drainage report<sup>5</sup> identifies that the proposed attenuation ponds are not infiltration devices and do not rely on such for discharging surface water. The report states that ground conditions are unsuitable for point infiltration of surface water, identifies that water storage capacity in the proposed porous paving will minimise the flows and volume of surface water discharging into the watercourse.

51. There is disagreement as to the adequacy of groundwater monitoring data and therefore whether the drainage proposals would be effective. Proposed condition 18 requires, amongst other things, a surface water drainage scheme which would address run-off rates, details of the surface water system including attenuation and control measures and site investigation and test results to confirm infiltration rates. I also note that the Lead Local Flood Authority were content in their comments of 15<sup>th</sup> November 2022 for further groundwater testing to be undertaken at the detailed stage and recommended this be addressed via a proposed condition. As a result, I find the requirements within the proposed condition would be sufficient to address the outstanding surface water and drainage details.
52. In addition, concerns were raised that the absence of modelling of foundation design of the proposal could result in groundwater flows having adverse effects on matters such as landscape and ecology. There is no clear evidence that groundwater levels would reach ground level, and furthermore there is no indication that damp-proofing and accompanying mitigation measures would not be able to be utilised as part of the proposal's construction. This matter could be addressed by a proposed condition requiring the preparation of a detailed hydrological report which would provide an assessment of the effects of the development upon groundwater levels and the flow of groundwater locally. The proposed condition would also require the hydrological report to specifically consider and influence the foundation design of the proposal and I am satisfied that the imposition of planning conditions would therefore address these concerns.

#### *Other considerations*

53. Concerns were also raised regarding the impact of climate change on the proposed development being in a low-lying area. However, proposal has been designed to meet Passivhaus standards which would seek to minimise energy consumption and reduce the proposals' contribution to climate change. The Flood Risk Assessment has modelled the effects of climate change in respect of potential flood events including fluvial flooding. Therefore, I am satisfied that the implications of climate change have been satisfactorily addressed in this regard.
54. Concerns have been raised regarding the removal of the existing nursery on site. However, the nursery is also run by the appellant who has confirmed that this is to be relocated to a new site for which planning permission has been sought. The replacement of the nursery is to be restricted until such time that a replacement nursery has been provided and this will be secured by a planning condition which is necessary to make the development acceptable.
55. Reference was made to the need for the proposal having regard to the recent purchase by the appellant of a property referred to as 12-14 Grange Road

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<sup>5</sup> CD1.29A, B and C – Flood Risk and Drainage report

which has capacity of approximately 35 student bedrooms. However, it is noted the property at Grange Road is to be used as 'decant' accommodation whilst other college accommodation buildings are being refurbished. There is no disagreement that the Council can demonstrate a 5 year housing land supply as required by the Framework and the extent of accommodation required for postgraduate students would not be fully met by the appeal proposal, or Grange Road.

56. Concerns have been raised that the proposal would result in harmful overshadowing of the PLNR. The transient shadow and sunlight amenity report shows some overshadowing to the PLNR when compared with the existing buildings on site, particularly after around 17:00 pm. In winter months longer transient shadows from both the existing and proposed buildings would be unavoidable due to the angle of the sun. Overall, I concur with the assessment findings that the effects of shadowing would be limited to short amounts of time during the day, and as a result, it would not be harmful.
57. In addition to the above, there is no disagreement between the Council and appellant that there would be any conflict with any development plan policies that would otherwise restrict the extent of student accommodation in the City. The proposed development would make provision for the net gain of 45 units of additional student accommodation, and there would be an accompanying release of accommodation used by post-graduate students elsewhere in the city back into the housing market. As I find no harm on main issues as set out above, this matter is not sufficient to justify dismissing the appeal.

### **Planning Obligation**

58. The appeal is accompanied by a planning obligation made under section 106 of the Town and Country Planning Act (1990) that would secure a number of requirements.
59. The agreement includes a contribution of £11,200 towards primary healthcare in the area in order to contribute towards improvements in the capacity of General Practitioners surgeries. This is necessary in order to make the development acceptable in planning terms and is fairly and reasonably related in scale and kind.
60. The requirement in the obligation for a student management plan (SMP) is necessary in order to ensure that the behaviour of future occupiers, including amongst other things, noise and disturbance, anti-social behaviour and control over private vehicles on site can be appropriately managed. This is also necessary to make the development acceptable in planning terms.
61. The obligation includes a requirement to prepare an open space and ecological management and maintenance scheme. This is necessary in order to ensure that the open space and ecological improvements are managed appropriately for the lifetime of the development and is therefore necessary to make the development acceptable in planning terms.
62. The agreement includes a contribution of £3,200 towards the monitoring of obligations contained within the agreement. These have been calculated in accordance with the Council's latest standards. The planning obligations monitoring fee is therefore necessary to make the development acceptable in planning terms and is fairly and reasonably related in scale and kind.

63. Having regard to the evidence before me, including the Council's Community Infrastructure Levy (CIL) compliance statement, I am satisfied that the submitted planning obligations are necessary to make the development acceptable, are directly related to the proposal and fairly and reasonably related in scale and kind to the development. As such, they would accord with the requirements of paragraph 57 of the Framework and Regulation 122 of the CIL Regulations (2010).

### **Conditions**

64. I have considered the conditions included in the schedule which were discussed and updated following a round table session during the Inquiry against the tests set out at paragraph 56 of the Framework, only including those which meet those tests subject to any minor amendments for clarity, consistency and enforceability. There are a number of pre-commencement conditions necessary which the appellant has agreed as required by the Town and Country Planning (Pre-commencement Conditions) Regulations 2018.

65. In addition to the standard time limit for the commencement of the development, and the specification of the plans on which this decision is made, a condition is necessary to provide a phasing strategy if there is to be more than one phase of development which is necessary due to the way the site may come forward. A further condition is necessary to specify the details of the materials to be used in order to exercise suitable control over the final appearance of the proposal.

66. In the interests of the living conditions of neighbouring residents and teaching conditions at NCPS, a condition is required to undertake a noise assessment of the proposal and identification of any mitigation as a result. For the same reasons, a condition is required to specify the hours of operation of powered machinery during construction or demolition, and a further condition to provide a noise and vibration impact assessment which will identify appropriate monitoring and mitigation measures.

67. In the interests of the living conditions of nearby residents, a condition is necessary in order to control the collection and timing of deliveries to the site. For the same reason, a condition is also required to provide details of any plant, equipment or machinery to control extraction, filtration and mitigation of potential odours.

68. Condition 8 requires the preparation and submission of an Air Quality and Dust Management Plan which is necessary in the interests of the living conditions of nearby occupiers including sensitive receptors such as NCPS. Further, in the interests of the health, wellbeing and education of children, due to the proximity of the proposed development with NCPS, to make the development acceptable it is necessary to limit all demolition on the site to be carried out during school holidays. Draft condition 8 limb (c) included a requirement for a solid fence to be erected having regard to sensitive receptors. However, the condition was not sufficiently precise and would not be effective, and as such, I have amended the requirement for a non-translucent solid fence to be a standalone condition (condition 35) with clearer requirements which is also necessary in the interests of safeguarding.

69. In the interests of human health, a condition is required in order to specify the actions that will take place should any unexpected contamination be identified



- during works on site. For the same reason, a condition is required in order to ensure no unsuitable excavated material is brought to site.
70. In the interests of the living conditions of nearby occupiers and the ecology and biodiversity of the PLNR, a condition is required to control noise in relation to any PA systems serving the proposed café and gymnasium.
  71. In the interests of reducing vehicle emissions, a condition is necessary to ensure appropriate charging infrastructure is installed for electric vehicles.
  72. In the interests of highway safety, conditions are required for the agreement of a traffic management plan to address construction traffic. For the same reason condition 15 is necessary to control the movement and operation of larger vehicles albeit I have amended the condition to remove an unnecessary tailpiece which may have otherwise allowed subsequent alterations if agreed in writing with the Council.
  73. In the interests of the safety of future occupiers, a condition is required in order to secure the location and implementation of fire hydrants.
  74. A condition is required to avoid harm to any features of archaeological interest to secure a programme of works and accompanying assessments of the investigation.
  75. In order to ensure that surface water drainage is adequately controlled and to prevent flood risk and harm to the PLNR, a condition is required to secure a surface water drainage scheme and accompanying measures to be implemented. A separate condition is required in the interests of avoiding flood risk to provide details of how surface water run-off will be avoided during construction. A further condition is also required in the interests of on and off-site flood risk to prepare a hydrological assessment in respect of groundwater levels and flow of groundwater. This will also be required to assess the implications of the proposed development's foundation design and its potential impact on groundwater and groundwater flows.
  76. A condition is required to ensure the proposed development is designed in accordance with the energy and carbon reduction strategy in order to reduce carbon dioxide emissions in the interests of reducing contributors to climate change. In the interests of water efficiency, a further condition is required to specify the water efficiency of the new accommodation blocks.
  77. In order to ensure the proposed development is satisfactorily assimilated into the area and enhances biodiversity, a condition is required to provide the details of a hard and soft landscaping scheme.
  78. In the interests of biodiversity, a condition is required to provide the details of the biodiverse roofs.
  79. In order to protect trees that are to be retained as part of the development, a condition is required to provide an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP). An amended condition was suggested to provide details of a site meeting between a site manager and arboricultural consultant. However, this part of the proposed draft condition was not sufficiently precise and is not necessary to make the development acceptable as the required information would be contained in the AMS and TPP respectively. Therefore, I have amended condition 26 accordingly to remove reference to the meeting.

- For the same reason a condition requiring the implementation of identified tree protection measures is also necessary.
80. In order to minimise vehicle movements to and from the site by future occupiers, a condition requiring the preparation and subsequent implementation of a travel plan is necessary.
  81. In order to ensure that nursery places are suitably retained, a condition requiring the retention of the nursery until a subsequent replacement has been provided is necessary.
  82. A condition is required to prepare a Construction Ecological Management Plan (CEcMP) which shall also set out a lighting scheme in order to conserve and enhance ecological interests. Whilst FNPR suggest a number of amendments to the draft condition, these are overly prescriptive. Furthermore, the FPNR suggested amendments do not make suitable allowance for lighting for security purposes during construction and are therefore not imposed. For the same reason, condition 32 is necessary to secure a site wide Ecological Design Strategy including Biodiversity Net Gain provision.
  83. A Landscape and Ecological Management Plan is necessary in the interests of ecology. For the same reason a condition requiring the provision of bat and bird boxes is also necessary. Whilst there was discussion during the Inquiry regarding the potential for bat boxes to place a competitive disadvantage to Barbastelle bats as a result of Pipistrelle bats being more inclined to utilise boxes, the condition would nonetheless allow the location of these to be places to be agreed in parts of the site where they would be most appropriate. The condition therefore remains necessary.
  84. In order to ensure there would be no harm to ecology and in the interests of the control of light pollution, condition 32 is necessary in order to ensure that light levels at the site boundary with the PLNR do not exceed 0.4 lux on the vertical plane. The condition also requires the submission of an approved baseline position which was the subject of considerable discussion during the Inquiry. In order to ensure the condition can be appropriately enforced without unnecessary judgements being relied on for expediency, a baseline position should be included in the condition to take into account circumstances where 0.4 lux could be exceeded as a result of moonlight and the use of baseline is supported by ILP GN08/18. The Council suggested further amendments to this draft condition requiring a monitoring report to address exceedances and any remediation, however these amendments are not necessary as the condition already specified that the scheme should set out the monitoring regime. Further amendments to the condition are also necessary to specify the need for an artificial lighting assessment to predict lighting levels at the site boundary.
  85. An additional condition is also necessary in the interests of ecology and the control of lighting to require the student management plan (as set out in the legal agreement) to include controls relating to lighting in addition to those measures specified in the schedule to the legal agreement. This is a matter necessary to be controlled by condition as an amendment to the legal agreement could be secured during the Inquiry and is necessary to control the use of external lighting which may otherwise be brought on to the proposed development by future occupiers.

## Conclusion

86. As set out in the main issue above, taking matters of character and appearance of the area in the round, I do not find harm on this issue. The removal of the trees would not alter the overall character of the POS and there would be no conflict with policy in this regard. Although the proposed development pulls at odds with Policy 59 of the CLP regarding the removal of trees, the policy overall seeks to ensure external spaces and landscaping are designed as an integral part of development proposals and supports high quality developments. The proposed native planting would be in accordance with other criteria of the policy, and the design overall relates well to the character of the area.
87. I find that the proposal would accord with other placemaking policies of the plan and would enhance the character or appearance of the CA. Furthermore, subject to the imposition of suitably worded conditions, I find no conflict with policies relating to ecology, protected species and sites of biodiversity importance. Development Plan policies can pull at odds, however, when considered in the round, in this case I find the proposal would accord with the Local Plan when read as a whole.
88. The proposal would also have economic, social and environmental benefits. Economic benefits would arise through jobs created as a result of the proposals' construction and within the accompanying supply chains which is of moderate weight. Social benefits would arise due to future occupiers utilising local shops and services, albeit the proposed units would replace the use of other accommodation elsewhere in the city.
89. There would also be environmental benefits through the construction of the blocks to Passivhaus standard and there would also be a benefit as a result of a 51% increase in Biodiversity Net Gain (BNG).
90. The proposal would result in the reuse of previously developed land which is supported by paragraph 120(c) of the Framework, to which I afford substantial weight.
91. Paragraph 11(c) of the Framework indicates that proposals that accord with an up-to-date development plan should be approved without delay. I therefore conclude that the proposal would accord with the development plan and that there are other considerations set out above which also weigh in its favour.
92. For the reasons given above I conclude that the appeal should be allowed.

*Philip Mileham*

INSPECTOR

## **APPEARANCES**

### FOR THE LOCAL PLANNING AUTHORITY:

Mr Emyr Jones  
He called

Mr Gary Young BA (Hons) Dip Arch ARB RIBA - Design  
Mr Jonathan Durward BSc (Hons) CEnv MCIEEM - Ecology  
Mr Mike Spurgeon BSc (Hons) MSc MRTPI - Planning

### FOR THE APPELLANT:

Mr Rupert Warren KC  
He called

Mr James Turner BSc M. Arch PG Cert – Design  
Mr Jack Marshall BA (Hons) DipLA CMLI –Landscape  
Mr Will O’Connor MSc BSc CEng MCIEEM – Ecology  
Dr Jon Burgess PhD MA (Arch Con) BPI BA (Hons) Dip Con MRTPI  
IHBC – Planning  
Mr Dominic Meyrick MSc - Lighting

### FOR THE FRIENDS OF PARADISE NATURE RESERVE (RULE 6 PARTY):

Ms Noemi Byrd  
She called

Mr Andrew Bryce  
Dr Cosmin Ticleanu BSc PhD MSLL

### FOR NEWNHAM CROFT PRIMARY SCHOOL (RULE 6 PARTY):

Mr Nicholas Whitehead – Health and Safety Governor  
Dr Dani Redhead – Chair of Governors and Parent Governor  
Emma Smith – Parent Governor

### INTERESTED PERSONS:

Mrs Jean Bevan – South Newnham Neighbourhood Forum  
Dr Olwen Williams  
Mrs Janine Peterson – Resident  
Wendy Blythe – Chair, Federation of Cambridge Residents Associations (FeCRA)  
Professor Dr Robert Turner – Resident  
Dr Alan James – Chairman, CPRE Cambridgeshire and Peterborough  
Ian Rolls – Cambridge Friends of the Earth  
Dr Jason Palmer  
Mr David Carmona  
Professor Tony Booth – Friends of the River Cam

Mrs Vyvyen Brendon  
Mr Terry MacAlister - Resident  
Mrs Janine Peterson  
Ms Sarah Nicholas – Cambridge Past, Present and Future  
Mr Bob Jarman

#### DOCUMENTS

- 1 CD14.12 Appellants opening statement
- 2 CD14.13 LPA opening statement
- 3 CD14.14 Opening Statement Newnham Croft Primary School
- 4 CD14.15 Opening Statement FPNR
- 5 CD14.16A FPNR Andrew Bryce Rebuttal
- 6 CD14.16B Appendix 1 FPNR Andrew Bryce Rebuttal
- 7 CD14.16C Appendix 2 FPNR Andrew Bryce Rebuttal
- 8 CD14.17 PNR Letter From Prof Sir Partha Dasgupta 150923
- 9 CD14.18 Response To GWP Consultants
- 10 CD14.19 Statement Of Common Ground Between Appellant And FPNR 27 September 2023
- 11 CD14.20 Bat Surveys For Professional Ecologists Good Practice Guidelines 4Th Edition
- 12 CD14.21 OCC Open Space Boundary 27092023
- 13 CD14.22 OCC LNR Boundary 27092023
- 14 CD14.23 (00) 002 Proposed Roof Plan Terrace 4
- 15 CD14.24 Statement Of Common Ground Redacted
- 16 CD14.25 Letter Of Support For The Development Redacted
- 17 CD14.26 LPA Draft Condition 34
- 18 CD14.27 LPA Draft Condition 26 28
- 19 CD14.28 FPNR Draft Lighting Condition
- 20 CD14.29 Draft Owlstone Planning Conditions 05.09 With Appellant Amends Following Initial Conditions Session
- 21 CD14.30 Appellant Updated Draft Condition 36
- 22 CD14.31 Owlstone Croft Appellant Closing Submissions 6.10.23
- 23 CD14.32 Owlstone Croft LPA Closing Submissions 6.10.23
- 24 Further written submission Mr David Carmona
- 25 Signed S106 legal agreement

## **Annex A – Schedule of conditions**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following plans:
  - Proposed Site Plan (Drawing no. (00) 001)
  - Demolition Site Plan (Drawing no. (00) 020)
  - Proposed Roof Plan (Drawing no. (00) 002)
  - T01 – Ground Floor Plan (Drawing no. (00) 100)
  - T01 – First Floor Plan (Drawing no. (00) 101)
  - T01 – Second Floor Plan (Drawing no. (00) 102)
  - T01 – Roof Plan (Drawing no. (00) 103)
  - T02 – Ground Floor Plan (Drawing no. (00) 110)
  - T02 – First Floor Plan (Drawing no. (00) 111)
  - T02 – Second Floor Plan (Drawing no. (00) 112)
  - T02 – Roof Plan (Drawing no. (00) 113)
  - T03 – Ground Floor Plan (Drawing no. (00) 120)
  - T03 – First Floor Plan (Drawing no. (00) 121)
  - T03 – Second Floor Plan (Drawing no. (00) 122)
  - T03 – Roof Plan (Drawing no. (00) 123)
  - T04 – Ground Floor Plan (Drawing no. (00) 130)
  - T04 – First Floor Plan (Drawing no. (00) 131)
  - T04 – Second Floor Plan (Drawing no. (00) 132)
  - T04 – Roof Plan (Drawing no. (00) 133)
  - Block A Proposed Ground Floor Plan (Drawing no. (00) 150)
  - Block B Proposed Ground Floor Plan (Drawing no. (00) 151)
  - Block A Proposed First Floor Plan (Drawing no. (00) 160)
  - Block B Proposed First Floor Plan (Drawing no. (00) 161)
  - Block A Proposed Second Floor Plan (Drawing no. (00) 170)
  - Block B Proposed Second Floor Plan (Drawing no. (00) 171)
  - Block A Proposed Roof Plan (Drawing no. (00) 190)
  - Block B Proposed Roof Plan (Drawing no. (00) 191)
  - Terrace 01 Elevations (Drawing no. (00) 210)
  - Terrace 02 Elevations (Drawing no. (00) 220)
  - Terrace 03 Elevations (Drawing no. (00) 230)
  - Terrace 04 Elevations (Drawing no. (00) 240)
  - Proposed Elevations Block A (Drawing no. (00) 250)
  - Proposed Elevations Block B (Drawing no. (00) 251)
  - Proposed Elevations – Outbuildings (Drawing no. (00) 252)
  - Proposed Sections – Block A (Drawing no. (00) 350)
  - Proposed Sections – Block B (Drawing no. (00) 351)
  - Location Plan (Drawing no. (EX) 001)
  - Existing Block Plan (Drawing no. (EX) 002)
  - Block A Existing GF Plan (Drawing no. (EX) 150)
  - Block B Existing GF Plan (Drawing no. (EX) 151)
  - Block A Demolition GF Plan (Drawing no. (EX) 152)
  - Block B Demolition GF Plan (Drawing no. (EX) 153)
  - Block A Existing FF Plan (Drawing no. (EX) 160)
  - Block B Existing FF Plan (Drawing no. (EX) 161)
  - Block A Demolition FF Plan (Drawing no. (EX) 162)

- Block B Demolition FF Plan (Drawing no. (EX) 163)
  - Block A Existing SF Plan (Drawing no. (EX) 170)
  - Block B Existing SF Plan (Drawing no. (EX) 171)
  - Block A Demolition SF Plan (Drawing no. (EX) 172)
  - Block B Demolition SF Plan (Drawing no. (EX) 173)
  - Block B Existing TF Plan (Drawing no. (EX) 181)
  - Block B Demolition TF Plan (Drawing no. (EX) 183)
  - Block A Existing Roof Plan (Drawing no. (EX) 190)
  - Block B Existing Roof Plan (Drawing no. (EX) 191)
  - Block A Demolition Roof Plan (Drawing no. (EX) 192)
  - Block B Demolition Roof Plan (Drawing no. (EX) 193)
  - Existing Elevations – Block A (Drawing no. (EX) 250)
  - Existing Elevations – Block B (Drawing no. (EX) 251)
  - Existing Elevations – Outbuildings & Block D (Drawing no. (EX) 252)
  - Demolition Elevations – Block A (Drawing no. (EX) 260)
  - Demolition Elevations – Block B (Drawing no. (EX) 261)
  - Demolition Elevations – Outbuildings & Block D (Drawing no. (EX) 262)
  - Hard Landscape Layout (OCC 003 Rev A)
  - Soft Landscape Layout (OCC 004 Rev A)
  - Verified Views (OCC 006)
  - Green Roof Plan (OCC 008 Rev A)
  - Site Sections (OCC 300)
  - Wetland Sections (OCC 301)
- 3) No development shall commence until a Phasing Strategy has been submitted to and approved in writing by the local planning authority setting out the phases and sub phases of development, and a mechanism for its update as required. Development shall be carried out in accordance with the agreed details.
- 4) No operational plant, machinery or equipment shall be installed for any phase until a noise assessment and any noise insulation/mitigation as required for that phase has been submitted to and approved in writing by the local planning authority following consultation with Newnham Croft Primary School. Any required noise insulation/mitigation shall be carried out as approved and retained as such.
- 5) No construction or demolition work shall be carried out and no plant or power operated machinery operated in connection with construction or demolition shall be carried out other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
- 6) There shall be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
- 7) No development (or phase of) (including demolition or piling) shall commence until a demolition/construction noise and vibration impact assessment for that phase of development, has been submitted to and approved in writing by the local planning authority following consultation with Newnham Croft Primary School. The assessment shall be in accordance with the provisions of BS 5228:2009 + A1 2014 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 / Newnham Croft Primary School from noise or vibration. The development shall be carried out in accordance with the approved measures.

- 8) No development (or phase of) shall commence until an Air Quality and Dust Management Plan (AQDMP) has been submitted to and approved in writing by the local planning authority. The AQDMP should include:
- a) Details of consultations with key receptors, particularly Newnham Croft Primary School, held prior to the discharge of the condition;
  - b) site specific mitigation measures to be implemented to minimise dust and emissions upon residential properties and other sensitive receptors including Newnham Croft Primary School during demolition and construction. This should take account of the findings of the construction dust risk assessment presented in the Air Quality Assessment and a baseline assessment of air quality on site. These measures should be in line with current Institute of Air Quality Management (IAQM) best practice;
  - c) site and equipment layout plan, identifying the proximity of sensitive receptors, the location of site entrance / exit, wheel washing facilities, hard standing, and stockpiles;
  - d) details of phasing of demolition and construction works, including timetable. The timetable should restrict all demolition works to school holidays;
  - e) roles and responsibilities in the event of dust episodes or complaints arising;
  - f) the dust monitoring strategy, including type, number and location of monitors and the appropriate exceedance level;
  - g) the approach to be taken should the exceedance level be exceeded.

The AQDMP shall be implemented and monitors retained and maintained on site for the duration of the demolition and construction works.

- 9) If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination. The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.
- 10) No excavated material for the development (or phase of) shall be imported or reused until a Materials Management Plan (MMP) has been submitted to and approved in writing by the Local Planning Authority. The MMP shall include:
- a) details of the volumes and types of material proposed to be imported or reused on site;
  - b) details of the proposed source(s) of the imported or reused material;
  - c) details of the chemical testing for ALL material to be undertaken before placement onto the site;
  - d) results of the chemical testing which must show the material is suitable for use on the development;



- e) confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development. The local planning authority shall be provided from time to time with copies of such particulars within five working days upon request.

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

- 11) Prior to the use of any PA system serving the Café and Gym of the development, full details of noise control / mitigation measures in order to minimise the level of noise emanating from the said uses shall be submitted to and approved in writing by the local planning authority. The scheme shall be carried out as approved and retained as such.
- 12) Prior to installation of plant, equipment or machinery for the purposes of extraction, filtration and abatement of odours for the development (or phase of) details of the proposed installations must be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the use (in that phase) is commenced and shall be retained as such.
- 13) Prior to the installation of electrical services for the four new accommodation blocks hereby approved, an electric vehicle charge point scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for:
  - 1. Five slow electric vehicle charge points with a minimum power rating output of 7kW
  - 2. Additional passive electric vehicle charge provision of the necessary infrastructure including capacity in the connection to the local electricity distribution network and electricity distribution board, as well as the provision of cabling to parking spaces for four car parking spaces to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required
  - 3. The electric vehicle charge points shall be designed and installed in accordance with BS EN 61851 or as superseded. The electric vehicle charge point scheme as approved shall be fully installed prior to the first occupation of the four new accommodation blocks and maintained and retained thereafter.
- 14) No demolition or construction works shall commence on site until a traffic management plan for that phase has been submitted to and agreed in writing by the Local Planning Authority. The principal areas of concern that should be addressed are:
  - i) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway, Short Lane and the access road)
  - ii) Contractor parking, with all such parking to be within the curtilage of the site where possible
  - iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway, Short Lane and the access road where possible.)

- iv) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway, Short Lane and the access road.
- v) The requirements for a banksperson(s)

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

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

- 15) Within the school term times, demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall service the site only between the hours of 0930-1430 hours Monday to Friday (as proposed by the outline TMP submitted with the planning application). At all other times (including Saturdays in term times), the restrictions in conditions in 5 and 6 will apply.
- 16) No development (or phase of) above slab level shall commence until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.
- 17) No demolition/development (or phase of) shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work for that phase which has been secured in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
  - a) the statement of significance and research objectives;
  - b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
  - c) The timetable for the field investigation as part of the development programme;
  - d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material.

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

- 18) No laying of services, creation of hard surfaces or erection of a building for any phase shall commence until a surface water drainage scheme for that phase, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall be based upon the principles within the Flood Risk and Drainage Strategy Report prepared by Smith and Wallwork Engineers (ref: 000292-SAW-ZZ-ZZRP C-0001 rev. P04) dated 20/04/2022 and shall include where appropriate:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- d) Details of the proposed attenuation and flow control measures;
- e) Site Investigation and test results to confirm infiltration rates;
- f) Temporary storage facilities if the development is to be phased;
- g) A timetable for implementation if the development is to be phased;
- h) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- i) Details of the maintenance/adoption of the surface water drainage system;
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

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

- 19) No development (or phase of), including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works for that phase to create buildings or hard surfaces commence.
- 20) Prior to the commencement of the four new accommodation blocks, a detailed hydrological report shall be submitted to and approved in writing by the Local Planning Authority. The report shall provide an assessment as to the effects of the development upon groundwater levels and the flow of groundwater locally including its impact on neighbouring properties and land. The hydrological report shall specifically consider and influence the foundation design of the proposal. Should the report demonstrate any significant detrimental impact on groundwater or groundwater flows, it shall propose mitigation to be carried out in accordance with a proposed phased programme of implementation to ensure that there is no exacerbation of flood risk to nearby properties. Any mitigation shall be carried out in accordance with approved report and details of timing.
- 21) The development hereby permitted shall be designed in accordance with the energy and carbon reduction strategy and overall sustainability strategy as set out in the Owlstone Croft, Cambridge, Sustainability Statement and Matrix, Issue 4 (Max Fordham, April 2022). Prior to occupation of the new accommodation blocks, evidence of Passivhaus certification for these blocks shall be submitted to and approved in writing by the local planning authority.

- 22) Prior to occupation of any of the four new accommodation blocks, a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to and approved in writing by the local planning authority. This shall demonstrate that all new accommodation blocks are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.
- 23) No development (or phase of) shall take place above slab level, except for demolition, until details of all the materials for the external surfaces of buildings to be used in the construction of that phase of the development have been submitted to and approved in writing by the local planning authority. The details shall include brick details (including bond and mortar mix and pointing technique); stonework; pre-cast concrete; non-masonry walling systems; render; windows, sills and surrounds; doors and entrances; porches and canopies; roof cladding; external metal work (including new entrance gates), balustrades, rainwater goods, edge junctions and coping details; colours and surface finishes.

Sample panels of the brickwork, stonework, render and roofing materials will be provided and retained on site for the duration of that phase of work.

Development shall be carried out in accordance with the approved details.

- 24) Prior to works above slab level, details of a hard and soft landscaping scheme for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials including for access roads; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;
  - b) details of tree pits, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme; If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.
  - c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected (including gaps for hedgehogs)
  - d) a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas.

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

All proposed underground services will be coordinated with the proposed tree planting.

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

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

- a) Roofs can/will be biodiverse based with extensive substrate varying in depth from between 80-150mm,
- b) Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting indigenous to the local area and shall contain no more than a maximum of 25% sedum (green roofs only),
- c) The biodiverse (green) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency,
- d) Where solar panels are proposed, biosolar roofs should be incorporated under and in between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation,
- e) A management/maintenance plan approved in writing by the Local Planning Authority.

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

- 26) Prior to commencement for each phase and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval.

The AMS and TPP will set out measures to apply to consider all phases of construction in relation to the potential impact on trees, and set out the details of 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 site clearance, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

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.

- 27) No occupation of the accommodation blocks shall commence until a Travel Plan, following the principles contained within the Outline Travel Plan April 2022 (PJA), has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking how the provisions of the Plan will be monitored for compliance and confirmed with the local planning authority. The Travel Plan shall be implemented and monitored as approved upon the occupation of the development.
- 28) Other than any development/demolition of Blocks A, B and partial demolition of the outbuilding, hereby approved, no other development (including demolition of the existing nursery) shall take place until details of replacement nursery provision with at least equivalent facilities, capacity and accessibility for existing users has been provided and approved in writing by the local planning authority. Details shall also include evidence of the leasing and management arrangements for this replacement facility. No demolition of the nursery facilities and no development of the new accommodation blocks shall take place until the approved replacement facility is operational.
- 29) No development (or phase of) shall commence (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) for that phase has been submitted to and approved in writing by the local planning authority following consultation with Newnham Croft Primary School. The CEcMP shall include the following.
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of biodiversity protection zones.
  - c) Practical measures (both physical measures and sensitive working practices including a lighting scheme) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timings of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs if applicable.

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

- 30) No development of the four new accommodation blocks shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and

approved in writing by, the local planning authority. The LEMP shall include the following:

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

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

- 31) Prior to occupation of the four accommodation blocks, a scheme for the provision of integrated bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of box numbers, specification, and their location. No accommodation block unit shall be occupied until nest boxes have been provided for that property in accordance with the approved scheme. The scheme shall be retained as such thereafter.
- 32) Prior to the installation of any artificial lighting in any phase, an ecologically sensitive artificial lighting scheme for that phase shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the baseline condition of lighting, any existing and proposed internal and external artificial lighting of the site in that phase and an artificial lighting impact assessment with predicted lighting levels. The scheme shall:
  - a) include details (including luminaires, fittings and any shrouds) of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at the site boundaries shall be undertaken.
  - b) not exceed 0.4 lux level (against the submitted and approved baseline) on the vertical plane at agreed locations at the boundary of the LNR and NCPS,
  - c) use top-guided windows to the first and second-floor windows in the southern elevation of Block 4 to minimise light spill when opened.
  - d) set out the monitoring and reporting regime for the lighting scheme.

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details. The scheme shall be retained as such thereafter.

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

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

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

34) Notwithstanding the details of the section 106 agreement attached to the development hereby consented, the Student Accommodation Management Plan (as defined in that agreement) shall contain:

- a) the control of the categories of person who may be permitted to Occupy the Student Accommodation (as defined in that agreement) which shall be restricted to Postgraduate Students and any Associated Carers (as defined in that agreement) only;
- b) the management arrangements and controls relating to the logistics and co-ordination of students on first arrival and final departure from the Student Accommodation;
- c) the management arrangements and controls relating to the lighting, noise, disturbance and anti-social behaviour at the Student Accommodation;
- d) the management arrangements and controls relating to the control on any keeping of pets at the Student Accommodation;
- e) the management arrangements and controls of students bringing private vehicles to the Site, and the management arrangements to discourage students (other than disabled users) from bringing private vehicles into the administrative city boundaries of the Council in accordance with the objectives of local plan policy 46e of the Cambridge Local Plan 2018; and
- f) in the event of any breach of the controls the subject matter of (c) to (e) inclusive, the framework for resolution of such breaches.

35) Prior to the commencement of the development full details of a non-translucent fence of not less than 1.8 metres in height above ground to be erected along the full length of northern boundary of the development site with adjoining Newnham Croft Primary School shall be submitted to and approved in writing by the Local Planning Authority. Full details shall include the details of the fence



panels, posts and foundations, including the materials (nature and type) used in their construction and erection, together with any method of fixation. The fence, as approved, shall be erected prior to the commencement of development and shall thereafter be retained for the duration of the construction.

**End of Schedule**

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

## 1.0 Executive Summary

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

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

**1.13 Site Description and Context**

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

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

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

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

## **2.0 The Proposal**

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

## **3.0 Relevant Site History**

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

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

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

#### **4.0 Policy**

##### **4.1 National**

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

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

Circular 11/95 (Conditions, Annex A)



Technical Housing Standards – Nationally Described Space Standard (2015)

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

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

## **4.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 4: The Cambridge Green Belt

Policy 5: Sustainable transport and infrastructure

Policy 7: The River Cam

Policy 8: Setting of the city

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 46: Development of student housing

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

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

Policy 67: Protection of open space

Policy 68: Open space and recreation provision through new development

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

Policy 85: Infrastructure delivery, planning obligations and the Community

#### **4.3 Supplementary Planning Documents**

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

#### **4.4 Other Guidance**

Newnham Croft Conservation Area Appraisal 2013

#### **5.0 Consultations**

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

5.2 Consultation with Transport Assessment Team required.

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

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

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

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

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

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

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

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

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

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

### **5.13 Environment Agency – No objection**

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

### **5.18 Anglian Water – No objection**

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

### **5.21 Urban Design Officer – No objection**

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

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

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

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

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



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

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

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

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

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

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

**5.106 Fire Authority – No objection**

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

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

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

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

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

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

**5.113 Cadent Gas – No objection**

5.114 No objection. Recommend informative.

**6.0 Third Party Representations**

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

6.2 Those in objection have raised the following issues:

6.3 Principle of development

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

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

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

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

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

#### 6.5 Biodiversity Impacts

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

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

#### 6.6 Highway safety impacts and car parking

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

#### 6.7 Sustainability

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

#### 6.8 Flood risk

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



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

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

#### 6.9 Loss of nursery provision

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

#### 6.10 Tree/hedgerow impacts

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

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

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

#### 6.12 Construction impacts

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

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

#### 6.13 Other

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

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

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

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

## **7.0 Member Representations**

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

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

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

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

## **8.0 Local Groups / Petitions**

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

## **9.0 Assessment**

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9.52 Policy 73 of the Local Plan 2018 states that the loss of a facility or site that was last in use as a community, sports or leisure facility will only be permitted if it is demonstrated that:

- i. the facility/site can be replaced within the new development or relocated to at least its existing scale, range, quality and accessibility for its users; or
- j. the facility/site is no longer needed.

9.53 Supporting text at paragraph 8.10 states that this policy is applicable to existing facilities and sites last used for community, sports or leisure purposes, in order to avoid situations where these facilities are lost through demolition without any planned replacement facility.

9.54 The application supporting information states that the re-provision of the nursery within the existing site has been considered, however, the relocation elsewhere has been chosen to reduce vehicular dangers and make more efficient use of the existing site. Whilst third party comments concerning the long waiting list for nursery places is acknowledged, there would be no loss of the existing nursery facility until a suitable replacement is found which would be controlled by condition being attached on any planning consent granted.

9.55 Discussions with the current provider of the nursery are ongoing and options are being pursued. A potential relocation of the nursery could be to Cambridge RUFC, with extant planning consent granted under 21/02356/FUL. This site is approximately 1.5 km from the existing Owlstone Croft, located within the Newnham area and has capacity for up to 32 children and therefore would be similar in scale, range, quality and accessibility to its users. Whilst third party comments concerning this option are acknowledged, other potential locations are also being considered. Details and location of the replacement facility would need to meet the requirements of Policy 73 in terms of quality, accessibility, range, and scale. The current on-site facilities would not be lost until a suitable off-site replacement facility is found and is operational which will be secured by condition.

9.56 Therefore, to ensure that the existing nursery use doesn't continue to operate whilst extensive building works in close proximity to the nursery are carried out, subject to a condition restricting certain demolition and construction works until details of alternative arrangements for the nursery's relocation are provided, Officers consider that the principle of the demolition of the nursery is acceptable in accordance with Policy 73 of the Local Plan 2018.

#### **9.57 Principle of Development – Development on the urban edge of Cambridge and within the setting of the River Cam Corridor**

9.58 The proposed development would be located adjacent to Paradise Nature Reserve, which is a Protected Open Space and a Local Nature Reserve

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

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

a. responds to, conserves and enhances the setting, and special character of the city, in accordance with the Cambridge Landscape Character Assessment 2003, Green Belt assessments, Cambridgeshire Green Infrastructure Strategy and their successor documents;

d. includes landscape improvement proposals that strengthen or re-create the well-defined and vegetated urban edge, improve visual amenity and enhance biodiversity.

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

9.142 Newnham Croft Primary School

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

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

#### **9.145 Tree impacts**

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

### **9.167 Biodiversity impacts**

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

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

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

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

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

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

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

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

#### *Bat surveys and lighting impacts*

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

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

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

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

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

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

*Other biodiversity impacts*

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

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

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



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

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

### *Conclusion*

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

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

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

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

9.214 Following additional comments from the EA, it is considered that the FRA approach to the assessment of the impact of climate change on flood risk is very precautionary and well above the 9% allowance expected in the Cam and Ely Ouse management catchment area. The 'basic' approach referred to in the FRA is in accordance with the guidance as set out in the EA's East Anglia climate change allowances guidance document. It is therefore considered that a precautionary approach to assessment of the impacts of climate change on flood risk and proposed mitigation measures have been taken and there is no objection from the EA regarding the approach to fluvial flood risk.

9.215 The proposed buildings would be located outside of the 1% annual exceedance probability (AEP) flood event (1 in 100-year flood event) with an allowance for climate change (20% climate allowance). The proposed finished floor levels are set to the predicted 0.1% AEP flood event water level (1 in 1000-year flood event) including climate change (precautionary 600 mm climate change allowance) at a level of 8.940m AOD. Whilst third parties have raised concerns with the FRA, the EA has also reviewed this and it is considered to be an appropriate mitigation against the risk of fluvial flooding. The footprint of the proposed Blocks would largely be outside 0.1% AEP with a relatively minor area of the accommodation Blocks (approximately 245 sq metres) being within this zone. As such, following the principles of the sequential test to the application site itself, the proposed buildings have been located within areas of lowest flood risk as much as possible and appropriate mitigation against flood risk would be provided.

9.216 Following a formal consultation with the Lead Local Flood Authority (LLFA), it is demonstrated that surface water from the proposed development can be managed and stored through the use of green roof, raingardens, permeable paving, and swales, restricting surface water discharge to below the greenfield run-off rate, resulting in a betterment to the existing situation. This in turn reduces the potential flood risk to the LNR. There is no evidence to suggest that the adjacent school's forest school area nor elsewhere would be adversely affected by the proposed development given that this is the case. Whilst third party comments concerning possible defects within the existing drainage pipework are acknowledged, the applicant has stated that remedial works will be undertaken. A detailed design of the sustainable drainage system will be required by condition to which there is no objection from the LLFA or EA. The drainage strategy is considered to demonstrate that a robust drainage system can be achieved within the application site along with restricting the flow rate to greenfield run-off rates (2.93 l/s) and the existing drainage for Block B decoupled from the combined sewer system and restricted to 2.2 l/s.

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

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

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

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

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

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

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

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

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

9.243 The health and safety for pedestrians, wheelchair users and other road users is an important consideration. The Local Highway Authority have requested a construction traffic management plan prior to commencement of the works. The draft construction management plan will be provided once the principal contractor has been appointed albeit subject to planning approval being given. The recommended traffic management condition will require a detailed tracking exercise based upon topographic surveys to demonstrate the size of vehicles that are intended to be used. Smaller vehicles could be considered for example as an alternative. Any potential conflict from pedestrians exiting the LNR with large vehicles will be managed by a banksman to ensure the safety of these other road users with details of such required via condition to ensure safety for all road users. Should the need arise for larger vehicles to access the site, short-term mitigations will be explored as appropriate.

9.244 Third party comments concerning the presence of parked cars on Grantchester Street and Short Lane which could interfere with construction vehicle movements and fire vehicles are noted. Following discussion with Cambridgeshire Fire and Rescue Department, the presence of parked cars on the double yellows along Owlstone Road is currently presenting difficulties for the turning of fire vehicles into the application site.

9.245 Other third parties have queried the powers to enforce any parking controls concerning vehicles parking along Owlstone Road adjacent to the application site. Given that this is a private (unadopted) road this is a legal matter for the owner(s) of the road as to what measures can be applied and how they might be enforced, thus, these are outside of the planning process. However, the local planning authority can seek to impose a planning obligation on any planning permission requiring the applicant to secure a Traffic Regulation Order being made which would seek to control/mitigate parking along the road subject always to any subsisting legal rights to park as may already exist by easement.

9.246 Taking all this into account, subject to conditions, it is considered that the proposal accords with the objectives of Policy 80 and 81 of the Local Plan 2018 and is compliant with the NPPF 2021.

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

### **9.248 Cycle Parking**

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

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

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



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

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

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

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

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

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

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

- 9.285 Third party comments are noted. In terms of dust impacts upon residential amenities, the construction dust risk assessment (contained within the Air Quality Statement) concludes that the overall risk of impacts without mitigation for dust soiling is 'medium' for demolition, earthworks, and construction, whilst the overall impacts without mitigation on human health are 'low' during demolition, and 'medium' during earthworks and construction. Given that the residual effect is 'not significant' with mitigation and taking into account the suggested construction hours, subject to a demolition and construction management plan by condition which will also include adequate mitigation to the adjacent school and given the temporary impact upon the locality, the proposed development is in accordance with Policies 35 and 36 of the Local Plan 2018.
- 9.286 *Noise impacts*
- 9.287 Several representations have been received objecting to the proposed development on the basis of noise impacts during operation from the proposed café and gym uses, plant and proposed outdoor amenity spaces and questioning how music from the café and gym use and ventilation within the new accommodation Blocks can be controlled. Whilst these comments are acknowledged the proposed gym use would be located adjacent to the school boundary following submission of a Noise Impact Assessment (NIA), further information, and advice from the Council's Environmental Health Officer, it is considered that any noise impacts upon existing and future occupiers' amenities can be minimised and is deemed to be acceptable.
- 9.288 The NIA highlights that the application site falls in the negligible and low risk category of the Professional Practice Guidance (ProPG) Initial Noise Risk Assessment during daytime and night-time. The proposed internal noise levels will be met by glazing with a modest acoustic rating and thermal performance to achieve the Passivhaus standards. Whilst third parties have requested that windows are not opened, this would not be reasonable and not required in this instance to make the proposed development acceptable in planning terms. Therefore, a condition will be included on any planning permission granted to require details of noise control and mitigation of the PA system serving the Café and Gym of the development to prevent harm to the local amenity of the area. The standard plant noise insulation/mitigation condition to require details of operational plant, machinery or equipment will also be required to protect future occupiers and existing amenities in accordance with Policy 35 of the Local Plan 2018.
- 9.289 Whilst third party comments concerning openable windows facing the school boundary and the potential for noise impacts upon children within the school grounds and conversely noise impacts from children using the school grounds upon students using study bedrooms are acknowledged,

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

9.290 *Odour impacts*

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

9.292 *Artificial lighting impacts*

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

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

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

9.296 *Air quality impacts*

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

9.298 *Potential contamination*

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

**9.303 Third Party Representations**

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

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

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



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

### 9.305 Planning Obligations (S106)

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

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

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

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

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

9.310 Heads of Terms

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

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

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

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

### 9.313 Other Matters

9.314 Refuse

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

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

**9.325 Fire safety**

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

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

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

**9.329 Planning Balance**

9.330 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

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

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

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

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

compensatory measures and landscape enhancements to the existing site.

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

### **9.338 Recommendation**

9.339 **Approve** subject to:

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

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

## **10.0 Planning Conditions**

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

- 3 Prior to commencement of development, a Phasing Strategy shall be prepared and submitted to the local planning authority setting out the phases and sub phases of development, and a mechanism for its update as required. It shall be agreed in writing and implemented in accordance with the agreed details.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

The principal areas of concern that should be addressed are:

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

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

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

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

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

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

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

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

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

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

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

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

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

h) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;  
i) Details of the maintenance/adoption of the surface water drainage system;  
j) Measures taken to prevent pollution of the receiving groundwater and/or surface water  
The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of that phase of development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials including for access roads; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

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

works as may be specified in writing by the local planning authority will be carried out.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 31 No occupation of the accommodation blocks shall commence until a Travel Plan, following the principles contained within the Outline Travel Plan April 2022 (PJA), has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking how the provisions of the Plan will be monitored for compliance and confirmed with the local planning authority. The Travel Plan shall be implemented and monitored as approved upon the occupation of the development.

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

The scheme shall:

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

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

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

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

The EDS shall include the following where appropriate:

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

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

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

## Informatives

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

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

- 2 Residents of the new student accommodation will not qualify for Residents' Permits of any sort within the existing Residents' Parking Schemes operating on surrounding streets
- 3 Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
- 4 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions) Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.
- 5 Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance: <https://www.cambridgeshire.gov.uk/business/planning-and-development/waterminerals-andwaste/watercourse-management/> Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

- 6 Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.
- 7 All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).
- 8 Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.
- 9 The details required to discharge the submission of materials condition above should consist of a materials schedule, large-scale drawings and/or samples as appropriate to the scale and nature of the development in question.

#### Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

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# Agenda Item 6



<b>Planning Committee Date</b>	5 <sup>th</sup> February 2025
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	24/03840/FUL
<b>Site</b>	16 Golding Road, Cambridge
<b>Ward / Parish</b>	Coleridge
<b>Proposal</b>	Erection of a two storey three bed self build dwelling with new vehicle access and landscaping works in the rear garden of no 16 Golding Road
<b>Applicant</b>	Mr Jamie Watkiss
<b>Presenting Officer</b>	Tom Chenery
<b>Reason Reported to Committee</b>	Called-in by Cllr Anna Smith Third party representations Land within ownership of the Council
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1.Impact on the Character and Appearance of the Area 2.Impact on the amenity of Neighbouring Occupiers 3. Ecology/Trees
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks to erect a two storey dwelling within the rear garden space of No.16 Golding Road.
- 1.2 The proposal is considered to be acceptable in terms of its impact on the character and appearance of the area.
- 1.3 The proposal is not considered to result in any harm to the amenity or living conditions of neighbouring occupiers or future occupiers
- 1.4 The proposal is not considered to result in any highways safety implications.
- 1.5 The proposal would not result in any undue ecological impacts or impacts to trees within or adjacent to the site.
- 1.6 Officers recommend that the Planning Committee approve the application.

## 2.0 Site Description and Context

None-relevant		Tree Preservation Order	X
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 comprises the rear garden space of No.16 Golding Road, Cambridge. Properties on the northern side of Golding Road are typically semi detached dwellinghouses with long rear gardens. The dwellinghouses are two storey with a first floor front projecting bay windows.
- 2.2 To the west of the site is an area for parking and a standalone garage block which serves the surrounding properties. Other outbuildings and garages back on to the parking/access area. Further to the west is a built up area of flats which surround an open parcel of land, all these dwellings are in a block format and are two storeys in height. Similar residential development is also located to the south of the site.
- 2.3 The boundary which separates the garden of No.16 and the parking area to the west, forms a mature hedgerow and a mature tree.



### 3.0 The Proposal

3.1 Erection of a two storey three bed self build dwelling with new vehicle access and landscaping works in the rear garden of no 16 Golding Road.

### 4.0 Relevant Site History

Reference	Description	Outcome
23/50174/PRELV3	Construction of 3 bed 2 storey dwelling in the rear garden of number 16 Golding Road	Advice Given
24/00430/FUL	Erection of new 3 bed single storey dwelling with new vehicles access and landscaping works in the rear garden of no 16 Golding Road	Withdrawn
21/00614/HFUL	Single storey side and rear extension, roof extension with side dormer. Convert existing garage to Garden House.	Approved

### 5.0 Policy

#### 5.1 National

National Planning Policy Framework 2024

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

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

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

#### 5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use  
Policy 29: Renewable and low carbon energy generation  
Policy 31: Integrated water management and the water cycle  
Policy 32: Flood risk  
Policy 33: Contaminated land  
Policy 34: Light pollution control  
Policy 35: Human health and quality of life  
Policy 36: Air quality, odour and dust  
Policy 50: Residential space standards  
Policy 51: Accessible homes  
Policy 52: Protecting garden land and subdivision of dwelling plots  
Policy 53: Flat conversions  
Policy 55: Responding to context  
Policy 56: Creating successful places  
Policy 57: Designing new buildings  
Policy 58: Altering and extending existing buildings  
Policy 59: Designing landscape and the public realm  
Policy 70: Protection of priority species and habitats  
Policy 71: Trees  
Policy 80: Supporting sustainable access to development  
Policy 81: Mitigating the transport impact of development  
Policy 82: Parking management

### **5.3 Neighbourhood Plan**

N/A

### **5.4 Supplementary Planning Documents**

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

### **6.0 Consultations**

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

#### **6.2 Ecology Officer – No Objection**

6.3 Subject to recommended conditions

#### **6.4 Tree Officer – No Objection**

6.5 Subject to recommended condition

#### **6.6 Environmental Health – No Objection**

6.7 Subject to recommended conditions

## **7.0 Third Party Representations**

7.1 2 representations have been received.

7.2 Those in objection have raised the following issues:

- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Access to site is unacceptable and on Council Land
- Proposal will have a detrimental effect on the potential comprehensive development of the wider area conflicting with Policy 52(e)
- Proposal is against legal covenant
- Proposal would result in loss of green corridor and have impact on climate and biodiversity
- Query regarding bollard
- Proposal is out of character
- Loss of light and views to nearby properties
- Excessive odour, noise and disturbance
- Overbearing, overshadowing to garden of neighbouring dwellings
- Impact on Trees
- Impact on Wildlife Corridor/Biodiversity
- Overdevelopment

## **8.0 Member Representations**

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

- Contravention of policy 52 (Protecting garden land and the subdivision of existing dwelling plots.)
- The development and the parking would be a significant loss of garden land. I note, for instance that the Ecology Officer references the loss of a vegetated garden. And one of the objectors refers to the back gardens as a key wildlife corridor, and suggests the backland development threatens biodiversity and potentially raises the risk of flooding.
- Policy 55 (Responding to context): There is no precedent for this development in this direct area. Existing backland development is limited to sheds and garden rooms. The context is of large gardens providing a wildlife corridor.
- Contravention of Policy 57 (Designing new buildings). With regards to height, scale, form and proportions, the building's height and mass would dominate and overshadow the surrounding area. Additionally, the materials and cladding are not suitable for their purpose and setting.

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

## **9.0 Assessment**

## 9.1 Principle of Development

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

9.3 Objections have been raised regarding the proposals conflict with Policy 52, notably criteria a), b), c) and e).

9.4 Policy 52 supports proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot but will only be permitted where:

- a. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
- b. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for biodiversity;
- c. the amenity and privacy of neighbouring, existing and new properties is protected;
- d. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and
- e. there is no detrimental effect on the potential comprehensive development of the wider area.

9.5 In light of these comments, it is necessary to assess the proposals compliance with these criteria and assess whether the proposal is acceptable in principle.

- a. *the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;*

9.6 The established character of the area comprises two storey semi detached dwellings which benefit from long rear gardens. There is no definitive building lineage due to the mixed densities of residential development that forms the layout and context of the area. Although dwellings are of a similar scale and appearance many gardens back on to each other.

- 9.7 The immediate context varies from others on Golding Road, and Radegund Road as there is a parking court with a garage block and other outbuildings that face on to this area. The density of built form within this immediate setting is greater than that further to the north and east.
- 9.8 The erection of a two storey dwelling within the rear garden space of No.16 Golding Road would face on to the parking court and would be similar in scale to the residential properties to the west of the site which also face on to this parking court. As a result, the proposed dwellinghouse would be appropriate to the surrounding pattern of development and character of the area. This is considered in more detail in the relevant section within this report.
- 9.9 The objections in reference to the proposal conflicting with criteria a) relate to the loss of hedgerow and trees within this part of the area. Although the proposal would result in the loss of 1 tree on the front of the site, the mature hedgerow and other adjacent trees would not be negatively impacted by the proposal. In light of this, it is considered that the character of the area is retained and as such the proposal would comply with criteria
- b) sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for biodiversity;*
- 9.10 Objections have been raised regarding the loss of trees and the 'wildlife corridor' that exists between the properties and the proposal this would conflict with this criteria.
- 9.11 The proposal would introduce additional built form to the area, however, the immediate character of the site and where the dwelling is associated with is an area of hard standing forming parking and is surrounded by built form of varying scales. The proposed dwelling would be similar to the existing built form to the west and would be directly adjacent to the large outbuildings/garage to the northwest which currently exist. It is for this reason that the proposal is not considered to be contrary to the existing characteristics of the site. The proposal is seeking to retain the existing hedgerow and the existing tree on site which is to be removed does not benefit from any protections. The Ecology Officer has also been consulted on the scheme and has not raised any objections or identifies any wildlife corridors that would be impacted by the proposal. These aspects are considered in greater detail within the relevant sections of this report.

In light of the above, the proposal is not considered to conflict with these criteria.

*c) the amenity and privacy of neighbouring, existing and new properties is protected;*

9.12 Objections have been raised regarding the proposals impact on the amenity and living conditions of neighbouring properties particularly an overbearing impact on the gardens of neighbouring properties as well as a loss of light and privacy. Concerns have also been raised regarding odours.

9.13 The impacts of the proposal on the adjacent neighbouring properties is considered in greater detail with the relevant section of this report. Nonetheless, the proposal is located at the end of the garden of No.16 and is approximately 34m from the nearest residential dwelling (No.14 Golding Road). The proposal would be located some 1.9m from the shared boundary with No.14. Although the proposal would introduce built form in close proximity to No.14, it is located at the rear of the garden space and away from the likely sitting out and used garden space of this neighbouring property. There is an absence of built form on the northern and eastern boundaries. In light of the above, the proposal would not result in any undue harm to the amenity or living conditions of any adjacent neighbouring properties. The proposal is considered to comply with criteria c).

*d) provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and*

9.14 The proposed development would provide adequate external amenity space for the proposed dwelling and an appropriate vehicular access. No objections have been raised by the Local Highways Authority. The proposal would create an access over an area adjacent to a formal parking area but would not result in the loss of any spaces. The proposal would therefore comply with this criteria.

*e) there is no detrimental effect on the potential comprehensive development of the wider area*

9.15 Objections have been raised that the proposal by virtue that the objection from Cambridge City Council regarding the allowance of rights and access over this parcel of land indicates that the land could be used as redevelopment by the Council in the future. There are no current live planning applications on the site for the redevelopment of the space to the rear of properties on Golding Road and Coleridge Road and the site is not earmarked for development within the Local Plan. It is therefore considered that the proposal would not detrimentally effect on the potential comprehensive development of the wider area and would comply with this criteria.

9.16 Overall, for the reasons outlined above, which are considered in greater detail within their respective sections of the report, the principle of the development is acceptable and in accordance with policies 3 and 52 of the Local Plan.

## **9.17 Impact on the Character and Appearance of the Area**

- 9.18 Policies 55, 56, 57 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 9.19 The application site comprises the rear garden space of No.16 Golding Road, Cambridge. Properties on the northern side of Golding Road are typically semi detached dwellinghouses with long rear gardens. The dwellinghouses are two storey with a first floor front projecting bay windows.
- 9.20 To the west of the site is an area for parking and a single storey standalone garage block which serves the surrounding properties. Other single storey outbuildings and garages back on to the parking/access area and range in scale and massing and design.
- 9.21 Further to the west is a built up residential area which surrounds an open parcel of land, all these properties are in a block format comprising several independent blocks of multiple units and are two storeys in height. Similar residential development is also located to the south of the site. The overall layout of dwellings with their long rear gardens and areas of open space which surrounds residential development are considered to contribute to the overall suburban character of the area.
- 9.22 The boundary which separates the garden of No.16 and the parking area to the west, forms a mature hedgerow and a mature tree.
- 9.23 The proposed dwelling would be located in close proximity to the existing garage/outbuildings that face on to the parking court. The dwelling would be 1.5/2 storeys in height with rooms in the roof which are in the form of box dormer windows. The proposal would also benefit from a single storey side/rear outrigger projecting towards the host dwelling of No.16 Golding Road.
- 9.24 The dwelling would use contemporary materials in the form of copper stand seam and vertical cladding. This would enable the proposal to appear as a contemporary addition to the streetscene. The proposed dwelling would be of a similar scale to the other properties which surrounding the parking court and would also be of a similar scale to the dwellings which front Golding Road to the east.
- 9.25 Due to the contemporary design of the proposal as well as the appropriate scale, massing and bulk of the proposal, the dwellinghouse is considered to represent an acceptable addition to the streetscene and would not cause harm to the character and appearance of the area.

- 9.26 As a result of the contemporary design of the proposal, it is considered necessary to add a condition to any permission given that would require details of any external materials to be provided so that the proposal does not result in any harm to the character and appearance of the area.
- 9.27 Furthermore, a condition will be added to any permission given which would remove permitted development rights for Schedule 2, Part 1, Class A, B, C and E of the General Permitted Development Order. This is required in order to ensure that any extensions/alterations which would be permissible under this schedule would not result in any harm to the character and appearance of the area and would not result in any harm to the amenity or living conditions of neighbouring properties.
- 9.28 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57 and 59 and the NPPF.

#### **9.29 Trees**

- 9.30 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 136 of the NPPF seeks for existing trees to be retained wherever possible. Policy 52 also requires sufficient space around existing dwellings to be retained especially where these spaces and any trees are worth of retention due to the contribution to the character of the area and their importance for biodiversity.
- 9.31 The application site forms the rear garden space of No.16 Golding Road and comprises mown garden land. The south western boundary comprises a mature hedgerow and 1 tree. On the north eastern boundary with No.14 Golding way, the boundary treatment also consists of a 1.6m high close boarded fence. There are two trees afforded protection through a Tree Preservation Order (TPO) which are in the rear garden of No.14 and in close proximity to the site.
- 9.32 The application is accompanied by an Arboricultural Impact Assessment and additional tree information has been submitted. Objections have been raised regarding the proposals impact on the trees and hedgerow within and adjacent to the site. The proposal is seeking to remove the hedgerow at tree at the front of the site which bounds the car parking area. This tree and hedgerow are not afforded any protection but do contribute to the suburban nature of the area.
- 9.33 The Council's Tree Officer has advised that they have no objections to the removal of the tree and that the proposal would adequately mitigate against the trees in the rear garden of No.14 Golding Road which benefit from TPO's subject to a condition which would require Tree Protection



Methodology to be submitted prior to the commencement of any development. This is to ensure that the trees are suitably protected during construction. This condition is considered to be necessary and reasonable to ensure that the proposal preserves and enhances the existing trees on site.

9.34 In addition to this, although the Arboricultural Impact Assessment indicates the hedgerow at the front is to be removed, the proposed site layout plans indicate that the hedgerow would be re-instated. A condition can be added to any permission given which would require the submission of a landscape plan and boundary treatment plan which would ensure that a hedgerow is in place along the southern boundary and therefore would not impact upon the amenity of the area.

9.35 In light of the above and subject to conditions as outlined, the proposal would accord with policies 59 and 71 of the Local Plan.

### **9.36 Carbon Reduction and Sustainable Design**

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

9.38 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.

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

9.40 In order to ensure that this is achieved, condition could be appended to the planning permission requiring a scheme demonstrating how the proposal would comply with these requirements for both water efficiency measures and energy efficiency.

9.41 Subject to the imposition of these conditions to any permission given, the proposal would comply with Policies 28 and 29 of the Local Plan.

### **9.42 Biodiversity**

9.43 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This

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

- 9.44 The proposal seeks to erect 1 self build dwelling in the rear garden of No.16 Golding Road. As the proposal is a self build dwelling, it is considered to be exempt from providing the mandatory 10% Biodiversity Net Gain requirement set out in the Environment Act 2021.
- 9.45 Objections have been received regarding the proposal impacting on a 'wildlife or green corridor' and that the proposal would cause undue harm to ecology and biodiversity on the site.
- 9.46 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species. It has not been recognised by the Council's Ecology Officer that the site in particular contributes significantly to the biodiversity of the area and is not considered to provide a wildlife corridor.
- 9.47 Overall, in consultation with the Council's Ecology Officer, subject to an appropriate condition, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57 and 70 of the Cambridge Local Plan (2018).

#### **9.48 Water Management and Flood Risk**

- 9.49 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 9.50 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. The site is not considered to be at risk of surface water flooding.
- 9.51 No details have been provided regarding how the proposal would ensure the satisfactory provision for surface water and foul water drainage. It is necessary to add a condition to any permission given which would require the submission of this information to ensure the proposal does not result in any undue impacts on flooding to the application site or neighbouring properties.
- 9.52 Subject to this recommended condition, the proposal is compliant with Policies 31 and 32 of the Cambridge Local Plan (2018)

#### **9.53 Highway Safety and Transport Impacts**

- 9.54 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 9.55 Para. 116 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.56 Access to the site would be via a small access road leading to the northernmost part of the site. Objections have been raised regarding the use of this piece of land for access as it would be over land not owned by the applicant and land that is in the ownership of Cambridge City Council.
- 9.57 The ownership of the land and rights over the land for the use of the access is a matter between the applicant and landowner and is not a matter for this application to consider.
- 9.58 The Local Highways Authority have been consulted on the proposal and have not raised any objection to the proposed access.
- 9.59 It is therefore considered that the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

## **9.60 Cycle and Car Parking Provision**

- 9.61 Cycle Parking
- 9.62 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.
- 9.63 The proposal would provide a standalone cycle parking storage area at the front of the dwelling adjacent to the car parking space. No details have been provided of the exact details of the cycle parking with the submitted plans indicating there is space for 3 cycles. This is in compliance with the cycle parking guidance as set out in Appendix L of the Local Plan.
- 9.64 A condition could be added to any permission given which would require the submission of the details of the cycle store. Subject to this condition, the proposal would comply with Policy 82 in regards to cycle parking.

- 9.65 Car parking
- 9.66 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms.
- 9.67 The proposal would provide 1 allocated car parking space and as such would comply with the car parking requirements set out in Policy 82.
- 9.68 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. No details of EV charging have been provided, however, a condition could be added to any permission which would require this level of detail to be provide prior to the occupation of any approved proposal.
- 9.69 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

#### **9.70 Amenity**

- 9.71 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.

#### **9.72 Neighbouring Properties**

The principle dwelling to be impacted by the proposal would be No.14 Golding Way which is located approx. 34m to the south east of the site. The proposed dwelling would be situated some 1.8m from the shared boundary with No.14.

- 9.73 An objection has been raised regarding the proposal resulting in an unacceptable overbearing, overshadowing impact on the garden space of this neighbouring property.
- 9.74 The proposed dwellinghouse is located at the end of the garden of No.16 and some distance from the rear building line of No.14 and the expected sitting out space of No.14. The proposal would result in additional built form close to the boundary with No.14, however, due to the separation distance as well as the absence of built form on both the north western and north eastern boundaries at No.14, the proposal would not result in any undue overbearing or overshadowing impacts on the rear garden space of No.14 Golding Road.

- 9.75 Furthermore, due to the siting of the proposed dwelling as well as its orientation and relationship with the sun, the proposed dwelling would result a minor overshadowing impact to the end of No.14's rear garden space in the late evening and would remain unchanged for most of the day that the dwelling current situation.
- 9.76 Concerns have also been raised regarding a loss of privacy towards the rear garden of No.14. The proposal benefits from a single rooflight which would face towards No.14. The window would be 1.7m above floor level and as such is not considered to be of a height that would allow for views into the rear garden of No.14. As such the proposal is not considered to result in any undue loss of privacy to No.14.
- 9.77 All other neighbouring properties are far enough removed from the scheme that the proposal would not result in any undue loss of light, privacy, outlook or appear overbearing.

*Amenity of future occupiers*

- 9.78 Policy 50 of the Cambridge Local Plan (2018) requires new residential units to meet or exceed the residential space standards set out in the Government's Technical Housing Standards – nationally described space standard (2015).
- 9.79 The proposed development would provide living accommodation which would comply with the Nationally Described Space Standards and Policy 50 of the Local Plan. It would have an acceptable provision of private external amenity space in accordance with Policy 50.
- 9.80 The development would comply with the requirements of Part M4(2) of the Building Regulations and would therefore comply with Policy 51 of the Cambridgeshire Local Plan 2018. A condition shall be added to ensure that the proposal is built to the Part M4(2) requirements.
- 9.81 Construction and Environmental Impacts
- 9.82 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 9.83 Policy 36 seeks to ensure that development does not lead to effects on health the environment or amenity from polluting or malodourous emissions.
- 9.84 An objection has been raised that the proposal would result in unacceptable levels of odour resulting from the cooking activities

associated with the development. Given the scale of the proposal as well as the sites location within an built up residential area, the proposal is not considered to result in any undue odour impacts to any adjacent neighbouring properties.

- 9.85 An objection has also been raised regarding noise impacts from the proposed Air Source Heat Pump
- 9.86 The Council's Environmental Health team have assessed the application and have not raised any objection to the proposal. They conclude that a condition can be added to any permission given which requires the submission of the specific details of the proposed ASHP as well as conditions regarding noisy works and piling. Subject to the imposition of these conditions to any permission given, the proposal would not result in any undue odour or noise impacts
- 9.87 Summary
- 9.88 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.

### **9.89 Third Party Representations**

- 9.90 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded in the report above. Those that have not are considered below.:

An objection has been received indicating that permitted development rights would allow for a much larger dwellinghouse to be developed on the site. Due to the scale of the site and proximity to neighbouring properties and sensitive context, it is necessary to add a condition to any permission given which would restrict permitted development rights on any dwelling should it benefit from planning permission.

### **10.0 Recommendation**

- 10.1 **Approve** subject to:

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

- 10.2 In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

### **11.0 Planning Conditions**

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

3. No development shall take place above ground level, other than demolition, until details of the external surfaces to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

Reason: To reduce the risk of pollution to the water environment, to ensure a satisfactory method of foul water drainage and to ensure a satisfactory method of surface water drainage and to prevent the increased risk of (Cambridge Local Plan 2018, policies 31 and 32)

5. 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.

The development shall be carried out fully in accordance with the approved AMS and TPP.

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).

6. No development above ground level, other than demolition, shall commence until all details of hard and soft landscape work as well as the position, design materials and type of boundary treatment to be erected, 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 provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design (Cambridge Local Plan Policies 52, 55, 56, 57 and 59)

7. 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 bat and bird box installation, hedgehog connectivity, habitat provision and other biodiversity enhancements, including how a measurable net gain in biodiversity will be accomplished, when it will be delivered and how it will be managed.

The approved scheme shall be fully implemented within the agreed timescale following the substantial completion of the development unless, for reasons including viability or deliverability, it is otherwise agreed in writing by the local planning authority.

Reason: To provide ecological enhancements in accordance with Cambridge Local Plan 2018 policies 57, 59 and 69, the Greater Cambridge Shared Planning Biodiversity SPD 2022 and NPPF paragraphs 8, 180, 185 and 186

8. No dwelling shall be occupied until a Carbon Reduction and Water Efficiency Statement, setting out how the proposals meet the requirement for all new dwelling units to achieve reductions as required



by the 2021 edition of Part L of the Building Regulations has been submitted to and approved in writing by the local planning authority. The Statement shall demonstrate how this requirement will be met following the energy hierarchy of Be Lean, Be Clean and Be Green. Where on-site renewable, low carbon technologies and water efficiency measures are proposed, the Statement shall include:

- a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design;
- b) Details of any mitigation measures required to maintain amenity and prevent nuisance;
- c) Details of water efficiency measures to achieve a design standard of water use of no more than 110 litres/person/day.

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

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

Prior to the installation of any electrical services, an electric vehicle charge point scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The active charge points should have a minimum power rating output of 3.5kW.

The approved electric vehicle charge points shall be installed prior to first occupation of the relevant dwelling and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport in accordance with the National Planning Policy Framework (NPPF 2021) paragraphs 107, 112, 174 and 186, policy 28, 29 and 80 of the Cambridge Local Plan and the Greater Cambridge Sustainable Design and Construction SPD 2021.

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

with the approved details prior to occupation or commencement of use and shall be retained as such.

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

10. Notwithstanding the approved plans, the building hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and reenacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellinghouses, additions or alterations to the roofs, buildings or enclosures incidental to the enjoyment of the dwellinghouses falling within Classes A, B, C and E shall be constructed.

Reason: To protect and preserve the character and appearance of the area and to protect the amenity and living conditions of neighbouring occupiers in accordance with Policy HQ/1 of the South Cambridgeshire District Council 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. (Cambridge Local Plan 2018 policy 35)

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. (Cambridge Local Plan 2018 policy 35).

14. Prior to the installation of any Air Source Heat Pumps (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 the adjoining properties. (Cambridge Local Plan 2018 policy 35).

15. Prior to occupation, an electric vehicle charge point scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The active charge points should have a minimum power rating output of 3.5kW. All other communal flat spaces should have passive 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, and this should be demonstrated in the submitted detail.

The approved electric vehicle charge points shall be installed prior to first occupation of the relevant dwelling and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport in accordance with the National Planning Policy Framework (NPPF 2021) paragraphs 107, 112, 174 and 186, policy 82 of the Cambridge Local Plan and the Greater Cambridge Sustainable Design and Construction SPD 2021.

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#### Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

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# Agenda Item 7



<b>Planning Committee Date</b>	5 <sup>th</sup> December 2024
<b>Report to Lead Officer</b>	Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
<b>Reference</b>	24/01861/FUL
<b>Site</b>	74 St Philips Road, Cambridge
<b>Ward</b>	Romsey
<b>Proposal</b>	Reserved matters application for access, appearance, layout and scale for 1 No. one and a half storey dwellinghouse following outline planning permission 22/00265/OUT.
<b>Applicant</b>	Alex Gardener
<b>Presenting Officer</b>	Tom Chenery
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1.Impact upon the Character and Appearance of the Conservation Area 2.Neighbouring Amenity 3. Highways/Parking
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks full planning permission for 1 No. one and a half storey self build dwellinghouse
- 1.2 Outline planning permission was granted for the erection of 1No. One and a half storey dwellinghouse under application reference 22/00265/OUT.
- 1.3 The proposal is considered to be acceptable in terms of its impact on the character and appearance of the area.
- 1.4 The proposal is not considered to result in any harm to the amenity or living conditions of neighbouring occupiers.
- 1.5 The proposal is not considered to result in any highways safety implications.
- 1.6 Officers recommend that the Planning Committee approve the application

## 2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area	X	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 comprises of an area of land approximately 120 square metres in size. Directly to the east of the site is no.76 St Philips Road, a two-storey semi-detached dwelling, and the site abuts the rear garden of no. 50 Hemingford Road to the west.
- 2.2 To the rear (south) of the site is the residential garden of no. 48 Hemingford Road. To the north the site faces the public highway. The application site falls within the Mill Road Conservation Area. To the east of the site is no.76 and no.78 St Phillips Road.
- 2.3 Within the site is a small shed with a pitched roof and an open lean-to. The boundary to St Philips Road is marked by a corrugated metal fence. The remainder of the site is open and appears to have been used in connection with storage of building materials. A site visit confirmed that these buildings have been removed.

### **3.0 The Proposal**

3.1 This planning permission is for the Erection of 1 No. one and a half storey self build dwellinghouse.

3.2 The application was submitted as a reserved matters application, the reference has been altered throughout the application process as the application type was not compatible with applications that had been previously submitted.

### **4.0 Relevant Site History**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
22/00265/OUT	Outline application for 1 No. one and a half storey dwellinghouse with no matters reserved	Approved
4.1	Outline planning permission was granted at planning committee on the 1 <sup>st</sup> March 2023 under application reference 22/00265/OUT for the erection of 1No. one and a half storey dwellinghouse with no matters reserved.	

### **5.0 Policy**

#### **5.1 National**

National Planning Policy Framework 2024

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 23: Eastern Gate Opportunity Area
- Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use
- Policy 29: Renewable and low carbon energy generation
- Policy 32: Flood risk
- Policy 34: Light pollution control
- Policy 35: Protection of human health from noise and vibration
- Policy 36: Air quality, odour and dust
- Policy 50: Residential space standards
- Policy 51: Accessible Homes
- Policy 55: Responding to context
- Policy 56: Creating successful places
- Policy 57: Designing new buildings
- Policy 58: Altering and extending existing buildings
- Policy 59: Designing landscape and the public realm
- Policy 61: Conservation and enhancement of Cambridge's historic environment
- Policy 70: Protection of priority species and habitats
- Policy 71: Trees
- Policy 80: Supporting sustainable access to development
- Policy 81: Mitigating the transport impact of development
- Policy 82: Parking management

## 5.3 **Neighbourhood Plan**

N/A

## 5.4 **Supplementary Planning Documents**

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

## 5.5 **Other Guidance**

Mill Road conservation area

## 6.0 **Consultations**

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

6.2 Subject to recommended conditions

### 6.3 **Conservation Officer – No Objection**



6.4 Subject to recommended conditions

## **6.5 Environmental Health – No Objection**

6.6 Subject to recommended conditions

## **7.0 Third Party Representations**

7.1 2 representations have been received.

7.2 Those in objection have raised the following issues:

- Materials are out of character with the Conservation Area
- Concern regarding parking

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 principle of development of one dwelling on the site has already been established through the outline planning consent 22/00265/OUT for 1 No. one and a half storey dwellinghouse.

### **8.3 Impact on the Character and Appearance of the Area and Impact upon Designate Heritage Assets**

8.4 Policies 55, 56, 57, 58 and 59 of the Cambridge Local Plan (2018) seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

8.5 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.

8.6 Para. 205 of the NPPF set out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Para. 206 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...'

- 8.7 Policy 61 of the Cambridge Local Plan (2018) aligns with the statutory provisions and NPPF advice.
- 8.8 The application site comprises of an area of land approximately 120 square metres in size. Directly to the east of the site is no.76 St Philips Road, a two-storey semi-detached dwelling, and the site abuts the rear garden of no. 50 Hemingford Road to the west. To the rear (south) of the site is the residential garden of no. 48 Hemingford Road. To the north the site faces the public highway. The application site falls within the Mill Road Conservation Area. To the east of the site is no.76 and no.78 St Phillips Road.
- 8.9 Within the site is a small shed with a pitched roof and an open lean-to. The boundary to St Philips Road is marked by a corrugated metal fence. The remainder of the site is open and appears to have been used in connection with storage of building materials. A site visit confirmed that these buildings have been removed.
- 8.10 The character of the area is of Victorian/Edwardian housing that are two stories in height, they face the main highway in a very strong liner pattern. There are outbuildings, extensions to the dwellings and other subservient buildings that are located in the rear long gardens of the properties.
- 8.11 This proposal is for one dwelling that is to be one-and-a-half stories in height, it is to run along the length of the site and St Phillips Road with an area of private amenity space located to the west of the site.
- 8.12 Due to the scale of the proposed dwelling as well as the proposed materials, the dwelling would appear as an outbuilding, similar to that which previously existed on site and would be a contemporary addition to the established Victorian/Edwardian style character of the immediate setting and wider area.
- 8.13 Objections have been raised regarding the materials to be used and that they would be out of keeping with the established character of the area. The Conservation Officer has been consulted on the application and has raised no objection to the proposal subject to the imposition of a condition relating to the proposal materials and that samples of these materials should be provided. The applicant has provided a sample of the materials to the Local Planning Authority and both Officers and Conservation Officers are content that the proposed materials would relate acceptably within the streetscene and would not cause harm to the character and appearance of the site or the wider Conservation Area. It is therefore necessary to add a compliance condition to any permission given that would require the proposal to be constructed with the materials provided to the LPA during the application process.
- 8.14 In light of the above, it is considered that the proposal will preserve the character and appearance of the conservation area for the reasons set out above and will not cause harm.

- 8.15 Limited details have been provided of the proposed boundary treatment on the site. Given the sites proximity to the public highway and prominence within the streetscene it is necessary to add a condition to any permission given which would require details of this boundary treatment to be provided and that it would not result in any development which would cause harm to the character and appearance of the area.
- 8.16 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. It is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area.
- 8.17 The proposal would not give rise to any harmful impact on the identified heritage assets or the immediate site and its setting and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 55, 56, 57, 59 and 61.

#### **8.18 Residential Amenity**

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

##### Impact upon No. 48 Hemingford Road

- 8.20 The proposed dwellinghouse would be located on the shared boundary with No.48 Hemingford Road to the south. The proposal is located to the end of the garden and therefore would not create a level of overshadowing that is unacceptable. The proposal is designed as such that there are 5 rooflights within the roof slope of the southern elevation which would face the rear garden of No.48. In order to ensure there is no potential overlooking to the rear garden of No.48 a condition will be added to ensure that these rooflights are obscurely glazed and fixed shut.

##### Impact upon No. 50 Hemingford Road

- 8.21 No.50 Hemingford Road is located to the west of the site and at the end of the garden of the proposed dwelling. The two properties would have a separation distance of approx. 16m. Due to this separation distance and the design of the proposed dwelling, the proposal would not result in any undue loss of light, privacy or appear overbearing to this adjacent neighbouring property.

##### Impact upon No.76 St Phillips Road

- 8.22 This dwelling is to be located close to the boundary with no.76, there is to be a 1.8m high boundary fence between the proposal and the

neighbouring dwelling. Due to the orientation of the two dwellings and their relationship, there would be no undue loss of light, privacy or appear overbearing to this adjacent neighbouring property.

- 8.23 All other neighbouring properties are far enough removed from the proposal that it would not result any undue harm to their amenity or living conditions.
- 8.24 Whilst there may be impacts arising from construction related activities that would give rise to some harm to the amenity of nearby occupiers, the level of harm would not be significant.
- 8.25 The Environmental Health Officer has been consulted on the proposal and they have not raised any objections subject to conditions relating to hours of noisy works and piling which are considered reasonable to protect the amenities of nearby residential properties.

*Amenity of future occupiers*

- 8.26 Policy 50 of the Cambridge Local Plan (2018) requires new residential units to meet or exceed the residential space standards set out in the Government's Technical Housing Standards – nationally described space standard (2015).
- 8.27 The proposed development would provide living accommodation which would comply with the Nationally Described Space Standards and Policy 50 of the Local Plan. It would have an acceptable provision of private external amenity space in accordance with Policy 50.
- 8.28 The development would comply with the requirements of Part M4(2) of the Building Regulations and would therefore comply with Policy 51 of the Cambridgeshire Local Plan 2018. A condition shall be added to ensure that the proposal is built to the Part M4(2) requirements.
- 8.29 The proposal provides an adequate level of residential amenity for future occupiers and is compliant with Policies 50, 51 and 56 of the Cambridge Local Plan (2018).

**8.30 Highways Matters/Parking**

- 8.31 Policy 80 of the Cambridge Local Plan (2018) seeks to prioritise sustainable transport. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact and paragraph 116 of the NPPF seeks to protect the safety of the public highway.
- 8.32 The proposal seeks to be a car free development and does not seek to create a new access to the site. The Local Highways Authority has been consulted on the scheme and have no objection to the proposal subject to a condition which would require all paved areas within the site that abut

the public highway be constructed so that no private water from the site drains across or on to the public highway. This condition is not considered to be necessary as there is a separate condition requiring the submission of details for foul and surface water drainage details.

- 8.33 In addition to this, due to the constraints of the site and parking restrictions surrounding the site, it is necessary to add a condition to any permission given which would require a constructors parking plan to be submitted which would ensure vehicles would not be parked or located which would result in any highways safety implications.
- 8.34 Policy 82 states that planning permission will not be granted for developments that would be contrary to the parking standards as set out in Appendix L.
- 8.35 An objection has been received with comments referencing the car parking on the site and that a nearby dwellinghouse has a parking restriction as well as the proposal.
- 8.36 The proposal would not provide any parking. Policy 82 states that car free and car capped development is acceptable provided there is good, easily walkable and cyclable access to a district centre or the city centre, where there is high public transport accessibility and the car free status of the development can be realistically enforced.
- 8.37 St Philips Road and the surrounding roads benefit from parking restrictions with double yellow lines and parking bays. Given that the car free nature of the proposal could be realistically enforced through the existing parking restricts on St Philips Road, as well as the sites highly sustainable location and proximity to a range of services, the proposal can be car free.
- 8.38 Policy 82 also requires that development provide an acceptable provision of cycle parking. Appendix L states that for a development of this scale a proposal should provide at least 1 space per bedroom up to 3 bedroom dwellings. The proposal would be a two bedroom dwelling and as such would need to provide 2 cycle spaces.
- 8.39 Plan number 323-02 indicates that there would be a cycle storage area in the garden space of the site. No details of this cycle storage area has been provided and it is therefore necessary to add a condition to any permission given which would require detail of this to be provided.
- 8.40 In light of the above, the proposal is compliant with Policies 80, 81 and 82 Cambridge City Local Plan (2018) and paragraph 116 of the NPPF.
- 8.41 Other Matters**

*Flooding*

- 8.42 The site lies within Flood Zone 1 and is not at risk of surface water flooding.
- 8.43 No details have been provided regarding how the proposal would ensure the satisfactory provision for surface water and foul water drainage. It is necessary to add a condition to any permission given which would require the submission of this information to ensure the proposal does not result in any undue impacts on flooding to the application site or neighbouring properties.
- 8.44 Subject to this recommended condition, the proposal is compliant with Policy 32 of the Cambridge Local Plan (2018)

*Biodiversity*

- 8.45 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 accords with Policy 70 of the Cambridge Local Plan (2018) which seeks to protect and enhance priority species and habitats.
- 8.46 The proposal is for a self build dwelling which is exempt from the mandatory 10% Biodiversity Net Gain within the Biodiversity Net Gain Guidance. It is necessary to add a condition to any permission given that would require the applicant to provide details of ecological enhancement measures so that the proposal complies with the Greater Cambridge Biodiversity SPD 2022 and Paragraph 186 of the NPPF.
- 8.47 The proposal is compliant with Policy 70 of the Cambridge Local Plan (2018) and the Biodiversity SPD (2022).

*Sustainability*

- 8.48 The Councils' Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change. Policy 28 of the Cambridge Local Plan (2018) requires development to reduce carbon emissions and to achieve a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard. Paras 158 – 164 of the NPPF are relevant. In order to ensure that this is achieved, a condition could be appended to the planning permission requiring a scheme demonstrating this to be agreed by the LPA.

**8.49 Third Party Representations**

- 8.50 Two third party objections have been received regarding the application. These comments are noted and have been considered throughout the officers report above.

## **8.51 Planning Balance/Recommendation**

- 8.52 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).
- 8.53 The development is not considered to cause harm to the immediate character of the site and would relate acceptably to the wider character and appearance of the Mill Road Conservation area.
- 8.54 The proposed development is considered to have an acceptable impact on the amenity of neighbouring occupiers
- 8.55 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.

- 9.2 In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

## **10.0 Planning Conditions**

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

3. The materials to be used in the external construction of the development, hereby permitted, shall follow the specifications in accordance with the

details specified within the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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

4. No development, other than demolition, shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include where appropriate:

- a. Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b. Full results of the proposed drainage system modelling in the above referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c. Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- d. Details of the proposed attenuation and flow control measures;
- e. Site Investigation and test results to confirm infiltration rates;
- f. Temporary storage facilities if the development is to be phased;
- g. A timetable for implementation if the development is to be phased;
- h. Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- i. Details of the maintenance/adoption of the surface water drainage system;
- j. Measures taken to prevent pollution of the receiving groundwater and/or surface water

The scheme shall subsequently be implemented in full in accordance with the approved details prior to the occupation of any part of the development or in accordance with the 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)

5. No demolition or construction works shall commence on site until a contractors parking plan has been agreed in writing with the Planning Authority. The aim of the plan should be to demonstrate how the developer will control and regulate on street motor vehicle parking for the contractors and sub-contractors under taking the works.

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

6. 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, in accordance with Cambridge Local Plan (2018) policies 31 and 32.

7. No dwelling shall be occupied until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include SAP calculations which demonstrate that all dwelling units will achieve carbon reductions as required by the 2021 edition of Part L of the Building Regulations. Where on-site renewable or low carbon technologies are proposed, the Statement shall include:

- a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and
- b) Details of any mitigation measures required to maintain amenity and prevent nuisance.

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

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

8. The hereby permitted shall not be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no

more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

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

9. Prior to first occupation, details of the bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be submitted in writing to the Local Planning Authority for approval.

Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.

The details once approved will be retained thereafter.

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

10. The windows on the southern roof slope are to be: (a) obscure-glazed, and (b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed;

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

11. No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments (including gaps for hedgehogs) to be erected. The boundary treatment for each dwelling shall be completed before that/the dwelling is occupied in accordance with the approved details and retained as approved thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and privacy (Cambridge Local Plan 2018 policies 55, 57 and 59).

12. Notwithstanding the approved plans, the building hereby permitted, and notably the internal configuration of the door openings, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

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. (Cambridge Local Plan 2018 policy 35).

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. (Cambridge Local Plan 2018 policy 35).

15. 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)

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

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

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Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

# Agenda Item 8



<b>Planning Committee Date</b>	5 <sup>th</sup> February 2025
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	24/04016/FUL
<b>Site</b>	Land At The Rear Of 321 And 323 Milton Road
<b>Ward / Parish</b>	Kings Hedges
<b>Proposal</b>	Erection of a self/custom build 3 bed bungalow at the rear of 321 and 323 Milton Road.
<b>Applicant</b>	Mr Pete Tiffin
<b>Presenting Officer</b>	Rachel Brightwell
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Scale and massing</li><li>2. Residential amenity impact with regards to noise</li></ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks permission for the erection of a three-bed single storey self/custom build dwelling.
- 1.2 The existing site comprises of the rear gardens of No.321 and No.323 Milton Road and fronts onto Ramsden Square.
- 1.3 Due to the scale, design and materials the proposed dwelling will have an appropriate appearance within the street scene and will not have an adverse impact on the character of the surrounding area.
- 1.4 The proposed development has been assessed in relation to overlooking, overshadowing and overbearing impact on neighbouring properties. The proposal is not considered to result in a significant residential amenity harm to neighbouring properties.
- 1.5 There are no highway safety concerns, subject to the recommended conditions. The proposal will create a car parking space for the proposed dwelling, which meets the requirements of policy 82 and Appendix L. Cycle storage is proposed within the front garden to provide convenient access.
- 1.6 Officers recommend that the Planning Committee approve the application

**2.0 Site Description and Context**

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

\*X indicates relevance

- 2.1 The application site is located to the rear of the gardens of No.321 and No.323 Milton Road. The proposed site will form a back land development which will front onto Ramsden Square.
- 2.2 To the northeast of the site is Ramsden Square, to the south of the site are the rear gardens of No.321 and No.323 Milton Road, the west of the site adjoins to the rear gardens of No.319 Milton Road and Nos.136, 138 and 140 Ramsden Square. The northwest boundary of the site adjoins to the electrical substation.

**3.0 The Proposal**

- 3.1 The proposal is for the erection of a self/custom build 3-bedroom dwelling at the rear of 321 and 323 Milton Road.

- 3.2 The proposed dwelling would be single storey with a pitched roof form and projecting gable to the front. The proposed front door will be located on the northwest side elevation of the projecting gable, a canopy porch is proposed above the front door. The height at the eaves will be approximately 2.4m and the ridge will be approximately 4.2m in height.
- 3.3 The proposed dwelling will provide three double bedrooms therefore can be considered as a six-person maximum occupancy dwelling.
- 3.4 The proposed materials are Cambridge buff brick and grey slate roof tiles.
- 3.5 One on site car parking space will be provided and cycle storage is proposed within the front garden.
- 3.6 The application has been amended to address concerns raised regarding the location of the air source heat pump, location of cycle storage and for the addition of a roof light, further consultations have been carried out as appropriate.

#### 4.0 Relevant Site History

Reference	Description	Outcome
24/01727/FUL	Erection of a self/custom build 3 bedroom dwelling at the rear of 321 and 323 Milton Road.	Refused

- 4.1 The above application was refused for the following reasons:
- Scale, mass, form and siting at odds with the grain of development in the immediate area and cause harm to character and appearance of the area.
  - Loss of privacy to garden of No.319 Milton Road due to location of first floor windows.
  - Location of the bin storage to the rear.

#### 5.0 Policy

##### 5.1 National

National Planning Policy Framework 2024

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

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

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

Technical Housing Standards – Nationally Described Space Standard (2015)

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

## **5.2 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 30: Energy-efficiency improvements in existing dwellings

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 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 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

## **5.3 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



## **6.0 Consultations**

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

6.2 Subject to the recommended conditions relating to the falls and levels of the drive.

### **6.3 Sustainable Drainage Officer – No response**

### **6.4 Senior Sustainability Officer – No Objection**

6.5 Subject to conditions relating to carbon reduction and water efficiency and an informative relating to better than 110 litres/person/day for water demand.

### **6.6 Ecology Officer – No Objection**

6.7 Exempt from mandatory 10% BNG due to being self-build. Requested that a condition is added requiring a scheme for ecological enhancement to be submitted.

### **6.8 Environmental Health – Additional information required**

6.9 Noise assessment is required to be submitted due to the air source heat pumps proximity to neighbouring properties and its poor acoustic design. If proposed air source heat meets the requirements of permitted development, it should be removed from this proposal.

## **7.0 Third Party Representations**

7.1 One representation has been received.

7.2 Those in objection have raised the following issues:

- Scale of proposed dwelling on size of the site
- Residential amenity impact (noise and disturbance)
- Construction impacts

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 Planning permission was refused in May 2024 for the erection of a one and a half storey three bed dwelling on this site. The application was refused due to the scale, mass, form and siting would result in a form of development that is at odds with the established grain of development in

the immediate area and would cause harm to the character and appearance of the area. The application was also refused due to the proposed first floor windows would result in a loss of privacy for No.319s garden and the position of the bin storage due to narrow access path.

**8.3** The dwelling put forward in this application has been reduced to single storey which is considered to be more appropriate in scale and massing of the site and in keeping with the surrounding pattern of development. By reducing the proposal to single storey it removes any first floor windows. In addition to this, the access path to the rear garden has been widened allowing convenient access to the proposed bin storage.

#### **8.4 Principle of Development**

8.5 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.

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

8.7 The principle of development for a three-bed single storey dwelling within the rear gardens of No.321 and No.323 Milton Road is considered acceptable provided that the proposal meets the requirements of Policy 52 which have been set out throughout this report.

8.8 The principle of the development is acceptable and in accordance with policies 3 and 52 of the Local Plan (2018).

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

8.10 Policies 52, 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

8.11 The site consists of the end part of the gardens belonging to Nos. 323 and 321 Milton Road. The proposed dwelling will face onto Ramsden Square, this part of this road consists of one other property which is a bungalow. The overall street scene is rear gardening fence lines, a singular bungalow (2a Ramsden Square), a garage in the rear garden of No.140 Ramsden Square and a substation.

- 8.12 The proposed dwelling will be approximately 4.2m in height at ridge and 2.4m in height at the eaves. When considering the height of the proposed dwelling and set back from the highway it is considered to have a low profile within the street scene and will not appear dominant within the surrounding area.
- 8.13 Third party representations have raised concern with the scale of the proposed dwelling within the plot. The proposed dwelling has a footprint of approximately 119m<sup>2</sup> within a plot that is approximately 330m<sup>2</sup>. The proposed bungalow will occupy less than half of the overall plot and when considering the modest height and stepped back design, it will not appear dominant within the plot and is therefore acceptable in scale and massing.
- 8.14 In addition to this, when considering the scale, massing, siting and design of No.2a Ramsden Square the proposed dwelling will not appear out of character the existing built form in the street scene.
- 8.15 The proposed materials are Cambridge buff brick and grey slate roof tiles. Within the surrounding area various materials have been used such as buff brick, render and hung tiles. When noting the mixed palette in the surrounding area and the use of buff brick on No.2a, the proposed materials would not appear out of character within the surrounding area. Condition 15 ensures that the proposed development will be compliant with the materials that have been proposed.
- 8.16 A landscaping condition will be added to ensure that the development is suitably integrated into the surrounding area (Condition 3). A condition will also be added requiring details of the boundary treatments to be submitted and approved (Condition 7), this is to ensure that the boundary treatments are suitable in terms of visual amenity and privacy.
- 8.17 The form height and layout of the proposed development is considered to be appropriate to the surrounding pattern of development and the character of the area, therefore complying with criteria a) of policy 52.
- 8.18 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 52, 55, 56, 57, 58 and 59 and the NPPF.
- 8.19 Amenity**
- 8.20 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.
- 8.21 Neighbouring Properties
- 8.22 Impact on No.140 Ramsden Square

- 8.23 The proposed dwelling would be located approximately 31m to the south of No.140. No.140 have a garage located in the rear garden bordering the southern boundary, the boundary is separated from the site by the substation. When considering the distance of separation between the properties and the proposed bungalow is not considered have an adverse impact on the residential amenity of No.140.
- 8.24 Impact on No.138 Ramsden Square
- 8.25 The proposed dwelling would be located approximately 31m to the south of No.138. Due to the separation distance between these properties, officers do not consider the dwelling would adversely impact no.138. There are bi-fold doors proposed facing towards No.138, given that these will be a ground floor level and due to the separation by the gardens, the proposal will not harmfully overlook No.138.
- 8.26 Impact on No.323 Milton Road
- 8.27 The proposed dwelling would be located 16m from the rear elevation of No.323. Due to the separation of distance from the rear elevation, the proposed dwelling is not considered result in a harmful residential amenity impact. The proposed dwelling will be sited approximately 1m off the boundary with No.323 and will extend for the length of the northern boundary. When considering the orientation of the site, height of the proposed dwelling and the length of the remaining garden at No.323 the proposal is not considered to have a harmful overbearing impact or result in a harmful loss of light to the rear garden of No.323.
- 8.28 Impact on No.321 Milton Road
- 8.29 The proposed dwelling would be located 12m from the rear elevation of No.321. It is considered that the proposal by virtue of its scale, massing and siting would not result in a significant amenity impact to No.321.
- 8.30 Impact on No.319 Milton Road
- 8.31 The proposed dwelling will be sited approximately 5.1m from the rear garden of No.319. There are windows located on the rear elevation of the property which will face towards the garden of No.319 however when considering the distance of separation, that the windows are at ground floor level and boundary treatments, the proposal will not harmfully overlook No.319. It is considered that the proposal by virtue of its scale, massing and siting would not result in a significant amenity impact to No.319.
- 8.32 Future Occupants
- 8.33 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).

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

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	3	6	1	95	113	+18

8.35 The proposed dwelling meets the size requirements for a three-bedroom single storey dwelling. All bedrooms exceed space standards. All proposed habitable rooms would receive good light levels, outlook and ventilation.

8.36 Garden Sizes

8.37 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.

8.38 The rear garden space retained for No.321 will be approximately 166m<sup>2</sup> and for No.323 will be approximately 120m<sup>2</sup>. The rear garden space for the proposed dwelling will be approximately 125m<sup>2</sup>. The proposed gardens are considered to be sufficient in size to accommodate space for table and chairs, drying washing and circulation space. The proposal therefore is compliant with policy 50 of the Local Plan.

8.39 The proposed garden space and garden space of the existing dwellings are considered to be sufficient in size, therefore complying criteria b) of policy 52.

8.40 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings. The Design and Access Statement submitted states the proposal would comply with these standards and therefore, Officers consider that the layout and configuration enables inclusive access and future proofing.

8.41 Construction and Environmental Impacts

8.42 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.

- 8.43 Third party representations have raised concern that a dwelling in this location would cause nuisance to the existing surrounding properties. When considering the siting of the proposed dwelling in relation to the surrounding properties the proposed dwelling is not considered to result in a density of development that would result in harmful nuisance and disturbance to surrounding properties. The introduction of one new dwelling in this location is not considered to have a significant impact on noise within the surrounding area.
- 8.44 Third party representations have also raised concerns with the impact of the construction process on noise nuisance to neighbours. The scheme is, however, relatively small in scale and such impacts are likely to be limited to a temporary period. Whilst there may be impacts arising from construction related activities that would give rise to some harm to the amenity of nearby occupiers, the level of harm would not be significant. Conditions 13 and 14 have been added to limit the hours of construction works and construction related deliveries to the site.
- 8.45 An air source heat pump is proposed in the rear garden of the proposed dwelling which will be sited along the northeast elevation of the property.
- 8.46 The Council's Environmental Health team have assessed the application and recommended that the air source heat pump is relocated to the northwest elevation to increase the distance from noise receptors. The Environmental Health Officer has recommended that a noise assessment is submitted.
- 8.47 Given that the air source heat pump will not be located within 1m of the boundary with neighbours it can be installed under permitted development provided that its installation complies with the MCS020 noise standards for heat pumps. When considering permitted development rights, it is therefore not considered to be reasonable to request that a noise assessment is required. If the air source heat pump does not meet the requirements of permitted development, then planning permission would be required, an information will be added to this effect.
- 8.48 Summary
- 8.49 The proposal is not considered to have a harmful impact on the amenity and privacy of neighbouring, existing and the proposed property, therefore complying with criteria c) of policy 52.
- 8.50 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, 57 and 58.
- 8.51 Carbon Reduction and Sustainable Design**

- 8.52 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.
- 8.53 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.
- 8.54 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.
- 8.55 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal subject to conditions relating to carbon reduction technologies and water efficiency.
- 8.56 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 (subject to conditions).
- 8.57 Biodiversity**
- 8.58 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.
- 8.59 The application has been subject to formal consultation with the Council's Ecology Officer who has raised no objections to the proposal and recommends that an ecological enhancement condition is added.
- 8.60 The application is for a self-build dwelling therefore there is no requirement to provide a 10% biodiversity net gain on site. Condition 4 has been added requiring a scheme for ecological enhancement to be submitted to and approved by the LPA, this is to ensure that the development conserves and enhances the biodiversity of the site.

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

#### **8.62 Water Management and Flood Risk**

8.63 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 170-182 of the NPPF are relevant.

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

8.65 The Drainage Officer has not provided comments on the application, however in this case the proposal is considered acceptable subject to conditions regarding surface and foul water drainage.

8.66 Subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

#### **8.67 Highway Safety and Transport Impacts**

8.68 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.

8.69 Para. 116 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.

8.70 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, who raise no objection to the proposal subject to conditions. A condition will be added relating the falls and levels of the drive.

8.71 The proposed driveway will be accessed by the existing dropped kerb onto Ramsden Square. The proposed dwelling is not considered to give rise to any adverse effect upon the public highway.

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

#### **8.73 Cycle and Car Parking Provision**

8.74 Cycle Parking



- 8.75 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.
- 8.76 Cycle storage is proposed within the front garden of the new dwelling within an enclosed store. The proposed cycle store is considered to be in a convenient location however details of the enclosure have not been provided. A condition will be added to require the details of the cycle store to be submitted to and approved by the LPA to ensure that it is sufficient in size to accommodate the required quantum of cycles.
- 8.77 Car parking
- 8.78 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 less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms.
- 8.79 The application proposes one on site car parking space. The proposed development will therefore accord with the parking requirements set out in appendix L of the Local Plan and as such criteria d) of policy 52.
- 8.80 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.
- 8.81 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.
- 8.82 Other Matters**
- 8.83 Bins
- 8.84 Policy 57 requires refuse and recycling to be successfully integrated into proposals.

8.85 The bin storage is proposed in the rear garden to the side of the property. The side passage on the north side of the dwelling will be approximately 2m in width which will allow for access from the store to the highway for collection. While the bin storage is located in the rear garden when considering its siting and the proposed drag distance of approximately 16m this is considered to be a suitable dragging distance and convenient refuse storage. No details of the store have been provided, a condition will be attached to ensure that the details are submitted to and approved by the LPA.

## **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 is appropriate for its location and is in keeping with the character of the immediate context.

8.89 The proposed dwelling is not considered to cause unacceptable harm to the amenity or living conditions of neighbouring occupiers. Third party representations have raised concern with the noise nuisance impact of a new dwelling in this location, it is considered that due to the siting in relation to neighbouring properties the creation of one dwelling in this location will not harm the residential amenity of surrounding properties with regards to noise. Conditions will be attached to limit the hours of construction works and construction related deliveries.

8.90 The proposed dwelling meets the space standards set out in Policy 50 and the garden sizes of the proposed dwelling and existing dwelling are considered to be sufficient in size. The proposal will therefore provide sufficient amenity for future occupiers.

8.91 The proposal will provide one on site car parking space for the proposed dwelling, which complies with the requirements set out in appendix L of the Local Plan. The proposal will comply with cycle parking requirements, subject to a condition requiring the details to be submitted.

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

## **9.0 Recommendation**

9.1 **Approve** subject to:

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

## 10.0 Planning Conditions

### 1- Time Limit

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

### 2- 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- Hard and Soft Landscaping

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.

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 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).

### 4- Ecological Enhancement

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

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

### 5- Surface Water Drainage

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. (Cambridge Local Plan 2018 policies 31 and 32).

#### 6- Foul Water Drainage

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

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage (Cambridge Local Plan 2018, policies 32 and 33).

#### 7- Boundary Treatments

No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments (including gaps for hedgehogs) to be erected. The boundary treatment for the dwelling shall be completed before that dwelling is occupied in accordance with the approved details and retained as approved thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of biodiversity, visual amenity and privacy (Cambridge Local Plan 2018 policies 55, 57, 59 and 70).

#### 8- Carbon Reduction and Water Efficiency

No dwelling shall be occupied until a Carbon Reduction and Water Efficiency Statement, setting out how the proposals meet the requirement for all new dwelling units to achieve reductions as required by the 2021 edition of Part L of the Building Regulations has been submitted to and approved in writing by the local planning authority. The Statement shall demonstrate how this requirement will be met following the energy hierarchy of Be Lean, Be Clean and Be Green. Where on-site renewable, low carbon technologies and water efficiency measures are proposed, the Statement shall include:

- a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design;
- b) Details of any mitigation measures required to maintain amenity and prevent nuisance;
- c) Details of water efficiency measures to achieve a design standard of water use of no more than 110 litres/person/day.

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

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

#### 9- Water Efficiency

Water efficiency measures for the scheme shall be 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).

#### 10-Cycle parking details

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 proposed dwelling 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).

#### 11-Bin store details

The development shall not be occupied or the permitted use commenced, until details of secure storage of bins 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 bin store. If a flat roof is proposed it is required to be a green/biodiverse 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 bin store and green roofs 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 bins, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

#### 12- M4(2) Accessible dwellings

Notwithstanding the approved plans, the building hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

#### 13-Noise construction 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).

#### 14-Construction deliveries

There should be no collections from or deliveries to the site during the 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).

#### 15-Materials

The materials to be used in the external construction of the development, hereby permitted, shall follow the specifications in accordance with the details specified within the approved plans and Design and Access Statement unless otherwise agreed in writing by the Local Planning Authority.

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

#### 16-Falls and Levels of the driveway

The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or

across the adopted public highway and physical measures to prevent the same must be provided.

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

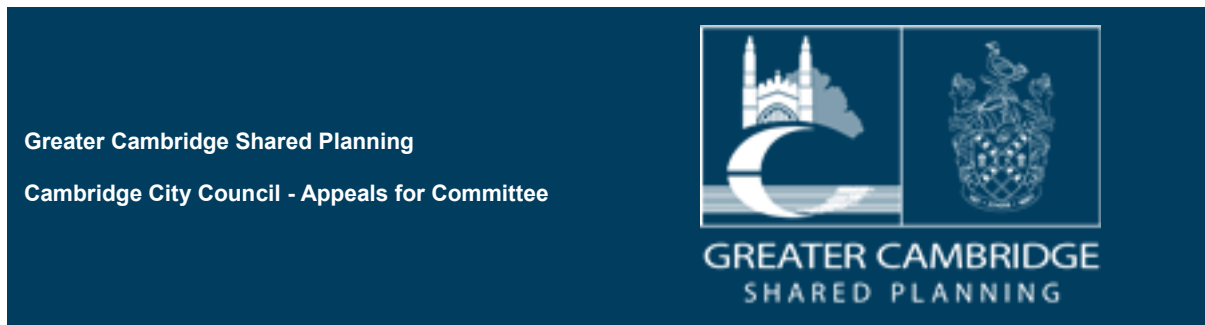
Background Papers:

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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## Appendix 1: Decisions Notified By The Secretary of State

REFERENCE	SITE ADDRESS	DETAILS	DECISION	DECISION DATE	PLANNING 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).	Appeal Allowed	19/12/2024	Refusal of planning permission (Delegated Decision)
24/00658/FUL (APP/Q0505/W/24/3348170)	36 Peverel Road Cambridge Cambridgeshire CB5 8RH	Erection of two dwellings and associated works	Appeal Dismissed	16/01/2025	Refusal of planning permission (Delegated Decision)

## Appendix 2: Appeals received

NO RESULTS

## Appendix 3a: Local Inquiry dates scheduled

NO RESULTS

## Appendix 3b: Informal Hearing dates scheduled

REFERENCE	SITE ADDRESS	APPELLANT	EVENT DATE
24/00488/FUL (APP/Q0505/W/24/3354817)	The Varsity Hotel And Spa 24 Thompsons Lane Cambridge Cambridgeshire CB5 8AQ	Mr Will Davies	11/03/2025

## 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 illuminated static displays in sequence.	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)
23/04054/FUL (APP/Q0505/W/24/3349124)	Land To The Rear Of 6 Friars Close Cambridge Cambridgeshire CB1 9JE	Residential development containing 4 flats, along with access, car parking and associated landscaping.	Refusal of planning permission (Delegated Decision)
24/01837/FUL (APP/Q0505/W/24/3353339)	558 Newmarket Road Cambridge Cambridgeshire CB5 8LL	Erection of a single storey dwelling, with associated landscaping and off street parking, to the rear of the existing dwelling	Refusal of planning permission (Delegated Decision)
24/02869/FUL (3353657)	1 Daws Close Cambridge Cambridgeshire CB1 9LE	Conversion of existing dwellinghouse to 2 No. three-bedroom residential flats, including the replacement of existing front and rear windows with new windows and a ground floor rear door with a new window and insertion of a new side door on the ground floor.	Refusal of planning permission (Delegated Decision)
22/05352/FUL (APP/Q0505/W/24/3352632)	Land Rear Of 18 Adams Road Cambridge Cambridgeshire CB3 9AD	Erection of a single dwelling and garage.	Refusal of planning permission (Committee Decision (Area/Main))

## Appendix 5: Appeals Pending Statement

REFERENCE	SITE ADDRESS	DETAILS	STATEMENT DUE
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24/00488/FUL (APP/Q0505/W/24/3354817)	The Varsity Hotel And Spa 24 Thompsons Lane Cambridge Cambridgeshire CB5 8AQ	Installation of a new all-weather lightweight retractable roof canopy and associated works.	12/02/2025
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