



Joint Development Control Committee

Date: Wednesday, 19 June 2024

Time: 10.00 am

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

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

Agenda

1 Election of Chair and Vice-Chair for Municipal Year
2024/25

2 Apologies

3 Declarations of Interest

4 Minutes

(PAGES 3 -
20)

Pre-application Developer Briefing

5 Trinity Hall Farm Industrial Estate, Nuffield Road,
Cambridge

Demolition of the existing structures, excavation to construct a basement level for car/cycle parking, and the development of new commercial floorspace (up to c.40,000 m² GIA including the basement area). Vehicle access to continue to be via the existing approach from Nuffield Road. Pedestrian and cycle access to be included from Milton Road and alongside the Guided Busway.

Miscellaneous Item

6 Planning Appeals update 01 June 2024

(PAGES 21 -
30)

Joint Development Control Committee Members:

Cambridge City Council: Cllrs S. Smith, Baigent, Flaubert, Porrer, Smart and Thornburrow, Alternates: Gilderdale, Lokhmotova, Nestor and Young

South Cambridgeshire District Council: Cllrs Bradnam, Cahn, Fane, Hawkins, Stobart and R.Williams, Alternates: Bygott, Garvie, J.Williams and H.Williams

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JOINT DEVELOPMENT CONTROL COMMITTEE

20 March 2024
10.00 am - 3.52 pm

Present: Councillors Bradnam (Chair), S. Smith (Vice-Chair), Baigent, Flaubert, Levien, Porrer, Smart, Thornburrow, Cahn, Garive, Hawkins, J. Williams and R. Williams

Councillor Flaubert left after the vote on minute item 24/12/JDCC, 21/02957/COND29A & 21/03035/COND29. Councillor Levien attended as the alternate.

Officers Present:

Strategic Sites Manager: Philippa Kelly
Planning Consultant for Strategic Sites Team: Yole Medeiros,
Principal Planner, Strategic Sites: Mairead O'Sullivan,
Legal Adviser: Keith Barber
Committee Manager: Claire Tunnicliffe
Meeting Producer: James Goddard

Developer Representatives:

Bellway Latimer LLP, David Fletcher
Network Rail, Elliot Stamp

FOR THE INFORMATION OF THE COUNCIL**24/8/JDCC Apologies**

Apologies were received from Councillors Fane and Stobart with Councillors Garvie and John Williams attended as alternates.

24/9/JDCC Declarations of Interest

Item	Councillor	Interest
All	Baigent	Personal: Cambridge cycling campaign
All	Garvey	Personal: Cambridge cycling campaign

24/10/JDCC Minutes

The minutes of the meetings held on 12 December 2023 were approved as a correct record and signed by the Chair.

The minutes of the meetings held on 24 January 2024 were approved as a correct record and signed by the Chair subject to the following amendment for agenda item 24/4/JDCC 23/00835/FUL – Taylor Vinters Merlin Place, 460 Milton Road, Cambridge:

The correction of a typographical error at point i of the Officer's response to Members questions and comments:

- i. The location of the crossing place at Carling Cowley Road was indicative and would be agreed at the detailed design stage.

The minutes of the meetings held on 12 February 2024 were approved as a correct record and signed by the Chair.

24/11/JDCC 23/03347/REM - Land North of Cherry Hinton, Coldham's Lane, Cambridge

The application sought reserved matters approval for the appearance, landscaping, layout, and scale of 136 residential units with associated car parking, cycle parking and landscaping. The application included details for approval required by conditions on the outline consent, seeking to part discharge those conditions in relation to this parcel only.

The Planning Consultant for Strategic Sites Team, highlighted the following changes that were not on the Amendment Sheet:

- i. Discharge of condition 20 in relation to this parcel only.
- ii. Condition 30 would not be discharged in relation to RM44.

The Planning Consultant for Strategic Sites Team then updated their report by referring to the amendments contained within the Amendment Sheet as follows:

6.1 Active Travel England – No objection

6.2 Following clarifications, Active Travel England have updated their response to one of 'no objection'.

6.52 Waste Team, Greater Cambridge Shared Waste – No objection, following clarification regarding bin collection points, collection for Block 2C and reversing of collection vehicles.

15.8 Active Travel England was advised of this background on the matter and have no objection regarding the application.

15.10 The context of the hedgerow within neighbouring property has been relayed to Active Travel England and on this basis, they have no objection to the proposal.

17.1 The outline planning permissions secured a requirement that all homes would need to meet (or exceed) Nationally Described Space Standards (2015). All homes within this phase would meet or exceed the NDSS, ~~except for one private unit within block 2M. This is a 3-storey terraced house which would accommodate 3 bedrooms and 5 persons, proposed with a total gross internal area (GIA) of 93 square metres.~~

17.2 ~~The standard minimum GIA for this type and size of dwelling would be 99 square metres, a difference of 6 square metres and 6% of the minimum NDSS requirement. Other units within this same block will significantly exceed the spatial standards. On balance, Officers are of the view that the development would provide an acceptable level of amenity for future occupants in accordance with Policy 50 of the Cambridge Local Plan (2018).~~

17.6 A total of 22 units (16% of the total dwellings) within Blocks 2E, 2G, 2H and 2M would have approximately 15 metres back-to-back distance and would therefore be below the recommended distance. Notwithstanding the proximity of the units, the layout of the parcels and Blocks have been carefully designed and windows have been arranged so that those serving rear habitable rooms do not face windows at habitable rooms directly on neighbouring units. This allows that good street design is promoted and is in line with the approved Design Code. All proposed three storey properties exceed the minimum distances.

18.8 ~~Whilst we have not had any formally comments from the~~ Following clarifications by the applicant team, the Councils Waste team have confirmed the refuse plan is, ~~officers consider the proposals to be acceptable and therefore Condition 64 can be partially discharged in relation to RMA4.~~

24 Planning Balance Conclusion

24.3 ~~Whilst one dwelling would fall short of the minimum GIA and for blocks would not meet the minimum back-to-back distances required by the Design Code,~~ Officers are of the view that the proposed scheme would provide a high-quality living environment for future occupants.

24.5 For the reasons set out in this report, ~~on balance~~ the proposals are supported by Officers and the recommendation is to approve the application subject to conditions.

Amendments To Conditions:

Inclusion of time limit condition:

“The commencement of development of this reserved matters area pursuant to the outline planning permission shall begin no later than the expiration of two years from the date of this reserved matters approval.

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) and to prevent accumulation of unimplemented planning permissions.”

David Fletcher of Bellway Latimer LLP (applicant) addressed the Committee in support of the application.

The Planning Consultant for Strategic Sites Team, and the Strategic Sites Manager said the following in response to Members’ questions:

- i. It had been agreed in principle that the City Council would be responsible for the management of the large principal areas of open spaces and drainage, site wide - even for those sites which fell within South Cambridgeshire District’s administrative boundary.
- ii. Adopted highways would be the responsibility of the County Council.
- iii. A management company would be responsible for the private drives and small areas of open spaces; the charge for the management company would be minimal.
- iv. There had been a site wide EV charging strategy which had been approved; the details of the infrastructure were missing from the application but in terms of location, all units would be served with charging points.
- v. The reason that application had been brought forward to Committee was that the application was for reserved matters for 100 or more residential units.
- vi. The Design Code required that for two storey dwellings there should be a minimum of 18 metres back-to-back distances between the windows of rear habitable rooms.
- vii. There would be segregated cycle and pedestrian routes on site.
- viii. There would be space for cycling parking in the garages and designated cycle parking for the flats with designated visitor cycle spaces.
- ix. NDSS (referred to the nationally described space standard) - all units met with the minimum gross internal floor area of new dwellings.
- x. The delivery of affordable housing would be 39.71% for this parcel.
- xi. Noted the request for an addition to the informative regarding letter boxes in as much that they should be accessible from the street. However, the Design Code stated that ‘all letter boxes should be located

- in an appropriate secure location to ensure they are accessible and useable by all users, the height of letter boxes should be above 0.7meters'. Therefore, the suggested addition was not required.
- xii. Recommend that any changes to windows as part of the application were covered under permitted development. For new openings, planning permission would need to be sought but if the changes related only to the frame and type of window this would not be necessary.
 - xiii. Confirmed that the Coach Houses replaced 5% of the provision of M4(2) compliant units.
 - xiv. There was nothing in the submission that could guarantee green roofs being retrofitted. Originally green roofs had been ruled out due to the proximity of the airport.
 - xv. Noted the suggestion it was possible for streetlights to have EV charging points in them but was not aware of the infrastructure of the EV points. However, was sure the developer would note the comment.
 - xvi. Had recommended under reserved matters, more detail on street lighting on privately owned highways was required.
 - xvii. Noted the request that street lighting on privately owned highways should be allocated a number, making them easily identifiable.
 - xviii. Noted the request for a declaration of who the management company were, who for and which areas.
 - xix. The height of the rear wall to the custom-built houses had been reduced to 1.5m including a 30cm 'hit and miss' brick work in line with requirements of the Designing out of Crime officer and had now been deemed acceptable.
 - xx. Condition 61 (Artificial Lighting Design Scheme) was not recommended for approval as there was not enough information for this to be fully discharged in relation to RMA 4 (second phase of residential development); a further condition regarding artificial lighting had been recommended.
 - xxi. There were no waste bins specified on the drawings but there were benches in the neighbourhood park and along the 'green finger'. The Public and Open Spaces Team and Landscape Officer had seen the street furniture specification and agreed this as acceptable.
 - xxii. Noted the comment that benches should be placed in the shade where possible.
 - xxiii. There were no specific delivery points for this application, but the comment would be noted when developing the wider area.
 - xxiv. Noted the comment that dark timber cladding attracted heat. With summers becoming hotter each year, alternative materials should be

- considered. The orientation of the finishes could also be considered such as those materials only used on north facing properties only.
- xxv. There was a specific condition regarding overheating which was recommended for discharge.
 - xxvi. A large amount of work had been undertaken between Officers, developers, and the Urban Design Team regarding the custom-built houses to understand what could be customised and how and where in the process; there was a condition on this subject matter.
 - xxvii. Blocks 2E, 2G, 2H and 2M had approximately 15 metres back-to-back distance, the blank walls in these properties would be as part of 'non-habitable rooms'. New windows would require planning permission to avoid any issue of overlooking but technically there was no reason why opaque windows could not be installed, when they were not serving habitable rooms.
 - xxviii. The detail for bus stops had been a requirement of the outline planning permission. The information had already been submitted for discharge. The Highways Authority would have been consulted regarding the detail of locations. The information would be circulated to the Committee.
 - xxix. There were ongoing discussions regarding the connectivity of the site covering a range of issues including the junction on Coldham's Lane, the Sainsbury's roundabout.

The Committee:

Resolved (11 votes to 1) to approve planning permission of reserved matters application reference 23/03347/REM, subject to:

- i. the conditions and informatives set in the Officer's report and the updated condition on the Amendment Sheet (condition 1); and
- ii. with authority delegated to Officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) prior to the issuing of the planning permission.

Resolved unanimously to approve planning permission for reserved matters application reference 23/03347/REM, viz:

- i. Approve / refuse partial discharge of the following outline planning conditions (including the two updates in the Officer's presentation) associated to reference 18/0481/OUT as varied by planning permission reference 22/01967/S73 in relation to the RMA4 reserved matters application according to the recommendations for each condition set out in the table below:

Condition Submitted	Recommendation
Condition 10 – Design Code Statement	Approve
Condition 11 – Housing Mix	Approve
Condition 12 - Internal Residential Space Standards	Approve
Condition 13 – Accessible and Adaptable Dwellings	Approve
Condition 14 – Wheelchair User Dwellings	Approve
Condition 17 – Sustainability Statement	Approve
Condition 18 – Sustainability - Water Efficiency	Approve
Condition 19 – Sustainability - Energy Statement	Approve
Condition 20 – Over Heating Analyse	Approve
Condition 24 – Drainage: Surface Water Strategy	Approve
Condition 26 – Drainage: Foul Water Drainage Details	Approve
Condition 29 – Biodiversity: Biodiversity Survey and Assessment	Approve
Condition 30 – Wildlife Hazard Management Plan	Approve Not approve
Condition 36 – Open Space Details	Approve
Condition 37 – Hard and Soft Landscape Details	Approve
Condition 38 – Tree Survey and Arboriculture Implications Assessment)	Approve
Condition 40 – Installation of Services: Details of Excavation Trenches	Approve
Condition 44 – Highways - Cycle Parking	Approve
Condition 45 – Highways - Car Parking	Approve
Condition 55 – Site Wide Electric Vehicle (EV) Charging Point Provision and Infrastructure Scheme Strategy Delivery	Approve
Condition 59 – Noise Impact Assessment - Residential and Noise Sensitive Issues	Approve
Condition 61 – Artificial Lighting Design Scheme	Not approve
Condition 64 – Waste - Waste Storage Details	Approve

24/12/JDCC 21/02957/COND29A & 21/03035/COND29 - West Anglia Main Line Land Adjacent to Cambridge Biomedical Campus

The application sought submission of details required by condition 29 (Hard and Soft Landscape) of the deemed planning consent associated with the Network Rail (Cambridge South Infrastructure Enhancements) Order 2022 (Local Planning Authority Reference 21/03035/TWA & 21/02957/TWA).

The Principal Planner updated their report by a verbal update to ensure that the recommendation referenced the deemed planning permission as this detail had been omitted from the report.

Elliot Stamp, Network Rail, (Applicant) addressed the Committee in support of the application.

The Principal Planner and the Strategic Sites Manager said the following in response to Members' questions and comments:

- i. The Landscape Officer had originally suggested a galvanised mesh could be used behind the Corten railing to prevent litter accumulating. However, the applicant explained the maintenance and litter picking standards were such that this would not be required which the Landscape Officer agreed.
- ii. The applicant had confirmed that they would not be providing a space for electric scooter parking as part of the development because space was at a premium. There was also concern that the batteries were flammable.
- iii. The curved access arrangement from the guided busway bridge to the eastern forecourt had been reviewed by the County Council's highway engineer who found the access arrangement to be acceptable. The gradient coming down off the busway conformed with Building Regulations and the Government's cycling design guidance LTN 120.
- iv. Members requested 'go slow' signage to be provided on the curved access to the station as part of the submission to discharge this condition.
- v. The ticket machines on both sides of the station were under the canopy which would provide shelter. There would be lighting in the area.
- vi. Green screen on the AstraZeneca side of the station would be covered by the five-year replacement requirement; if unsuccessful Officers should be able to request an alternative boundary treatment.
- vii. Was not aware of how steep the ground levels were in Hobson Park, but work had been undertaken to ensure that these was wheelchair accessible which the Landscape Officer had deemed acceptable.
- viii. The wayfinding strategy was very detailed particularly close to the station as that was where the applicant could put the signage. There were totems proposed which would have wider way finding information.
- ix. The applicant had a legal agreement with the Biomedical Campus which would ensure wayfinding through this part of the site. The applicant was also engaging with the County Council regarding signage in the wider area, the outside of the site edged red as shown in the plans.
- x. Was unsure what the term 'river units' referred to in terms of biodiversity but there was an element of Hobson Conduit which run through the site, that may be related.

- xi. Cycle parking would be covered by CCTV and there was good level of natural surveillance which was different to closed environment at Cambridge North Station. Cycle parking details were previously approved by JDCC in August 2023.
- xii. Noted the comments with regards to future tree conditions should not include the text replacement of planting except through an Act of God or vandalism. Many trees / plants had to be replaced due to vandalism or an Act of God.
- xiii. Noted the ongoing concerns regarding how the station would fit with the wider transport strategy for the Biomedical Campus. Would take away the request to arrange a briefing with all relevant external organisations on the emerging plans for the Biomedical campus to provide an overview of a master plan, including the strategic transport approach.
- xiv. In Hobson's Park there was no ban to stop cyclists using the pedestrian paths, the park was predominantly used by pedestrians.
- xv. Concerns had been raised by Trumpington Resident's' Association regarding cyclists using the Park to access the station. They had agreed with the applicant for several no cycling signs to be placed around the Park to discourage cyclists from using these routes. These would encourage cyclists to use the segregated path running from the guided busway alongside the Park to the station.

With the extension of the electric scooter scheme running in Cambridge (Voi Scooters), Members advised the applicant that as the site came within the Voi zone the matter of parking should be a priority, Mr Stamp said the following:

- i. The station would be handed over to Greater Anglia to manage and operate. They would have appropriate management strategies to deal with evolving technologies and changes to the station environment.
- ii. As part of these changes believed that the issue of scooter parking would be picked up directly with the scooter company and other external organisations.
- iii. Noted the comment that Voi had designated parking zones in and around the city without reference to the landowner and would engage with the necessary parties as soon as was possible.

The Committee:

Resolved unanimously to approve the discharge of condition 29 in respect of deemed planning permission reference 21/02957/TWA pursuant to application 21/02957/COND29A with delegated authority to Officers to carry through minor amendments.

Resolved unanimously to approve the discharge of condition 29 in respect of deemed planning permission reference 21/03035/TWA pursuant to application 21/03035/COND29 with delegated authority to officers to carry through minor amendments.

24/13/JDCC 210 - 240 Cambridge Science Park

The Committee received a briefing/presentation from developer representatives.

Members raised comments/questions as listed below. Answers were supplied, and comments from Officers but as this was a pre-application presentation, none of the answers or comments are binding on either the intended applicant or the local planning authority so consequently are not recorded in these minutes.

- i. What provision had been made for the open spaces to be accessible in the winter and how would the space be useable all throughout the year?
- ii. How much shading would there be to the green outdoor space which ran through the centre of the site particularly in the winter months?
- iii. Would the changing places toilet be publicly accessible?
- iv. What segregation, traffic calming measures, would be added to the main street for pedestrians and cyclists. It needed to be made clear the car was not the owner of that space but a shared space.
- v. Asked what why the number of vehicles had not been reduced on such a highly sustainable site, as was near to a park and ride site and bus route in and out of the city.
- vi. How many cargo bikes spaces were on site?
- vii. Had provision been made for delivery drop off points on site; people would arrange for packages to be delivered to their work.
- viii. Requested further information regarding the glazing, this could add to the heat of the building. Was there a heat management plan for the application.
- ix. Sceptical about green walls, which could become brown walls. When the application came to Committee, would be beneficial to include detail on how these would be maintained.
- x. When looking at the indicative views of the building from the A14/A10 fly over, the massing was substantial and suggested softening of the building with greenery.
- xi. Requested further detail on the height of the building and its relationship to surrounding structures.

- xii. How many employees were currently on site and how many would be on site in the future?
- xiii. What was the rationale for reducing the height from the original design which would reduce the office / lab space?
- xiv. Car parking should not be permitted on site.
- xv. Questioned how long the buildings would last. At a previous meeting (September 2023), the Committee had considered an application for the 440 Unit at the Cambridge Science Park which had a forecast of a 100-year life; would hope the application would match if not exceed this.
- xvi. How well integrated were the landscaping plans with neighbouring applications, such as Unit 440.
- xvii. How practical and deliverable was the modal shift figures quoted from vehicles to cycles on site? Further detail should be included to advise on how this would be achieved.
- xviii. Would like to know the number of cycle parking on site.

24/14/JDCC The B2 land, land north of Newmarket Road, Cambridge

The Committee received a briefing/presentation from developer representatives.

Members raised comments/questions as listed below. Answers were supplied, and comments from Officers but as this was a pre-application presentation, none of the answers or comments are binding on either the intended applicant or the local planning authority so consequently are not recorded in these minutes.

- i. What was the intention for the site fronting onto Newmarket Road?
- ii. What type of application would be brought forward for the Committee's consideration?
- iii. How would customers approach the building and park from Austin Road, including vehicles that required servicing?
- iv. Important to ensure there was cargo bike parking on site.
- v. Further detail on how the green wall would be maintained should be presented to Committee when the application came forward for consideration.
- vi. Why would the height of the stairwell exceed the parameter plans for the multistorey car park?
- vii. What was the other side of the multistorey car park; was this residential housing?

24/15/JDCC Cambridge Biomedical Campus Phase 2

The Committee received a briefing/presentation from developer representatives.

Members raised comments/questions as listed below. Answers were supplied, and comments from Officers but as this was a pre-application presentation, none of the answers or comments are binding on either the intended applicant or the local planning authority so consequently are not recorded in these minutes.

- i. Would all the buildings be in private ownership, or would there be any NHS involvement?
- ii. How would the green meadow be maintained above the arched bike store as this would only be sitting on a thin layer of soil?
- iii. Important to take into consideration the safety of staff when entering the bike store at night; this should not become a bunker.
- iv. Needed to consider the sustainability and durability of the type of grass used for the amphitheatre style seating; consider the climate and the number of people walking and sitting on the grass.
- v. Should re-evaluate the use of a glass frontage to the gym studio.
- vi. Needed to be clear segregation between cycle and vehicles on the highway which could be demonstrated when the application came to Committee.
- vii. Should consider the colour of materials on the buildings - dark colours absorbed heat.
- viii. Why was a multistorey carpark required and was there a plan for future use of the carpark when not required?
- ix. Should consider allocating a location for e-scooter parking.
- x. There was no public transport from Cambridge South Station direct to the site.
- xi. There appeared to be a lack of childcare facilities across the campus.
- xii. What was the life expectancy of the building?
- xiii. Was the market demand for wet lab spaces greater than what was being supplied; could the planning authority be doing more?

The meeting ended at 3.52 pm

CHAIR

JOINT DEVELOPMENT CONTROL COMMITTEE

17 April 2024
10.00 am - 2.40 pm

Present: Councillors Bradnam (Chair), S. Smith (Vice-Chair), Baigent, Porrer, Cahn, Fane, Stobart, R.Williams, Gilderdale, Levien and Garvie

Officers Present:

Strategic Sites Manager: Philippa Kelly
Area Team Leader (West): Michael Sexton
Legal Adviser: Keith Barber
Committee Manager: Sarah Steed
Meeting Producer: Claire Tunnicliffe

Other Officers Present:

Principal Transport Officer: Tam Parry (Cambridgeshire County Council)

FOR THE INFORMATION OF THE COUNCIL

24/16/JDCC Apologies

Apologies were received from City Councillors Thornburrow, Flaubert and Smart and South Cambs Councillor Hawkins. City Councillors Gilderdale and Levien and South Cambs Councillor Garvie attended as alternates.

24/17/JDCC Declarations of Interest

Item	Councillor	Interest
24/19/JDCC	Baigent	Personal: Member of Cambridge Cycling Campaign.
24/19/JDCC	Stobart	Personal: Member of Cambridge Cycling Campaign.
24/19/JDCC	Garvie	Personal: Member of Cambridge Cycling Campaign.
24/19/JDCC	R.Williams	Personal: Noted that Cambridge University had been mentioned. The University were not

		the applicant, but for transparency, to note R.Williams was employed by Cambridge University.
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24/18/JDCC Biodiversity Net Gain update

The Committee received a presentation on Biodiversity Net Gain from the Natural Environment Team Leader, Built and Natural Environment Manager and the Principal Ecologist.

The report and Officer presentation were noted.

24/19/JDCC 23/00240/FUL - Keith Day Road, Cambridge, CB2 0AU (Cambridge Cancer Research Hospital)

The Committee received an application for full planning permission.

The application sought approval for the redevelopment of the existing parking area to provide a new Cambridge Cancer Research Hospital building (C2 use) with alterations to existing access arrangements, underground link tunnel, public realm works, hard and soft landscaping, and associated work.

Carin Charlton (Applicant's Representative) addressed the Committee in support of the application.

The Area Team Manager (West), Strategic Sites Manager and Legal Advisor said the following in response to Members' questions:

- i. Noted that the Applicant had advised that they had reduced water consumption on the site and that they planned, where possible, to make further water efficiency savings on site.
- ii. Referred to paragraph 6.50 of the Applicant's Environmental Statement which noted that the proposed development was expected to increase water demand by 0.0195 megalitres per day.
- iii. The planned delivery of the hospital (subject to planning permission being granted) was expected in 2029. Noted with reference to paragraph 21.29 of the Officer's report that the major water infrastructure projects by Cambridge Water and Anglian Water were planned for delivery in

- 2032 for the Grafham water transfer and 2040 for the new Fen Reservoir.
- iv. Landscaping conditions would secure the maintenance of the green spaces proposed within the building.
 - v. The development would include changing places toilet provision.
 - vi. Noted concerns raised regarding two tier stacking cycle parking provision and advised that condition 31 could be amended to require details of the mechanism to be provided as part of the application to discharge the condition.
 - vii. Noted concerns raised about the amount of cargo bike parking. The amount proposed was planning policy compliant but noted that further provision could come forward through condition 31. The level of cycle parking provision proposed was based on the estimated number of users of the building.
 - viii. Noted that the revised draft Water Resources Management Plan (WRMP) was currently with DEFRA for consideration. Officers had no fixed date for when the WRWP would be published in its final form.
 - ix. Each planning application must be considered on its own merits. Applications which came forward in the future would need to be considered and assessed (in planning terms) in reliance of the circumstances then prevailing. Noted that the site was an allocated site within the Local Plan and water use would have been projected at the time the site was allocated.
 - x. Noted that the objection made by the Environment Agency had been weighed up in the report and considered as part of the Officer's recommendation.
 - xi. The building had been designed to have an open plan, welcoming space and to provide areas for people when processing difficult news. Terraces had also been designed in the upper floors to provide additional social areas.
 - xii. Noted that the Applicant had agreed to work with the Shared Planning Service to develop a Supplementary Planning Document for a Masterplan for the Cambridge Biomedical Campus.
 - xiii. Condition 32 required information to be submitted to the Local Planning Authority regarding wayfinding.
 - xiv. Courtyard details (which included the water feature) would be secured by condition.
 - xv. The Applicant's responses to comments from the Quality Panel were included within the officer's report at paragraph 15.75.
 - xvi. Noted the difference between the 'minded to' determination of the Darwin Green 2/3 application and this, the Cancer Research Hospital application

was that the Joint Ministerial Statements on Water Scarcity had been issued after the Committee had reached its 'minded to' position on Darwin Green.

- xvii. The increased car parking provision was modest and reflected the small net increase in floorspace. Noted that more sustainable transport modes (for example Cambridge South Station) would be coming forward in the future.
- xviii. A previous planning application required the Applicant to monitor car parking (and displaced car parking) within the Addenbrookes Campus and surrounding area. A monitoring report had recently been submitted to the County Transport Assessment Team. Acknowledged in some areas there was parking stress.
- xix. The wording of Condition 35 had been drafted with input from the Council's Sustainability Officer. Noted Members' concerns regarding water scarcity and suggested:
 - a. an amendment to condition 35 requiring action to be taken should the daily water use exceed the levels set out in the Environmental Statement; and
 - b. an additional condition requiring the Applicant to commit to working with the Water Scarcity Group to participate in the scheme as set out in the Ministerial Statement to reduce water consumption over the Addenbrookes Campus site.

The Chair invited the Applicant to respond clarifying some points raised by the Committee:

- i. There was overnight accommodation available for relatives close to the proposed building. The proposal was considering what overnight sleeping provision could be provided as there needed to be a balance between emergency access to patients and overnight sleeping provision in patient rooms.
- ii. There was a Campus Wayfinding Strategy and a Hospital Wayfinding Strategy so as new developments came forward these would be reviewed and refreshed to ensure those attending and visiting the site would be able to locate the relevant building for their appointments / needs.
- iii. There would be a modest increase in staffing, but the purpose of the proposed development was to co-locate clinical and research staff.

Councillor Bradnam proposed and Councillor S.Smith seconded the following additional sentence to condition 35 that:

Should the monitoring data exceed the daily water use as set out in the Environmental Statement, details of action to be carried out shall be provided and agreed in writing with the Local Planning Authority.

The amendment to condition 35 was **carried by 9 votes in favour to 2 against.**

Councillor Bradnam proposed and Councillor S.Smith seconded the following additional condition that:

Prior to first occupation, details of a Cambridge University Hospitals NHS Trust wide water consumption strategy for the Addenbrookes Campus site which demonstrates how the Applicant has worked with the Water Scarcity Group, using best practice techniques, and sought to reduce the use of potable water, where applicable, shall be submitted to and approved in writing by the Local Planning Authority.

The additional condition was **carried by 9 votes in favour to 1 against and 1 abstention.**

The Strategic Sites Manager offered the following summary of amendments to the Officer's recommendation as set out in paragraph 28 of the Officer's report, reflecting Member debate during the meeting:

To approve the planning application 22/00240FUL subject to:

- i. The conditions and informatives set out in section 29 of the Officer's report including:
 - a. an amendment to condition 35 to include an additional sentence: 'Should the monitoring data exceed the daily water use as set out in the Environmental Statement, details of action to be carried out shall be provided and agreed in writing with the Local Planning Authority'; and
 - b. an additional condition that 'Prior to first occupation, details of a Cambridge University Hospitals NHS Trust wide water consumption strategy for the Addenbrookes campus site which demonstrates how the Applicant has worked with the Water Scarcity Group, using best practice techniques, and sought to reduce the use of potable water, where applicable, shall be submitted to and approved in writing by the Local Planning Authority';
- ii. the completion of a Section 106 Agreement; and

- iii. authority delegated to Officers to carry through minor amendments to those conditions, informatives and the Section 106 Agreement, prior to the issuing of the planning permission.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the Officer recommendation set out in paragraph 28 of the Officer's report, for the reasons set out in the Officer's report, subject to:

- i. the prior completion of a Section 106 Agreement; and
- ii. the planning conditions and informatives set out in section 29 of the Officer's report including;
 - a. an amendment to condition 35 to include the additional sentence 'Should the monitoring data exceed the daily water use as set out in the Environmental Statement, details of action to be carried out shall be provided and agreed in writing with the Local Planning Authority'; and
 - b. an additional condition that 'Prior to first occupation, details of a Cambridge University Hospitals NHS Trust wide water consumption strategy for the Addenbrookes campus site which demonstrates how the Applicant has worked with the Water Scarcity Group, using best practice techniques, and sought to reduce the use of potable water, where applicable, shall be submitted to and approved in writing by the Local Planning Authority';
- iii. delegated authority to Officers to carry through minor amendments to those conditions, informatives and the Section 106 Agreement, prior to the issuing of the planning permission.

The meeting ended at 2.40 pm

CHAIR



APPEALS AGAINST JDCC PLANNING DECISIONS – JUNE 2024 UPDATE

Planning Committee Date: 19 June 2024

Report to: Joint Development Control Committee

Report by: Philippa Kelly, Strategic Sites Delivery Manager, Greater Cambridge Shared Planning Service.

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Ward/parishes affected: All

1. Executive summary

- 1.1 This report informs Members of decided/live appeals against planning decisions of the Joint Development Control Committee (JDCC), as of 01 June 2024.

2. Recommendation

- 2.1 Officers recommend that the JDCC notes the appeals update as outlined in this report.

3. Considerations

- **Planning Appeals Decided:**

Land to the North of Cambridge North Station ('Brookgate')

Background

- 3.1 A planning appeal for the non-determination of planning application reference 22/02881/OUT relating to Land to the North of Cambridge North Station was submitted to the Planning Inspectorate in January 2023. The appeal was subsequently recovered ('called in') by the Secretary of State (SofS) on 24 March 2023. This means that the Inspector makes a recommendation to the SofS, who will then decide whether or not to allow the appeal.
- 3.2 The development proposed is a hybrid application for:
- (a) *An outline application (all matters reserved apart from access and landscaping) for the construction of: three new residential blocks providing for up to 425 residential units and providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)); and two commercial buildings for Use Classes E(g) i(offices), ii (research and development) providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), together with the construction of basements for parking and building services, car and cycle parking and infrastructure works.*
 - (b) *A full application for the construction of three commercial buildings for Use Classes E(g) i (offices) ii (research and development), providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)) with associated car and cycle parking, the construction of a multi storey car and cycle park building, together with the construction of basements for parking and building services, car and cycle parking and associated landscaping, infrastructure works and demolition of existing structures.*
- 3.3 The application was considered at JDCC on 22 March 2023 where Members considered a 'minded to' refuse Officer's recommendation. The recommendation and eight reasons for refusal in the Officer Report were endorsed unanimously by JDCC.
- 3.4 The Officer Report to JDCC can be found here: [Public Pack\)Agenda Document for Joint Development Control Committee, 22/03/2023 10:00 \(cambridge.gov.uk\)](https://www.cambridge.gov.uk/Document-for-Joint-Development-Control-Committee-22/03/2023-10:00)
- 3.5 The Appellant subsequently submitted technical information in relation to three reasons for refusal (flood risk, ecology and safeguarded sites). The Council concluded that the submitted information satisfactorily addressed these reasons for refusal, and on that basis did not defend those reasons.
- 3.6 Prior to the opening of the Inquiry, the Appellant and the County Council agreed a package of measures including strategic highway contributions, which addressed the reason for refusal relating to the achievement of

comprehensive development of the area through an appropriate S106 Agreement.

- 3.7 The Inquiry opened on 06 June 2023 and sat for twelve days, during which the Council defended its position regarding the remaining reasons for refusal, as summarised below:
- (1) The proposed development would not result in high quality development that delivers a well-designed place contributing positively to its surroundings. It would harm the surrounding landscape and Green Belt, particularly to the eastern edge of the site, and the adjacent urban areas and its relationship with the wider North East Cambridge Area, the City skyline and the landscape beyond. It would also have an overbearing presence on the existing development to the east of the development on Fen Road and to the west of the development.
 - (2) The effect on heritage assets, in particular the Fen Ditton and the Riverside and Stourbridge Common Conservation Areas, due to the height and massing, and siting of the buildings along the eastern edge.
 - (3) The proposal fails to provide high quality public open space or a public realm which would result in a well-designed coherent sense of place that contributes to local distinctiveness.
- 3.8 Cambridge Party Present and Future (CPPF) appeared at the Inquiry as a Rule 6 party. Rule 6 status refers to Rule 6 (6) of the Inquiries Procedure Rules, which means that such parties can take a very active part in a public inquiry. The CPPF case against the development centred on design, and specifically the design of the building on the new urban edge on the eastern side.
- 3.9 The Environment Agency (EA) objected to the proposed development and appeared at the Inquiry as an interested party, participating in a roundtable session on water, but were *not* a Rule 6 party. The EA's objections centred on the availability of a sustainable water supply to support existing and proposed development within the Greater Cambridge area.
- 3.10 The Inquiry was adjourned on 23 June 2023 to enable modelling and associated work in relation to water resources to be considered and commented upon by all parties. The parties made their respective observations in writing to the Inspector. The Inquiry ultimately closed on 19 October 2023.

Decision

- 3.11 The Decision Letter was issued on 23 April 2024 ('the Brookgate Decision') by the Department for Levelling Up, Housing and Communities

(DLUHC). The decision was made by Lee Rowley, the Minister for Housing, Planning and Building Safety, on behalf of the SofS. The SofS allowed the appeal.

- 3.12 The Planning Inspector's comprehensive two-hundred page report made a recommendation to the SofS that planning permission should be granted subject to (a) the planning conditions (in the Decision Letter) and (b) the planning obligations contained in the S106 Agreement which was negotiated and completed by the parties during the appeal process.
- 3.13 The Inspector recommended that should the SofS take the view that water supply and quality issues are an over-riding consideration and unlikely to be resolved by the existing statutory processes, he may consider imposing a planning condition that would have the effect of delaying the occupation of the proposed buildings until the draft Water Resources Management Plan (WRMP) has been approved, and measures put in place to resolve water supply requirements.
- 3.14 The SofS agreed with the Inspector's conclusions and recommendations, that the appeal should be allowed, and that planning permission be granted, subject to planning conditions and the S106 Agreement. The SofS did not consider that the Inspector's proposed optional planning condition in respect of delaying building occupation until the WRMP was approved was necessary, finding that matters relating to water supply and quality to be neutral in the planning balance.
- 3.15 The Brookgate Decision Letter (including the Inspector's Report) can be found here: [Recovered appeal: land to the north of Cambridge North Station, Cambridge \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) A summary of the main points of the decision is set out below.
- Policy and statutory considerations
- 3.16 The SofS agreed with the Inspector that both the emerging North East Cambridge Area Action Plan (NECAAP) and Greater Cambridge Local Plan should attract very limited weight.
- Policy Design and Layout
- 3.17 The SofS agreed with the Inspector's conclusion that the proposal would deliver a high-quality design and a distinctive sense of place. He also agreed with the Inspector that the proposal taken as a whole would respect and retain the character and distinctiveness of the local landscape, including the River Cam corridor.
- Landscape and Visual Effects
- 3.18 The SofS agreed with the Inspector's overall conclusions, that the proposal would harm the character and appearance of the surrounding

landscape, but such harm would be limited and generally localised, and is mainly due to the change in the character of the site from a largely brownfield site to a new urban quarter. The SofS agreed that considered in the context of the allocation of the site within the development plan, the proposal taken as a whole would respect and retain the character and distinctiveness of the local landscape, including the River Cam corridor.

- Heritage Assets

3.19 The SofS agreed with the Inspector that the proposal would result in less than substantial harm to the significance of the Riverside and Stourbridge Conservation Area and the Fen Ditton Conservation Area. The SoS also agreed with the Inspector's conclusion that the appeal proposal would slightly impact onto the significance of the Fen Ditton Conservation Area (as more buildings would be noticeable in views out from the area into its wider setting), although in this regard there was considered very limited policy conflict.

- Water Supply and Quality

3.20 The SofS noted the Inspector's judgement that whilst water quality and supply is a material consideration, the proposal would not in itself harm water quality or water resources, but the cumulative impacts of the appeal proposal with other development would add to demand for water.

3.21 The Inspector acknowledged that a sustainable supply of water for the Cambridge Water area may not be available for several years yet (until after the Grafham Transfer is operational). The Inspector left for the SofS the decision as to whether the statutory process and other measures in place in respect of water supply are sufficiently robust to ensure that the appeal proposal, together with other development, would avoid placing an unacceptable demand on water resources and potentially harm ecological interests.

3.22 The Inspector proposed an optional condition be placed on an approval which would delay the occupation of development until either the Grafham Transfer Water supply option is operational or the WRMP for the Cambridge Water operating area is approved.

3.23 Since the conclusion of the Inquiry and the SofS's decision to allow the appeal, the March 2024 Joint Statement on addressing water scarcity in Cambridge was published by DLUHC, Department for Environment Food and Rural Affairs (Defra), the EA and Greater Cambridge Shared Planning Service (GCSPS). [Joint statement on addressing water scarcity in Greater Cambridge - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/joint-statement-on-addressing-water-scarcity-in-greater-cambridge) ('The March 2024 Joint Statement').

3.24 The March 2024 Joint Statement announced the development of a water credits market to supplement and potentially accelerate delivery of the water management measures to meet all of the areas future water needs

being promoted by Cambridge Water through the WRMP, alongside wider communications to reduce water use in the area. Paragraph 9 of the Joint Statement states that modelling demonstrates that the scheme should deliver water savings that are sufficient to address concerns raised around sustainable water supply to the Cambridge area.

- 3.25 In the context of the publication of the Joint Statement, the SofS considered that the proposal accords with the development plan, with national policy on water use and supply, and would not have an unacceptable consequence on water supply or quality. As a result, the SoS considered the proposed optional condition not necessary and that matters relating to water supply and quality are neutral in the planning balance.
- Occupant Amenity
- 3.26 The SofS agreed with the Inspector that the proposed dwellings would provide suitable living conditions for future residents within the constraints of the parameter plans.
- Comprehensive Vision
- 3.27 The SofS agreed with the Inspector that the development plan for the appeal site identifies the site for employment focussed development. He also agreed that the failure to comply with the Development Capacity Assessment, which has not been subject to consultation and is not part of the development plan, does not add weight against the proposal.
- 3.28 The SofS agreed that the appeal proposal needs to mitigate its impact on the services and infrastructure. He also agreed with the Inspector that there is no substantive contrary evidence to support reaching a different conclusion to the Council and Local Highway Authority, who are satisfied that subject to the S106 planning obligations, the proposal would not prejudice the future development of the wider area.
- Other Matters
- 3.29 The SofS agreed with the Inspector's conclusion that the proposal would be acceptable in terms of its impact on the highway network and would make appropriate provision for sustainable travel.
- Planning Balance and Overall Conclusion
- 3.30 The SofS concluded that the appeal scheme proposal was compliant with the development plan when taken as a whole. He went on to consider whether there were material considerations which indicated it should be determined other than in line with the development plan.

- 3.31 Weighing in favour of the appeal proposal, the SoS considered the design would deliver a high quality sense of place which carried moderate weight; the need for office and laboratory space which carried great weight; other economic benefits which carried significant weight; the delivery of housing and affordable housing which carried considerable weight; environmental measures (including the reuse of the brownfield site), its sustainable location, BREEAM 2018 Excellent certification, water efficiency and Biodiversity Net Gain, all of which were considered to carry substantial weight and the provision of public realm and open space, which carried moderate weight and its benefits via well-being and social inclusion, which also carried moderate weight.
- 3.32 Weighing against the appeal proposal, the SofS considered the less than substantial harm to Riverside and Stourbridge and Fen Ditton Conservation Areas carried great weight. The SofS considered whether the identified harm to these Conservation Areas was outweighed by the public benefits of the proposal. Taking into the account such benefits, the SofS concluded that the benefits of the appeal proposal were collectively sufficient to outbalance the identified less than substantial harm to the significance of the designated heritage assets. He considered that the balancing exercise was therefore favourable to the appeal proposal.
- 3.33 The SofS considered that there was overall compliance with the development plan, and that material considerations indicated that permission should be granted.

Officer Comment

- 3.34 The Brookgate Decision deals with a number of matters relating to water capacity and quality in Greater Cambridge.
- 3.35 Officers consider that the Brookgate Decision is a material consideration in future planning decision making, which should be given significant material weight at the present time, at least until such time as the adoption of the WRMP. This is because it provides an up-to-date assessment of how to approach the issues of water capacity and quality and is a decision of the planning process which resulted in a SofS decision (which of itself carries weight), and which deals with current government policy statements (including the March 2024 Joint Statement).
- 3.36 Counsel has confirmed this position, offering further advice to the local planning authority regarding the precise extent of the weight to be given to the Brookgate DL and the March 2024 Joint Statement, noting that this weight may change with the passage of time and should be kept under review.
- 3.37 Officers acknowledge that going forward, the March 2024 Joint Statement will need to be considered against progress of the proposed water saving initiatives and water credit scheme, together with other considerations.

3.38 An all-Member briefing is being arranged for July 2024, to give an opportunity for Officers to provide an update on the water planning and development management processes. As part of that briefing, an update will also be provided in respect of the advice given by Counsel on water capacity and quality.

- **Planning Appeals Awaiting Decision:**

Darwin Green Phases Two and Three Development Site, Cambridge Road, Impington

3.39 A planning appeal for the non-determination of application reference 22/02528/OUT ('Darwin Green 2/3') was submitted to the Planning Inspectorate in July 2023. The application was considered at JDCC on 30 October 2023 where Members considered a 'minded to' refuse officer's recommendation. The recommendation and reasons for refusal in the Officer Report were endorsed unanimously by JDCC. The determination of this appeal has been called in by the SofS.

3.40 The development is an outline application for:

Outline planning permission (all matters reserved except for means of access) for up to 1,000 residential dwellings, secondary school, primary school, community facilities, retail uses, open space and landscaped areas, associated engineering, demolition and infrastructure works.

3.41 The Officer report to JDCC can be found here: [\(Public Pack\)Agenda Document for Joint Development Control Committee, 30/10/2023 10:00 \(cambridge.gov.uk\)](#)

3.42 A twelve-day Inquiry was held during January 2024, during which the Council defended its position regarding water resources.

3.43 Following the submission of the appeal, the EA objected to the appeal proposal and appeared at the Inquiry as an interested party; it chose not to seek Rule 6 status. The EA's position remains that the appeal proposal is unacceptable until such time as (i) a sustainable water supply is proved to be available (ii) the supply can meet the planned phasing of growth of this proposal in combination with wider planned growth in the Cambridge Water supply zone, and/or (iii) once assessed, the risk of deterioration to water bodies can be prevented or effectively managed through site specific mitigation measures.

3.44 The Inquiry was closed on 25 January 2024. Following the close of the Inquiry, the Inspector asked for the parties to the appeal to comment on the following:

- (i) The March 2024 Joint Statement.
- (ii) The March 2024 Ministerial Statement on addressing Water Scarcity in Greater Cambridge: update on government measures ('The March 2024 Ministerial Statement').
- (iii) The Brookgate Decision.
- (iv) The revised draft Water Resources Management Plan (WRMP) (published 29 February 2024).

3.45 Officers commented on behalf of the Council that the measures announced in the two March 2024 Statements (i) and (ii) above could affect the sustainable supply of water and represent a material change in circumstances with respect to both water supply and quality, which the Inspector could take into account in her assessment of the appeal.

3.46 With regard to the Brookgate Decision, Officers commented that they acknowledged the SofS view that in light of the measures set out in the March 2024 Joint Statement, that matters relating to water supply and quality were neutral in the planning balance with respect to the Land North of Cambridge North Station appeal proposal. Officers noted and accepted the position that the SofS did not consider a planning condition restricting occupation until either approval of the draft WRMP or operation of the Grafham Water Transfer coming into operation would be necessary.

3.47 With respect to the February 2024 draft WRMP, Officers commented that in light of the measures laid out in the March 2024 Joint Statement, there can be greater confidence in the adequacy of the WRMP process to ensuring the sustainable supply of water.

3.48 At the end of the Inquiry, the appellant submitted a cost claim against the Council and the EA for a full award of costs. The Council responded orally to the claim at the close of the inquiry. The Appellant subsequently withdrew the application for costs against the Council, on May 22 2024, following the Council's acknowledgement of the Land North of Cambridge North Station appeal decision. The Appellant maintains its claim for costs against the EA.

4. Implications

Financial Implications

4.1 There are no additional financial implications arising from this report.

Staffing Implications

4.2 There are direct staffing implications arising from this report. Officers from across the Shared Planning Service are involved with work arising from

appeals and their decisions. This resource has been considered in the programming of other work across the Shared Planning Service and is monitored on a regular basis.

Equality and Poverty Implications

4.3 None.

Environmental Implications

4.4 None.

Procurement Implications

4.5 None.

Community Safety Implications

4.6 None.

Consultation and Communication Considerations

4.7 No formal consultation has been undertaken in the preparation of this report. The Planning Appeals process provides for interested parties to be notified by the Local Planning Authority that an appeal is taking place.

5. Background Papers

Brookgate Planning Appeal – Appeal Documents:
[Land North of Cambridge North Station Public Inquiry - South Cambs District Council \(scambs.gov.uk\)](#)

[Darwin Green 2 & 3 Appeal – Appeal Documents:](#)
[Darwin Green Public Inquiry \(greatercambridgeplanning.org\)](#)

6. Inspection of Papers

If you have a query on the report please contact Philippa Kelly
philippa.kelly@greatercambridgeplanning.org