



Cambridge City Council Planning

Date: Wednesday, 7 January 2026

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
To follow

Part 1: Minor/Other Planning Applications

- | | | |
|---|---|-----------------|
| 5 | 25/02643/FUL Castle End Mission, Pound Hill | (Pages 5 - 34) |
| 6 | 25/04141/S73 639 Newmarket Road (McDonalds) | (Pages 35 - 48) |
| 7 | 25/02888/FUL Jewish Synagogue, 3 Thompsons Lane | (Pages 49 - |

Part 2: General and Enforcement Items

8 Appeals Information

(Pages 111 -
118)

Planning Members: Smart (Chair), Thornburrow (Vice-Chair), Dryden, Flaubert, Griffin, Howard, Illingworth and Todd-Jones

Alternates: Ashton, Bennett, Lokhmotova and Porrer

Emergency Evacuation Procedure

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Information for Councillors

After the publication of the agenda, if any committee members have any questions, they should be sent to officers up to 12 noon 2 days in advance of the meeting – these will be responded to as part of officer presentation (together with any queries raised by Members at the committee site visit).

The site visit protocol and public speaking scheme can be found at the below link.

[Planning Committee guidance](#)



25/02643/FUL – Castle End Mission, 5 Pound Hill, Cambridge

Application details

Report to: Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Castle

Proposal: Demolition of a metal-clad single-storey building on Pound Hill, erection of a new extension of broadly similar appearance in its place to create new community entrance and office/ meeting spaces, extension at First Floor (FF) over existing Gym Room at the southwest over the same footprint as Ground Floor (GF), extension at first floor only to partially cover existing car park on northwest side of kitchen/WC block, install new accessible ramped and stepped access from Pound Hill.

Applicant: Yuci Gou

Presenting officer: Charlotte Spencer

Reason presented to committee: The Council's Delegation Panel of 30/09/2025 determined that the application should be considered by the Planning Committee.

Member site visit date: -

Key issues: 1. Character and Appearance of the Area

2. Impact on Heritage Assets

3. Parking Provision

4. Impact on Neighbour Amenity

Recommendation: Refuse

Report contents

Document section	Document heading
1	Executive summary
2	Site description and context
3	The proposal
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7	Third party representations
8	Member representations
9	Assessment
10	Principle of development
11	Design, layout, scale and landscaping and heritage assets
12	Carbon reduction and sustainable design
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15	Highway safety and transport
16	Cycle and car parking provision
17	Trees
18	Amenity
20	Planning balance
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Table 1 Contents of report

1. Executive summary

- 1.1 The application seeks planning permission for the demolition of a metal-clad single-storey building on Pound Hill, erection of a new extension of broadly similar appearance in its place to create new community entrance and office/ meeting spaces, extension at First Floor (FF) over existing Gym Room at the southwest over the same footprint as Ground Floor (GF), extension at FF only to partially cover existing car park on northwest side of kitchen/WC block, install new accessible ramped and stepped access from Pound Hill.
- 1.2 Additional information has been submitted to the Local Planning Authority during the course of the application. Amendments include, additional

sectional elevations, additional information in regard to the Daylight and Sunlight Report, alterations to the proposed glazing and details regarding the retained chimney.

- 1.3 The principle of extending an existing community facility is supported. However, the proposal would result in the total loss of the 'Iron Hall' which is a Building of Local Interest and so is a non-designated heritage asset. This would result in significant harm to the 'Iron Hall' and would result in a moderate level of 'less than substantial harm' to the Castle and Victoria Road Conservation Area and the retained non-designated heritage assets. Officers consider that the applicant has failed to fully assess and provide justification for this harm.
- 1.4 The proposal, by reason of its siting and the height of the first floor extension to the gym would result in an unacceptable level of harm to the neighbouring residential property at No.4 Pound Hill.
- 1.5 The submitted Preliminary Roost Assessment identified the building to be of a low potential to support roosting bats which triggers the requirement for further surveys, namely a dusk emergence survey that is required to be undertaken between May and August. Subsequently, Officers cannot be certain that no harm to bats would occur. It would not be reasonable to delay the decision of the application by the significant period of time needed to wait until the relevant surveys could be conducted. The applicants were invited to withdraw the application, however, they decided against this option.
- 1.6 Officers consider that the benefits of the development which would provide additional and improved floorspace for a community facility do not outweigh the identified harm.
- 1.7 Taking all factors into consideration, Officers recommended that Planning Committee **refuses** the application for the reasons outlined below.

Consultee	Object / No objection / No comment	Paragraph Reference

Access Officer	No objection	6.1
Anglian Water	Objection	6.2
Conservation Officer	Objection	6.6
County Highways Development Management	No objection	6.9
Ecology Officer	Objection	6.10
Environmental Health	No objection	6.12
Sustainability Drainage Officer	No objection	6.13
Tree Officer	No objection	6.14
Third Party Representations (8)		7.1
Member Representations (1)		8.1

Table 2 Consultee summary

2. Site description and context

- 2.1 The application relates to the former Mission Hall and working men's club located on the corner of Pound Hill and St Peter's Street. The site is currently in use as a Chinese Church.
- 2.2 The main building is a tall single storey hall in red brick with limestone banding. Further along the St Peter's Street elevation is an attached two storey element which has a lower maximum height of the main hall. To the rear lies a single storey element which connects to a tall, single storey 'gym'. Fronting Pound Hill lies a single storey 'Iron Hall' which is a prefabricated building in corrugated iron. Vehicular access is via a right of way to the west of the site between the church and the block of flats on Albion Row which provides access to a small parking area.

- 2.3 The surrounding area is predominantly residential, however, there is a shop on the opposite side of Pound Hill to the site and some commercial properties along the nearby Castle Street. In addition, there is a Methodist Church and a Korean Church on the opposite side of St Peter's Street.
- 2.4 The site shares a boundary with No.4 Pound Hill to the south east and Mason's Garden Haymarket Street to the south. Beyond the access road and car parking area lies a three storey mixed residential block of flats and dwellings Nos.18-20 Albion Row and Nos.22-24 St Peter's Street. Also to the west lies Nos.15-17 (inclusive) Albion Row which are two storey dwelling houses.
- 2.5 The application property is a Building of Local Interest and lies within the Castle and Victoria Road Conservation Area. The site is in Flood Zone 1 (low risk) and it is not at risk of surface water flooding. Officers have been made aware that an application has been made to Historic England to list the 'Iron Hall'. No decision has yet to be made on this and as such the application is considered as it currently stands as not listed.

3. The proposal

- 3.1 The application is seeking planning permission for the demolition of a metal-clad single-storey building on Pound Hill, erection of a new extension of broadly similar appearance in its place to create new community entrance and office/ meeting spaces, extension at First Floor (FF) over existing Gym Room at the southwest over the same footprint as Ground Floor (GF), extension at FF only to partially cover existing car park on northwest side of kitchen/WC block, install new accessible ramped and stepped access from Pound Hill.
- 3.2 The application has been amended to address representations, and further consultations have been carried out as appropriate. Amendments include, additional sectional elevations, additional information in regard to the Daylight and Sunlight Report, alterations to the proposed glazing and details regarding the retained chimney.

4. Relevant site history

Reference	Description	Outcome
22/50164/PREAPP	Demolition of fatigued, metal-clad single-storey building in disrepair on Pound Hill; erection of new 2-storey extension at its place to create new	Response provided

	community entrance and office/meeting spaces; extension at FF over existing Gym Room at the southwest in the same footprint as GF; extension at FF only to cover existing car park on northwest side of kitchen/WC block; install accessible ramped and stepped access from Pound Hill.	
22/50577/PREAPP	Demolition of fatigued, metal-clad single-storey building in disrepair on Pound Hill; erection of new single-storey extension at its place to create new community entrance; extension at FF over existing Gym Room at the southwest in the same footprint as GF; extension at FF only to partially cover existing car park on northwest side of kitchen/WC block; install accessible ramped and stepped access from Pound Hill, increase cycle and car parking capacity.	Response provided

Table 2 Relevant site history

- 4.1 The applicants have previously sought pre-application advice in regard to the proposed scheme. In both instances, concerns were raised in the regards to the impact on the character and appearance, impact on the heritage assets, impact on neighbours and parking provision/layout.

5. Policy

5.1 National policy

National Planning Policy Framework 2024

National Planning Practice Guidance

National Design Guide 2021

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

Circular 11/95 (Conditions, Annex A)

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

5.2 Draft Greater Cambridge Local Plan 2024-2045 (Regulation 18 Stage Consultation - December 2025 to January 2026)

- 5.2.1 The Regulation 18 Draft Greater Cambridge Local Plan (the draft 'Joint Local Plan' (JLP)) represents the next stage of preparing a new joint Local Plan for Greater Cambridge. Once it is adopted, it will become the statutory development plan for the Greater Cambridge area, replacing the current (adopted) Local Plans for Cambridge City and South Cambridgeshire District.
- 5.2.2 Following endorsement by Joint Cabinet in November, the draft JLP will proceed to a formal public consultation (under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012). This is currently scheduled between 1 December 2025 and 30 January 2026.
- 5.2.3 In line with paragraph 49 of the National Planning Policy Framework (NPPF), local planning authorities may give weight to relevant policies in emerging plans according to several factors. The draft JLP is consistent with policies in the current NPPF, but represents an earlier stage of the plan making process. Therefore, at this stage, the draft JLP and its policies can only be afforded limited weight as a material consideration in decision making.

5.3 Cambridge Local Plan (2018)

Policy 1: The presumption in favour of sustainable development
Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use
Policy 29: Renewable and low carbon energy generation
Policy 31: Integrated water management and the water cycle
Policy 32: Flood risk
Policy 35: Protection of human health from noise and vibration
Policy 36: Air quality, odour and dust
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 58: Altering and extending existing buildings
Policy 59: Designing landscape and the public realm
Policy 61: Conservation and enhancement of Cambridge's historic environment
Policy 62: Local heritage assets
Policy 67: Protection of open space
Policy 70: Protection of priority species and habitats
Policy 73: Community, sports and leisure facilities
Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.4 Supplementary Planning Documents (SPD)

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

5.5 Other guidance

Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (2001).

Buildings of Local Interest (2005)

Cambridge and Milton Surface Water Management Plan (2011)

Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (2010)

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste

Cambridgeshire Design Guide For Streets and Public Realm (2007)

5.6 Area Guidelines

Castle and Victoria Road Conservation Area Appraisal (2012)

6. Consultations

Publicity

Neighbour letters – Y

Site Notice – Y

Press Notice – Y – Affecting Conservation Area

Access Officer - No Objection

- 6.1 Provides advice on how to improve accessibility. The bike racks need to be removed to create turning space at turn in ramp.

Anglian Water - Object

- 6.2 Holding objection to all planning applications until alternative plans to increase capacity at the existing Cambridge Recycling Centre to deal with waste water from growth are confirmed.
- 6.3 Sewerage network has available capacity for foul flows, however, any connection into the foul network will contribute and deterioration of the watercourse via the WRC as it cannot accommodate additional flows.
- 6.4 Object to the application due to a lack of evidence confirming that the surface water hierarchy has been fully explored.

Cadent Gas – No objection

- 6.5 The site lies within close proximity to medium and low pressure assets. Please add an informative.

Conservation Officer- Object

- 6.6 The proposal includes the demolition of the Iron Hall which is a heritage asset. It has heritage significance in its own right and as part of the BLI. The application provides no information about the building and does not meet the minimum requirement of providing detail sufficient to understand the potential impact on affected designated and non-designated heritage assets. The Iron Hall is a simple but surprisingly complete example of an increasingly uncommon building type in its original location. The demolition of the Iron Hall would cause the highest level of harm (total loss), a consequential level of harm to the significance of the BLI and 'less than substantial harm' from the loss of a building that contributes positively to the significance of the Conservation Area.
- 6.7 There are also concerns about the increased bulk to the roof of the gym room. This will be the most visible element of the other proposals with a bulky design that would detract from the BLI in certain views and would be out of character with the surrounding domestic context of the conservation area resulting in an additional low level of less than substantial harm to the Conservation Area.

- 6.8 Whilst the status of the listing application is not known, the planning application for demolition should not be determined while the listed assessment is in progress.

County Highways Development Management - No Objection

- 6.9 No objection subject to conditions regarding falls and levels of paved areas.

Ecology Officer- Object

- 6.10 The submitted Preliminary Roost Assessment identify the building to be of low potential to support roosting bats and as such, further surveys are required prior to determination.
- 6.11 The BNG information shows a 204% gain in habitable units which are welcome.

Environmental Health- No Objection

- 6.12 Pollution from the demolition and construction phases has the potential to affect amenity of neighbours. Conditions regarding construction hours and piling requested.

Sustainable Drainage Officer- No Objection

- 6.13 The Surface Water Drainage Strategy submitted is acceptable.

Tree Officer- No Objection

- 6.14 Only one small street within the site. The tree will not form a constraint on the development, however, there is an expectation that if it does need to be removed it shall be replaced. This can be secured by way of condition.

7. Third party representations

- 7.1 8 representations have been received, 1 in support and 7 in objection
- 7.2 Those in objection have raised the following issues:
- Character, appearance and scale
 - Proposed replacement iron building incongruous with Mission Hall and surrounding area;
 - Convoluted roof design;
 - Flat roof not in keeping with the area
 - Heritage impacts

- Loss of 'tin tabernacle';
- Confirmation that an application has been made to Historic England to list the 'tin tabernacle';
- The loss is not outweighed by the benefits;
- Impact on the Conservation Area;
- Residential amenity impact:
 - Loss of light to No.4 Pound Hill;
 - Sense of dominance to No.4 Pound Hill;
- Construction impacts
- Car parking and parking stress:
 - Inadequate parking;
 - Unworkable parking arrangement;
- Impact on trees
- Unclear whether the disabled access would work;
- Party Wall concerns

7.3 Those in support have given the following reasons:

- Valuable asset to the neighbourhood;
- Would uplift the local streetscape and wider environment.

7.4 One comment was raised regarding an application within Hilton and is not relevant to the current application.

7.5 Due to the number of representations received, the application went to the Council's Delegation Panel of 30/09/2025 where it was decided that the application be referred to Planning Committee.

7.6 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. Member Representations

8.1 Cllr Payne has made a representation wishing the application to be heard by Planning Committee due to the following reasons:

- Impact on residential amenity of No.4 Pound Hill;
- Loss of the 'tin tabernacle'
- Overdevelopment creating inappropriate building forms;
- Inadequate parking provision;
- Construction impacts;

9. Assessment

9.1 From the consultation responses and representations received and from an inspection of the site and the surroundings, the key issues are:

- Principle of development
- Design, layout, scale and landscaping
- Heritage assets
- Carbon reduction and sustainable design
- Biodiversity
- Water management and flood risk
- Highway safety and transport impacts
- Car and cycle parking
- Amenity
- Third party representations
- Trees
- Other matters
- Planning balance
- Recommendation

10. Principle of Development

10.1 The application site is currently in use by the Cambridge Chinese Christian Church and as such it is considered to be a community facility. Policy 73 of the Local Plan (2018) supports the extension new or enhanced community facilities if the range, quality and accessibility of facilities are improved; there is a local need and; the facility is in close proximity to the people that it serves.

10.2 Within the supporting documents the applicant has stated that the current building is insufficient for the growing number of congregants, and it is considered that the proposed extensions would improve the quality and accessibility of the church. The church is located close to the city centre and is easily reached by sustainable transport modes.

10.3 As such, it is considered that the proposal is compliant with Policy 73 and is acceptable in principle.

11. Design, layout, scale and landscaping and heritage assets

11.1 Policies 55, 56, 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.

- 11.2 The application property is Building of Local Interest (BLI) that lies within the Castle and Victoria Road Conservation Area.
- 11.3 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.
- 11.4 Paragraph 212 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. 213 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...’. Para.216 states that ‘The effect of an application on the significance of a non-designated heritage assets 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.’
- 11.5 Policy 61 of the Local Plan aligns with the statutory provisions and NPPF advice. Policy 62 of the Cambridge Local Plan (2018) seeks the protection of local heritage assets and proposals would be permitted where they retain the significance, appearance, character or setting of a local heritage asset.
- 11.6 The main building is a tall single storey hall in red brick with limestone banding. The St Peter’s Street front continues rear of the hall, transitioning to two storeys through stepping down in overall height and is also built with brick and limestone. The rear gable is ‘back of house in local gault brick’. Along Pound Hill is the building called ‘the Iron Hall’ in the Mission’s records in the Cambridgeshire Collection. The Iron Hall is a prefabricated building in corrugated iron. It retains its original windows, fully pine matchboard interior, timber and iron roof structure and entrance porch with boot scraper, lamp and original arched door. It appears to be in its original location and function as a room supporting the work of the Castle End Mission and now the church. The Iron Hall is a simple but surprisingly complete example of an increasingly uncommon building type in its original location and use.

- 11.7 The Iron Hall has heritage significant in its own right and as part of the BLI and it is considered to positively contribute to the Conservation Area. As per the NPPF and Policy 62 proposals affecting non-designated heritage assets (NDHA) a balanced judgement is required. The Council's Conservation Officer considers that the BLI has architectural, historic and strong social interest and the harm amounts to the total loss of the Iron Hall and subsequently, would result in a high degree of harm to the NDHA and a moderate 'less than substantial' harm to the Conservation Area.
- 11.8 Notwithstanding the harm created by the loss of the Iron Hall, the replacement extension would be a one and a half storey black metal clad building. Whilst it would be built at an angle to the existing wall, it would allow the building to appear flush to Pound Hill resulting in building with a simple form and shape whilst allowing for the limited space to be better utilised. The extension would have a larger footprint than the existing Iron Hall, however, due to its limited additional height (approximately 0.3m) and contrasting materials, it is considered that it would appear as a subordinate addition to the main building. It is acknowledged that the design of the extension attempts to mimic the appearance of the existing Iron Hall albeit in a more modern way. However, it is considered that the quality of the extension does not overcome the previously identified harm of the loss of the NDHA.
- 11.9 There would be a small one and a half storey extension connecting the replacement metal building with the first floor extension and gym building. This would be built along the boundary with No.4 Pound Hill. This element would not appear overly visible and would appear subordinate. Subject to the appearance of the brick which could be conditioned it is considered acceptable in terms of visual amenity.
- 11.10 The building would be extended at first floor above the existing single storey element which connects the hall to the gym. The roof of the existing gym would also be raised and redesigned to a part gable, part hipped roof.
- 11.11 The central section of the first floor extension would project outwards over the car park by a maximum of 2 metres. It would be a part black metal clad flat roofed building which is brought through from the replacement Iron Hall and part pitched roofs with 3 gable ends which would have a maximum height of 6.7 metres. The gable end elements would be timber clad. The design of the gable ends along with the change to the roof of the gym would create a rhythm that is evident throughout this part of the Conservation Area. The use of timber cladding would result in a light aesthetic and would contrast with the main building resulting in a

subordinate addition. The final details of the materials could be conditioned to ensure that it would be suitable.

- 11.12 A roof lantern would be installed over the existing chimney stack which is considered to add interest to the roof forms of the building. Incorporating the chimney as a focal point within the extensions is a positive aspect of the proposal. It highlights a feature of the original building, and arguably makes it a more prominent feature to building users and visitors than it is at present. The glazing arrangement to retain visibility from outside would come down to the quality of execution, so precise details of materials and construction would need to be a condition of any permission. The chimney is a feature of the BLI but has very limited visibility from outside the site due to its limited height and has very limited impact on views within the Conservation Area.
- 11.13 The roof of the gym building would be raised from 6.9 metres to 8.3 metres (measured from No.4 Pound Hill) and the roof form would be altered from a hipped roof with a central mansard roof to a pitched roof with a gable end facing west and a hipped roof facing east. This element would be higher than rest of the extension and would be visible from views over Mason's Garden and the single storey building located between Nos.2 and 4 Pound Hill. It is considered that due to the overall additional built form of the gym the proposal would detract from the BLI in certain views and would be out of character with the surrounding domestic context of the Conservation Area. This would result in a low level of less than substantial harm. This extension would create additional space for the community asset and it is noted at present that as it only one floor the extension would allow for an improved use of space on a constrained site which may overcome the low level of less than substantial harm, however, it would need to be taken in consideration of the above identified harm.
- 11.14 The application by a third party to Historic England to list the Iron Hall is noted. However, at the time of writing, no decision has been made. It would not be reasonable to extend the planning decision process to accommodate the listed building assessment and as such the application has been considered using the current designations of the site.
- 11.15 In conclusion, the below table summarises the harm to the designated and non-designated heritage assets:

<u>Proposal Element</u>	<u>Heritage Asset</u>	<u>Harm</u>
<i>Demolition of the Iron Hall</i>	'Iron Hall' NDHA	Highest level – total loss
	Castle End Mission BLI	Moderate 'less than substantial'
	Conservation Area	Moderate 'less than substantial'
<i>Extensions to the building</i>	Castle End Mission BLI	Low 'less than substantial harm'
	Conservation Area	Low 'less than substantial'
<i>Total Heritage Net Impact</i>	All	Moderate 'less than substantial'

- 11.16 Subsequently, when taking all elements into consideration the impact of the proposed scheme on the heritage assets and non-designated heritage assets is considered to be a moderate level of 'less than substantial harm'.
- 11.17 As per paragraph 213 of the NPPF any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Officers consider that the applicant has failed to fully assess the harm and provide justification for the moderate level of less than substantial harm to the Conservation Area.
- 11.18 As per paragraph 216 of the NPPF, in weighing applications that affect NDHA, a balanced judgement will be required. Paragraph 215 states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The individual harm to the BLI as identified is high due to the total loss of the Iron Hall, and the cumulative level of harm to the BLI and Conservation Area is considered to be a moderate level of less than substantial harm. It is acknowledged that the proposed would create additional and improved space for a community facility. The extensions would allow for smaller separable

spaces that can be used by Children and Youth Groups during services that can cater to the specific language. The proposed works would improve the energy efficiency of the building and would also improve the accessibility. These are considered to be clear public benefits to the proposal. However, Officers consider that the harm has not been fully justified and other options to retain and retro-fit the Iron Hall have not been considered. As such, in this instance the public benefits do not outweigh the harm.

- 11.19 The proposal fails to comply with Policies 55, 56, 58, 59, 61 and 62 of the Cambridge Local Plan and of the Local Plan and the NPPF.

12. Carbon reduction and sustainable design

- 12.1 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. Policy 28 of the Cambridge Local Plan (2018) requires development to reduce carbon emissions and to achieve a minimum water efficiency for non-residential buildings to achieve a BREEAM efficiency standard. 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

13. Biodiversity

- 13.1 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a Biodiversity Net Gain Calculation Summary which sets out that the proposed would result in a 204% gain on site. The proposed BNG is welcomed and it meets the requirements of the Environment Act 2021.
- 13.2 A Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) has been submitted as part of the application. The PRA identified the building to be of low potential to support roosting bats which triggers the requirement for further surveys to be carried out. The application has been subject to formal consultation with the Council's Ecology Officer, who raises that a dusk emergence survey is required to be undertaken between May and August and that this is required prior to submission.

- 13.3 Without further surveys Officers cannot identify any potential risks to bats and so cannot be sure harm would not occur. It would not be reasonable to delay the decision of the application by the significant period of time needed to wait until the relevant surveys could be conducted. The applicants were invited to withdraw the application, however, they decided against this option.
- 13.4 The proposal fails to comply with Policy 70 of the Local Plan and the Biodiversity SPD 2022.

14. Water management and flood risk

- 14.1 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. The site is not at risk of surface water flooding.
- 14.2 The applicants have submitted Storm Water Attenuation Calculations and drainage plans along with permission from Anglian Water to connect to the public sewer.
- 14.3 The Council's Sustainable Drainage Engineer has advised that this is acceptable.
- 14.4 Anglian Water (AW) has objected to the surface water disposal as the application has failed to demonstrate that the surface water hierarchy has been fully explored.
- 14.5 Officers acknowledge the comments from Anglian Water. However, it is noted that they have previously confirmed to the applicant that they will permit the connection earlier within the in year. It is also noted that the proposal is an extension to an existing building that is understood to already connect to the public sewer. Subsequently, as the Drainage Officer has no objection, it is considered that the proposed surface water drainage scheme to be acceptable.
- 14.6 Anglian Water have also objected due to Wastewater concerns. The site falls within the catchment of Cambridge Water Recycling Centre (WRC) which currently lacks the capacity to accommodate the additional flows.
- 14.7 Under Section 106 of the Water Industry Act 1991, all Water and Sewerage Companies have a legal obligation to provide developers with the right to connect to a public sewer. The duty imposed by section 94 of the 1991 Act requires these companies to deal with any discharge that is made into their sewers.

- 14.8 It is noted that Anglian Water does not have the statutory power to issue a 'holding direction' or directly prevent the local planning authority from determining the planning application.
- 14.9 AWSL are not directly consulted on minor development proposals by GCSP. Where AWSL unilaterally object or seek to recommend a Grampian condition to restrict development / occupation of minor development in respect of a WRC which is operating over capacity, officers are of the view that neither the imposition of a Grampian condition or the refusal of planning permission are likely to be appropriate as the impacts from minor development would be negligible.
- 14.10 The availability of treatment capacity at Cambridge WRC, and any environmental or amenity harm caused by increased discharges from storm overflows associated with the application proposals is a material planning consideration in the assessment of this planning application. The weight to be attached to this matter is for the decision maker.
- 14.11 The proposal is an extension to an existing building already served by the Cambridge WRC. The proposal would result in four additional toilets and sinks. As such, it is considered that the uplift in foul water flows would be very limited. In addition, the applicant could install additional toilets within the building without planning permission as the work would be internal. As such, it is considered that the minor increase from the development would be negligible in terms of capacity of the catchment area and the treatment works.
- 14.12 Notwithstanding the objection from Anglian Water, officers are of the view that the applicants have suitably addressed the issues of water management and flood risk. In respect of foul water capacity considerations, the proposal is a minor scheme and would have negligible cumulative impact on the operation of the WRC. The building also benefits from a fall-back position regarding internal works and, it is not necessary to refuse planning permission or condition the delay of any occupation / use of the extended part(s) of what is an existing community facility already in use. Anglian Water's response regarding foul water is wholly disproportionate. There is no reasonable basis to resist the proposal as set against policies 31 and 32 of the Local Plan and NPPF advice.

15. Highway safety and transport impacts

- 15.1 The proposal would not result in any alterations to the existing vehicular access. The scheme has been reviewed by the Local Highways Authority

who have raised no objection subject to a condition regarding falls and levels. This condition is considered reasonable. The site is located in close proximity to the city centre and so it is considered highly sustainable and so would have limited impact on the local road network.

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

16. Car and cycle provision

- 16.1 The site lies within a Controlled Parking Zone (CPZ). Policy 82 requires development to comply with the Council's parking standards. Appendix L of the Local Plan states that within the CPZ places of worship should have 1 car parking space per 100sqm plus disabled spaces and 1 cycle space for every 4 seats.

Cycle parking

- 16.2 Nine Sheffield stands would be installed to front of the Pound Hill entrance to the building which would allow for 18 cycles. The submitted parking information estimates that the current peak is 75 people attending at one time. This would require 19 cycle spaces. Whilst the proposed is slightly below this limit it is a similar amount to the existing provision. It is considered that this would be acceptable in this instance.

Car parking

- 16.3 The car parking area to the site is located to the rear of the building accessed via a private access from St Peter's Street between the site and No.22 St Peter's Street. The existing parking layout is informal and the existing plans show that there is space for 6 cars to park, however, they are not independently accessed.
- 16.4 The proposed plans show a layout for 7 cars within the same parking area with the same access limitations. In terms of provision the parking provision would match the requirements of 7 parking spaces for the total internal floorspace. A parking supporting statement has been submitted as part of the application which contains information regarding the potential needs to car parking spaces. The majority of which would be on a Sunday daytime, with slightly elevated numbers Thursday night, Friday all day and Saturday nights. Within the peak time of a Sunday there are no parking restrictions within the area, and on other days there are no restrictions after 5pm. Some of the spaces available in other times are pay

and display and others are resident permits. There is also pay and display public parking at Castle Street Car Park which is a short walk away from the site. In addition, the site is within close proximity to the city centre and so many visitors travel by sustainable transport modes. As such, it is considered that the number of car parking spaces is acceptable.

- 16.5 However, the proposed parking layout is awkward and not ideal as it is reliant on others to allow access to enter or leave a parking space. This matches the existing situation and Officers note that there is no loss of the existing car park area. The submitted information states that the use of the on-site parking spaces are limited to the use of the pastors and others who run the Church activities daily and as such it is managed accordingly.
- 16.6 In regards to the accessibility to the parking spaces a tracking diagram has been added to demonstrate how cars can manoeuvre to park noting that cars are also parked opposite the site next to the wall serving the residential development to the west.
- 16.7 Whilst the parking layout is not ideal, as it is similar to the way that parking is currently operated with additional provision for further pastors/staff/volunteers which may come with the extensions and as the number of spaces is acceptable it is considered that it would be difficult to refuse the application for this reason alone. Further details regarding how the parking would be managed can be secured by way of condition.
- 16.8 EV charging
- 16.9 Two EV charging spaces have been demonstrated on the plans within the car park area. This is acceptable and can be secured by way of condition.
- 16.10 Subsequently it is considered that in this case the parking provision is acceptable.

17. Trees

- 17.1 The Council's Tree Officer has advised that a desktop assessment has identified a small tree within the site that is likely to be category C. They consider that this tree will not form a constraint on the development, however, there is an expectation that if it does not need to be removed to facilitate the development that it will be replaced. This can be secured by way of a suitably worded condition.
- 17.2 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan and the NPPF.

18. Amenity

Neighbouring properties

- 18.1 Policies 35 and 58 of the Local Plan seek to preserve the amenity of neighbouring and/or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing. Paragraph 135(f) of the NPPF states that planning decisions should ensure developments create places that are safe, inclusive and accessible which promote health and well-being, with a high standard of amenity for existing and future users.
- 18.2 The Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' gives two helpful rule of thumb tests which determine whether or not further detailed daylight and sunlight tests are required. The 25 degree test is used where the development is opposite the window and if the development falls beneath a line drawn at 25 degrees from the horizontal or the centre of the lowest habitable room then there is unlikely to be a substantial effect on daylight and sunlight. The 45 degreed test is used to check extensions that are perpendicular to a window. If the development intersects both the vertical and horizontal lines then more detailed tests are required.
- 18.3 If more tests are required then the BRE recommends that the vertical sky component should be no less than 27 or if reduced to below this, no less than 80% of its former value. If a development results in the failure of both tests then it is considered that the daylighting of neighbouring properties is likely to be significantly affected.
- 18.4 In terms of sunlight, windows which are within 90 degrees of due south, annual probable sunlight hours (APSH) should be calculated. If a room can received more than one quarter of APSH including at least 5% in window months then it should still received enough sunlight. In terms of sunlight and amenity space, it is recommended that at least half of the garden areas should received at least two hours of sunlight on 21 March. If an existing garden is already heavily obstructed than any further loss of sunlight should be kept to a minimum and so if as a result of new development, the area that can receive two hours of direct sunlight on 21 March is reduced to less than 0.8 of its former size then this further loss of sunlight is significant.
- 18.5 The BRE information as outlined above should only be used a guide.

- 18.6 Impact on No. 4 Pound Hill:
- 18.7 No.4 Pound Hill bounds the site to the south east and it shares its side and rear boundaries with the church. The extension to the entrance way along Pound Hill would be partially built up to the shared boundary and neighbouring dwelling house. There are no windows on the walls of No.4 where the extension would be built up to the boundary. No.4 does benefit from two side windows which face the site, however, at this point the extension would be located 3.1 metres from windows. Whilst the extension would be brought further forward than the existing Iron Hall, it would be located further away from these windows as such, it is considered that the front extension would not appear more overly dominant than the existing. These windows are located higher up within the wall and they serve a bathroom and a staircase. A Daylight and Sunlight Assessment has been submitted which demonstrates that these windows (1 and 2) would retain at least 80% of the vertical sky component (VSC) in line with BRE requirements. A sunlight impact has not been completed for these windows as they do not face within 90 degrees of due south. Whilst it is noted that there would be some impact on these windows as a result of the development, it falls within line of the BRE guidance and as the windows do not serve habitable rooms the level of impact is considered to be acceptable.
- 18.8 The existing gym building borders the rear boundary with No.4 and following development the ridge height would be raised from 6.9 metres to 8.3 metres with the eaves raising from 4.5 metres to 6.2 metres above the ground level of No.4's garden. The rear windows (west facing) of No.4 are located a minimum of 6 metres from the gym wall and as such the existing building already intersects the 25 degree vertical line from the ground floor windows. However, due to the increase in height this would be worsened, with some additional, but limited intersections from the rear first floor window. However, the Sunlight and Daylight Assessment demonstrates that these windows (3-6) would retain a minimum of 84% VSC in line with the BRE guidance. Sunlight did not need to be assessed on these windows as they are facing more than 90 degrees from due south. As such, it is considered that the development would have an acceptable level of impact on daylight to these windows.
- 18.9 No.4 benefits from windows facing south west on its two storey outrigger. Two of which are in close proximity to the gym wall. The existing gym building already intersects the 45 degree horizontal line from these windows and the 45 degree vertical line from the closest ground floor window, however, following development the gym building would intersect the 45 degree vertical line from the closet first floor window which serves

a bedroom. This would trigger the requirement for further tests, however, these windows have been excluded from the submitted Daylight and Sunlight Assessment. Without these further tests demonstrating otherwise, it is considered that the extended gym building, by reason of its height would have an unacceptable impact upon the daylight and sunlight of the south western facing windows of No.4 Pound Hill. In addition, it is considered that this would also affect the outlook of these windows.

- 18.10 No.4 benefits from a small courtyard garden which has been assessed in the Sunlight and Daylight Assessment. In terms of sunlight there would be a reduction of 2% of area that receives 2 hours of sunlight on 21 March to 74.41%. As such, 97% of sunlight hours would be retained which is considered acceptable.
- 18.11 The garden of No.4 is bounded on 3 sides by the gym to the west and the two storey dwelling house to the north and east. As such, there is already a sense of enclosure to this amenity area. The eaves of the gym would be raised by 1.7 metres and the first floor extension above the existing connecting corridor would infill a small section of open space at first floor between the gym and the outrigger of No.4 in the north west corner. Subsequently, officers consider that this would worsen the already enclosed garden, resulting in an unacceptable sense of dominance to the occupiers of No.4 Pound Hill.
- 18.12 In terms of privacy, there would be no windows within the gym building facing No.4. There would be a first floor window in the front extension serving the staircase which has the potential to overlook the side windows of No.4. It is considered that the proposed window would not result in the loss of privacy to the window furthest from the road due to the obtuse angles. However, there is potential for some overlooking between the proposed window and the window closest to the road. As such, it is considered reasonable to add a condition to ensure that this window is obscurely glazed.
- 18.13 The cycle parking would be relocated to the area by these side windows. However, due to the height of the windows above the ground, it is considered that it would not result in an unacceptable loss of privacy.
- 18.14 Mason's Garden
- 18.15 The application site shares a boundary with Mason's Garden to the south. The existing gym building is located 0.9 metres from this neighbouring property. Mason's Garden benefits from some rooflights facing the application site. One of which would be impacted by the raising of the roof

of the gym. This window has been included within the Daylight and Sunlight Assessment (7) and it would retain 86% of its VSC. The layout of the curtilage of Mason's Garden results in the amenity space being located to the front of the dwelling and so it is considered that the proposal would have a limited impact on this garden. Subsequently, it is considered that the proposal would have an acceptable level of impact on the residential amenity of Mason's Garden.

- 18.16 There would be two first floor windows in the wall of gym facing Mason's Garden. However, these are annotated as being obscurely glazed and a condition can be added to ensure that this is the case in order to protect the privacy of this neighbour.
- 18.17 12-20 Albion Row and 22-24 St Peter's Street
- 18.18 To the west of the site lies 6 two storey dwelling houses (12-17 Albion Row) and a relatively new residential development comprising dwelling houses and flats (18-20 Albion Row and 22-24 St Peter's Street).
- 18.19 The eastern (rear) boundaries of these properties would be located a minimum 7.8 metres from the extended gym and approximately 11 metres from the first floor extension above the connecting corridor. The rear windows of Nos.16-20 Albion Road have been included within the Daylight and Sunlight Assessment (windows 8-22). The most affected window (10) is located to the rear of No.17 on its single storey element would drop below 27 for its VSC value, however, it would retain 80.35% of its existing VSC and so in compliance with the BRE guidance. All windows would retain over 80% of their APSH. All other windows would retain at least 89% of its former VSC value.
- 18.20 In terms of amenity space, No.16 Albion Row would be the greater impacted (G2), however, following development it would retained over 50% of the garden area received 2 hours of sunlight and would retain 80.59% of the existing area.
- 18.21 The first floor extension over the connecting corridor and the proposed gym would benefit from windows facing these neighbours. However, the majority of these windows are either high level or annotated as being obscurely glazed. A condition can be added to ensure this to protect the privacy of these neighbouring properties.
- 18.22 Officers consider the other windows in these neighbouring properties would be a sufficient enough distance from the development to retain sufficient daylight and sunlight.

- 18.23 Subsequently, it is considered that the proposed development, by reason of the height of the gym and its proximity to No.4 Pound Hill, would have an unacceptable impact upon the residential amenity of No.4 by reason of loss of light and outlook to the south facing windows and sense of dominance to the private amenity space. The proposal would fail to comply with Policy 58 of the Cambridge Local Plan (2018).

Future Users

Accessible design

- 18.24 The works to the church would result in a wheelchair accessible ramp to allow access from Pound Hill along with the existing step free access along St Peter's Street. The ramps would have a gradient of approximately 1:15 which is acceptable. There would be sufficient turning space at the end of each ramp. The Access Officer has provided advice regarding doors and hearing loops.

Construction and environmental health impacts

- 18.25 Concerns have been raised regarding construction impacts.
- 18.26 The Council's Environmental Health Team have assessed the application and have raised no objections subject to conditions relating to construction hours and piling. These are considered reasonable to protect the neighbouring residents.
- 18.27 Whilst Officers accept that there will be impacts from the construction of the extensions, particularly in regards to No.4 Pound Hill, as these would be temporary in nature it would be unreasonable to refuse the application for this reason.

Summary

- 18.28 The proposal fails to respect the amenity of No.4 Pound Hill by reason of loss of light, loss of outlook and sense of dominance. The proposal is contrary to Policies 55, 56 and 58 of the Local Plan.
- 18.29 The associated construction and environmental impacts would be acceptable in accordance with Policies 33, 34, 35 and 36 of the Local Plan.

19. Third party representations

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

Third party comment	Officer response
Party walls	This is a civil matter between different landowners in which the local planning authority has no role. The Party Wall Act 1996 governs the process by which party walls and associated disputes are handled.
Building control	Concerns have been raised regarding the building works. A planning permission does not override the requirement for Building Regulations to be obtained which help ensure works are safe, structurally sound, water and fire protected.

Table 3 Officer response to third party representations

20. Planning balance

- 20.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 20.2 Summary of harm
- 20.3 As identified above, Officers consider that the proposal, by reason of the total loss of the Iron Hall would result in a high level of harm to this element of the BLI. In addition, by reason of the loss of the Iron Hall and the additional bulk created by the extension to the gym would a moderate level of 'less than substantial harm' to the Conservation Area and the retained elements of the BLI.
- 20.4 Officers consider that by reason of the extensions, particularly in regards to the height of the gym building the proposal would result in an unacceptable level of harm to No.4 Pound Hill by reason of loss of light, loss of outlook and sense of dominance.
- 20.5 In addition, the proposal has failed to demonstrate that bats could be adequately protected if the proposed works were to proceed.
- 20.6 Summary of benefits

- 20.7 Officers note that the proposal would create additional and improved space for a community facility, and it would allow the church sufficient space for its growing congregation. The development would also improve accessibility to the building.

Overall

- 20.8 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the harm that arises from the proposed development – particularly in heritage terms - do not outweigh the public benefits that would arise from the improvements to the community facility. Refusal of planning permission is recommended.

21. Recommendation

- 21.1 **Refuse** for the following reasons:

1. The proposed development, by reason of the demolition of the 'Iron Hall' would result in the total loss and significant harm to the non-designated heritage asset and would result in a moderate level of 'less than substantial harm' to the retained elements of the Building of Local Interest and the Castle and Victoria Conservation Area. In addition, the proposed first floor extension to the gym building would result in a low level of 'less than substantial harm' to the retained elements of the Building of Local Interest and the Castle and Victoria Conservation Area. Subsequently, the cumulative impact of the proposal on the conservation area and non-designated heritage assets The harm to the designated and non-designated heritage assets has not been fully justified and the identified benefits do not outweigh the identified harm. The application is therefore contrary to Policies 61 and 62 of the Cambridge Local Plan (2018) and paragraphs 212, 213, 215 and 216 of the NPPF (2024).
2. The proposed development, by reason of the height of the first floor extension to the building would result in a detrimental impact on the residential amenity of No.4 Pound Hill by reason of overdominance to its only private amenity space and loss of light and outlook to the south facing windows of the neighbouring property. The application fails to

comply with Policy 57 of the Cambridge Local Plan (2018) and paragraph 135(f) of the NPPF (2024)

3. The submitted Preliminary Roost Assessment identified the building to be of a low potential to support roosting bats. No further dusk emergence survey has been submitted due to the requirement that it is undertaken between May and August. As such, it is not possible to identify any potential risks to bats. The proposal fails to comply with Policy 70 of the Cambridge Local Plan (2018) and the Biodiversity SPD (2022).

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Planning Committee Date	7 January 2026
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	25/04141/S73
Site	639 Newmarket Road Cambridge Cambridgeshire CB5 8WL
Ward / Parish	Abbey
Proposal	Section 73 of the Town and Country Planning act 1990 (as amended) application for permission to develop land without compliance with condition 6 of planning permission: C/00/0222/FP for demolition of existing public house and erection of new class a3 restaurant and associated drive-through facility together with alterations to existing parking area, including closure of existing access and creation of new access onto Wadloes Road McDonalds restaurant, 639 Newmarket road, Cambridge, CB5 8WL.
Applicant	McDonald's Restaurants Limited
Presenting Officer	Melissa Reynolds
Reason Reported to Committee	Called-in by Cllr Noami Bennett, Delegation Panel determined that the application be considered by planning committee
Member Site Visit Date	N/A
Key Issues	1. Residential amenity (noise and light disturbance) 2. Traffic
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks to vary condition 6 of planning permission ref. C/00/0222/FP, which currently limits the hours of opening of the fast-food restaurant to 7am-11pm, seven days a week. The increase sought is an additional hour, opening earlier at 6am.
- 1.2 Objections have been received from local residents and a ward councillor primarily on grounds relating to traffic, highway safety and residential amenity (noise and disturbance, odours).
- 1.3 Officers recommend that the Planning Committee **refuse** the application.

2.0 Site Description and Context

None-relevant		Tree Preservation Order	X
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone 1 and no surface water	X
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre	X	Article 4 Direction	
Lords Bridge	X	Cambridge Airport Safeguarding Zones (Any structure greater than 10m above ground level)	X
SSSI Impact Risk Zone	X		

*X indicates relevance

- 2.1 McDonalds Restaurant and drive-through stands on the north-east corner of the roundabout junction of Newmarket Road with Wadloes Road, close to the eastern edge of the City. The restaurant building stands on a north-south axis with its southern end facing Newmarket Road. The main car parking areas are between the building and Wadloes Road (from which access is taken) and north of the building. A drive-through route runs along the northern, eastern and southern sides of the building, adjacent to the boundaries.
- 2.2 To the east is a hot food take away unit (Papa John's) with some residential to the rear (no. 639 Newmarket Road) and then the Cambridge Technopark. To the north is housing at Nursery Close and beyond. To the west, on the far side of Wadloes Road, is housing facing Newmarket Road and Wadloes Road. South of Newmarket Road are some flats and a small parade of shop with flats over and a library. Diagonally across the roundabout junction is a CIP project under construction for flats.

- 2.3** Newmarket Road is the main highway bringing traffic to and from the eastern side of the City and the villages and towns beyond. The area is largely residential in character though there are also employment uses a little further to the south and east.

3.0 The Proposal

- 3.1** Section 73 of the Town and Country Planning act 1990 (as amended) application for permission to develop land without compliance with condition 6 of planning permission: C/00/0222/FP for demolition of existing public house and erection of new class A3 restaurant and associated drive-through facility together with alterations to existing parking area, including closure of existing access and creation of new access onto Wadloes Road McDonalds restaurant, 639 Newmarket road, Cambridge, CB5 8WL.
- 3.2** The description was amended from 'S73 to vary condition 6 (Hours of operation) of planning permission C/00/0222 (Demolition of existing public house and erection of new class A3 restaurant with associated drive-through facility together with alterations to existing parking area, including closure of existing access and creation of new access onto Wadloes Road) **to allow the restaurant to trade from 06:00 - 23:00, seven days a week.**' at the agent's request. An additional period of consultation has been undertaken. It does not alter the effect of the proposal, which is to extend the operating hours from 07:00-23:00, seven days a week by an hour to 06:00-23:00, seven days a week.
- 3.3** The application is supported by a Noise Impact Assessment by Sustainable Acoustics (Report No. 25-0052-0 R01.1) in August 2025. Mitigation measures to alleviate noise impacts are included in the report, including:
- 3.3.1 An extension to the height of the barrier (for the Communications Operating Device (COD) system, aka Intercom, and vehicles) to 3m high for the entire length of boundaries to the drive-through.
 - 3.3.2 Time restrictions to one of the drive-thru lanes.
 - 3.3.3 Replacement of the roof-based extractor plant with a quieter model.
 - 3.3.4 A Premises Noise Management Plan (PNMP).

No further details are set out e.g. of the specific fence type or plant.

4.0 Relevant Site History

Reference	Description	Outcome
21/00333/FUL	Installation of 2 rapid electric vehicle charging stations within the car park	PERM dated 07.07.2021

	and conversion of 2 existing parking spaces to EV charging bays	
19/1108/ADV	Installation of 3 freestanding double digital menu boards, 1 freestanding single digital menu board, and 1 15" digital booth screen (all internally illuminated)	PERM dated 03.10.2019
17/076/TTPO	Tree works: reduce cherries and limes, remove deadwood from maple, lift crown of walnut tree over drive-through	TSPLIT dated 18.05.2017
16/1556/NMA	Non-Material Amendment to reconfigure bike racks for pedestrian access	PERM dated 04.10.2016
16/1215/NMA	Non-Material Amendment to reconfigure patio	PERM dated 13.07.2016
16/0719/ADV	Relocation of 1 existing internally illuminated fascia sign	PERM dated 07.06.2016
16/0718/FUL	Refurbishment and reconfiguration of restaurant, including extensions totaling 18.5 sqm and relocation of entrance door	PERM dated 07.06.2016
14/0507/S73	Variation of condition 6 to allow restaurant to operate between 06:00 and 23:00 seven days a week	REFU dated 27.05.2014
13/0570/ADV	Relocation of height restrictor monolith and installation of internally illuminated signs and customer order displays	PERM dated 17.06.2013
13/0569/FUL	Reconfiguration of drive-thru lane and car park, installation of 2 Customer Order Displays, booth extension, and signage amendments	PERM dated 26.07.2013
11/1221/S73	Variation of condition 6 to allow restaurant to trade 06:00–23:00 seven days a week	REFU dated 06.12.2011
09/0977/S73	Variation of condition 6 for temporary 12-month period to allow trading 06:00–23:00	REFU dated 21.12.2009
08/1684/S73	Variation of condition 6 to allow restaurant to trade 06:00–23:00	WDN dated 03.02.2009
08/1511/FUL	Alteration to drive-thru for side-by-side order point and installation of Customer Order Display	REFU dated 23.12.2008
08/1510/ADV	Alteration to drive-thru for side-by-side order point and installation of Customer Order Display	REFU dated 24.12.2008
08/1143/FUL	Extensions to restaurant and outdoor patios, landscaping, and site layout	PERM dated 13.10.2008

08/1139/ADV	Installation of fascia signs, freestanding signs, height restrictor sign, banner signs, and customer order display	PRPA dated 24.09.2008
C/00/0772– C/00/0777	Various illuminated and non-illuminated signage applications	APC dated 04.09.2000
C/00/0222	Demolition of existing public house and erection of new class A3 restaurant with associated drive-through facility	APC dated 13.09.2000
C/99/0236	Creation of vehicular access from Wadloes Road	WDN dated 19.10.2000

4.1 The McDonalds was first permitted in 2000. On three previous occasions the applicant has sought to vary the opening times. On each occasions these applications were refused on grounds relating to noise and light spill impact and nuisance to neighbours, harming residential amenity. See full reasons (below):

- 4.1.1 09/0977/S73 - The proposed extension of hours allowing the premises to be open from 6am is unacceptable in that the applicant has not demonstrated that such extended opening hours could be achieved without significant adverse impact upon nearby residents resulting from movements associated with the extended opening hours. For this reason, the proposal is unacceptable and contrary to policy 4/13 of the Cambridge Local Plan (2006).
- 4.1.2 11/1221/S73 - The proposed extension of hours allowing the premises to be open from 6am is unacceptable because the extended opening hours will lead to additional light spill and noise from vehicles and customers which would have a detrimental impact upon the level of amenity which nearby residential properties could reasonably expect to enjoy at this hour of the morning. For this reason the proposal is contrary to East of England Plan (2008) policy ENV7 and policies 3/4, 4/13 and 6/10 of the Cambridge Local Plan (2006).
- 4.1.3 14/0507/S73 - The proposed extension in hours to allow the premises to open from 6am is likely to result in an unacceptable increase in noise and nuisance within the immediate vicinity of the drive-thru restaurant which would be harmful to the amenities of adjacent residential properties, and in particular numbers 17-21 Wadloes Road, contrary to policies 3/4, 3/11 and 4/13 of the Cambridge Local Plan 2006.

5.0 Policy

5.1 National

National Planning Policy Framework 2024

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Conservation of Habitats and Species Regulations 2017

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 5: Sustainable transport and infrastructure

Policy 6: Hierarchy of centres and retail capacity

Policy 34: Light pollution control

Policy 35: Protection of human health and quality of life from noise and vibration

Policy 36: Air quality, odour and dust

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

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

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Health Impact Assessment SPD – Adopted March 2011

Landscape in New Developments SPD – Adopted March 2010

Trees and Development Sites SPD – Adopted January 2009

5.5 Other Guidance

N/A

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 Landscape Officer – No Comment

6.3 Trees Officer – No Comment

6.4 Environmental Health – Object

Operational Noise Impacts

6.5 There are numerous noise impact assessment and noise mitigation uncertainties associated with the application.

6.6 We recommend that the application is refused as it has not been clearly demonstrated that the proposals will mitigate and reduce to a minimum potential adverse noise impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life. There is also uncertainty regarding the actual noise mitigation measures to be implemented to mitigate and reduce to a minimum potential adverse noise impact.

6.7 This would be contrary to paragraphs 187. e) and 198. B) of the NPPF, 2024 and Policy 35: 'Protection of human health and quality of life from noise and vibration' of the Cambridge City Local Plan 2018.

Artificial Lighting

6.8 The site has numerous sources of internal and external (signs / adverts and screens) artificial lighting. If the restaurant was to operate from 06:00–23:00, seven days a week then this would mean that such light sources could come on earlier than currently.

6.9 The Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light (GUIDANCE NOTE 01/21) are different for the night-time curfew hours of 23.00 to 07.00hrs.

6.10 The headlights from vehicles entering and leaving the site may be another adverse lighting related impact e.g. shining into windows.

6.11 The proposal could therefore result in additional and different artificial lighting adverse impacts on local residential quality of life / amenity during these nighttime hours. These have not been mentioned or assessed in any way.

- 6.12** In our view, failure to consider this would be contrary to paragraph 198. c) of the NPPF, 2024 and Policy 34: 'Light pollution control' of the Cambridge City Local Plan 2018.

7.0 Third Party Representations

- 7.1** Ten representations have been received.

- 7.2** Those in objection have raised the following issues:

- Residential amenity - impact of noise and disturbance from:
 - customers,
 - vehicles,
 - delivery vans,
 - activity on site, ability to open windows e.g. in summer time due to odours and noise)
- Notes inadequate mitigation measures are proposed
- Odour – no odour impact assessment, increased hours will increase the time smells linger
 - Air quality in the area, increasing NO2 and particulates
 - Highway safety (traffic - additional deliveries (HGV and food delivery services) and customers; and timing of traffic increase)
 - Car parking and parking stress – causes traffic backing up, turning in the neighbouring close, queuing, illegal parking, sight lines obstruction
 - Extra litter (need to increase hours of litter picking if allowed)
 - Cumulative impacts of the increase

- 7.3** No representations in support have been received.

8.0 Member Representations

- 8.1** Cllr Naomi Bennett has made a representation objecting to the application on the following grounds:

- The restaurant is in an established residential area and several families with young children live very close to the restaurant and are exposed to fumes, noise and antisocial behaviour.
- If the restaurant is open to the public from 6am to 11pm, then staff will need to arrive around 5.30 am and leave around 23.30pm so residents will get less than 6 hours of peace and quiet.
- The existence of the restaurant already causes significant harm and a seven-day 1 hour extension will increase that harm to an intolerable level.
- This change cannot be offset by better management because the current management are active and engaged already.
- It is unrealistic to expect an operation of this size and nature in a busy residential area to exist without significant harm to residents' amenities as well as the notorious parking stresses and congestion of the main Eastern approach road and ring-road.

9.0 Local Interest Groups and Organisations / Petition

Not applicable

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

10.0 Assessment

10.1 Planning Background

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

- 10.3** The applicant has sought to amend a condition attached to the planning permission by seeking to make a minor material amendment. Paragraph 13 of Planning Practice Guidance advises that there is no statutory limit on the degree of change permissible to conditions under S73, but the change must only relate to conditions and not to the operative part of the permission [Paragraph: 013 Reference ID: 17a-013-20140306]. Case law has established the test which governs section 73 cases is to be found in *R v Coventry City Council, ex p. Arrowcroft Group plc* [2001] PLCR 7, in which Sullivan J held that, under that section, a local planning authority: "is able to impose different conditions upon a new planning permission, but only if they are conditions which the council could lawfully have imposed on the original planning permission in the sense that they do not amount to a fundamental alteration of the proposal put forward in the original application (para. 33)."

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

- 10.5** The modification sought is:
- Revise condition 6 of C/00/0222/FP to increase the hours of opening from 7am-11pm to 6am – 11pm.

10.6 Highway Safety and Transport Impacts

- 10.7** Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

- 10.8** Para. 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an

unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.9 Access to the site would be unaltered.

10.10 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, which raises no objection to the proposal. Noting the representations received relating to traffic generation without an objection on highways impact grounds, it is not considered reasonable for the council to object to the proposal on highways grounds.

10.11 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

10.12 **Amenity**

10.13 Policy 34: Light pollution control addresses the impacts of new external lighting and changes to existing lighting and seeks to ensure that these minimise the impact on local residential amenity, amongst others.

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

10.15 Neighbouring Properties

10.16 Environmental Health has noted:

'The site is located within a largely residential area. The closest noise-sensitive residential receptors are those 5 - 15m to the north at Nursery Close (1, 2 and 7), CB5 8AE. We also understand that there is a nearby flat to the east at 641 / 641A Newmarket Road, CB5 8PB, approximately 3 to 4m from the drive-thru vehicle route. There are also residential premises directly opposite at 13 to 23 Wadloes Road, CB5 8PF.'

10.17 The comments go on to consider the impacts light and noise on these neighbouring properties.

10.18 Environmental Impacts

Lighting

10.19 The Council's Environmental Health team has assessed the application and concluded that it fails to address the impact of light during the nighttime. It is noted that sources of light include: signs, adverts, screens, and headlights from vehicles entering and leaving the site. It advised that the proposal would result in adverse impacts from external artificial lighting on local residential quality of life / amenity during nighttime hours. These have not been mentioned or assessed in any way'.

- 10.20** It is concluded that the failure to consider lighting means that the proposal is contrary to paragraph 198. c) of the NPPF, 2025 and Policy 34: 'Light pollution control' of the Cambridge City Local Plan 2018.

Noise

- 10.21** The application is accompanied by a Noise Impact Assessment (NIA). This identifies noise sources in relation to dwellings (noise-sensitive receptors) as being:
- Drive-thru vehicle lane / route: 15m from closest noise-sensitive receiver.
 - Vehicles using parking spaces (closest): 25m from closest noise-sensitive receiver.
 - The Communications Operating Device (COD) systems: 20m from closest noise-sensitive receiver. This COD is an exterior intercom type system / station, such as found in the drive-thru lane of the business, with an externally mounted speaker and microphone to allow for hands-free communication by a customer in a car.
 - Roof Plant: 20m from closest noise-sensitive receiver
- 10.22** The NIA sets out a mitigation strategy, intended to ensure adequate protections are included to reduce the noise impact to none:
- A premises noise management plan.
 - Limiting the number of customers or relocating the drive-thru are not considered viable.
 - Display Signage - One such mitigation measure is to prominently display signs asking customers to respect neighbours – keep noise to a minimum.
 - Acoustic / Noise Barrier Screening (3m high) (Length of the barrier should match the entire length of the drive thru area perimeter).
 - A 3m high barrier constructed of suitable massive material with a surface mass of at least 15kg/m² (such as marine grade plywood) installed at the perimeter would provide significant screening from both vehicle and COD noise. The length of the barrier should match the entire length of the drive thru area perimeter. Barriers would need to be properly constructed and reinforced, homogenous and continuous for their full length.
 - Turn the COD noise levels down.
 - A time restriction applied to the drive thru lane closest to the neighbour properties to limit its operation to daytime hours only between 07:00-23:00hrs.
 - Replacing the existing extract system with a quieter model.
 - To minimise noise from the outlet, the installation of an in-duct attenuator to the extract ductwork by the amount stated in the attenuator specifications.
 - To minimise breakout noise, the installation of an acoustic enclosure around the extract fan plus acoustic lagging around the ductwork

- Upon completion of works, running speed of the kitchen extract fan should be set to as low as practicably possible in order to reduce noise at source.

11.0 Environmental Health has considered the NIA and possible mitigation measures included within it. It is concluded that the NIA is generally acceptable in principle. The key point is a disagreement with the type of assessment used (IEMA) and suggests that 'a BS4142 type assessment is more appropriate for this type of use and in the circumstances...if a BS 4142 assessment was undertaken it is likely to indicate a potential significant adverse impact for vehicles manoeuvring along the Drive-thru lanes/s during the possibility of extending the opening hours of the restaurant and drive thru to operate from 06:00 (1 hour earlier). In addition, it is also difficult to account for individual driver behaviours such as the use of loud stereos with windows open potentially which is an unknown but an important potential adverse impact'.

11.1 The response concludes that:

'...to comply with national and local noise policy e.g. 'mitigate and reduce to a minimum potential adverse noise impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life', a 3m high environmental noise barrier close to the Drive-thru lanes/s along the entire length on the northern and eastern perimeter boundaries is required. In addition, as a minimum attenuation of roof top plant / equipment is also required. If the drive-thru is not used between 06.00 and 07.00hrs a 3m high environmental noise barrier close to the Drive-thru lanes/s along the entire length on the northern perimeter boundary is still required to mitigate car parking and related door bangs etc.

This barrier should be in combination with the additional noise mitigation options recommended in the SA-NIA.'

The installation of a noise barrier would require planning permission in its own right, as it falls outside of the description of development approved under application ref. C/00/0222/FP. Due to the height, orientation, and proximity to residential properties, this is likely to cause significant loss of residential amenity due to overshadowing and visual dominance. There is no guarantee planning permission would be forthcoming for these reasons and it cannot be a condition of the S73, for which permission is sought. It highlights the incompatibility of the proposal.

11.2 The Environmental Health response goes on to indicate that the NIA has not addressed the impact upon residents at 641A Newmarket Road, which is closer to the drive-thru than the 15m assumed in the assessment.

11.3 The response concludes that it is unclear which of the mitigation measures are offered. No details of the possible 3m high noise barrier are provided. A condition limiting the use of one of the drive-thru lanes to 07:00–

23:00hrs only. In addition to conditions to secure roof top plan / equipment attenuation. However, it is concluded that, even with these measures, 'There are numerous noise impact assessment and noise mitigation uncertainties associated with the application. They recommend refusal due to the uncertainty over the impacts, which would be contrary to paragraphs 187. e) and 198. B) of the NPPF, 2024 and Policy 35: 'Protection of human health and quality of life from noise and vibration' of the Cambridge City Local Plan 2018.

- 11.4** The proposal fails to adequately respect the amenity of its neighbours and it is considered not compliant with Cambridge Local Plan (2018) policies 35 and the NPPF (2025).

Other

- 11.5** The Environmental Health response also addresses issues raised in representations relating to air quality and CO₂ emissions, odours, litter and rubbish, delivery (HGVs) noise, and antisocial behaviour. It is advised that these matters are not concerns in relation to this application as they have been either investigated and resolved, planning conditions control, or other control regimes outside of planning exist. The increase in these issues is a concern but, in themselves, would not be sufficient to warrant a reason for refusal on planning grounds.

12.0 Recommendation

- 12.1** 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 refusal.

12.2 Refuse for the following reasons:

1. It has not been clearly demonstrated that the proposals will mitigate and reduce noise to levels that will not adversely impact health and the quality of life of neighbouring residents. There is also uncertainty regarding the noise mitigation measures proposed and thereby it is not possible to assess the effectiveness of these. The proposal is contrary to paragraphs 187(e) and 198 (b) of the NPPF (2024) and Policy 35: 'Protection of human health and quality of life from noise and vibration' of the Cambridge City Local Plan (2018).
2. The proposal fails to assess potential harm from artificial lighting on local residential quality of life / amenity during nighttime hours. The failure to consider this would be contrary to paragraph 198 (c) of the NPPF (2024) and Policy 34: 'Light pollution control' of the Cambridge City Local Plan 2018.

Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs



Planning Committee Date	7 th January 2026
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	25/02888/FUL
Site	Jewish Synagogue, 3 Thompsons Lane, Cambridge
Ward	Market
Proposal	Demolition of existing Synagogue and Jewish Community facility and erection of a new Synagogue and Jewish Community facility including parking spaces, new cycle storage, landscaping and associated infrastructure works.
Applicant	c/o Agent Peter McKeown – Carter Jonas
Presenting Officer	Laurence Moore
Reason Reported to Committee	Reported at officer direction given the significance of the replacement community asset to the City of Cambridge, the unique design of the proposal and the complexities of its relationship to its neighbouring residential and heritage context and, for reasons relating to the recent appeal history, following former Committee consideration (para 15 SoD)

Member Site Visit Date N/A

Key Issues

1. Heritage impacts
2. Residential Amenity - Enclosure
3. Residential Amenity - Noise
4. Trees

Recommendation **APPROVE** subject to conditions

1.0 Executive Summary

- 1.1 The application seeks full planning permission for: Demolition of existing Synagogue and Jewish Community facility and erection of a new Synagogue and Jewish Community facility including parking spaces, new cycle storage, landscaping and associated infrastructure works.
- 1.2 A previous scheme was refused by Planning Committee and the associated appeal was dismissed. The Inspector's decision is referred to as a material consideration throughout this report and is attached at appendix 1.
- 1.3 The existing building has fallen into disrepair and is no longer appropriate for use by the local community. Its proposed demolition is considered acceptable.
- 1.4 The proposed building utilises a high quality, unique design which will positively contribute to the surrounding area. The proposed scheme is not considered to allow for adverse impacts on neighbours, and will allow for an attractive, acoustically sealed building to replace the failing aesthetic of the existing synagogue.

- 1.5 The application has provided sufficient ecological information to satisfy the council's ecologist, and will provide sufficient levels of BNG. The building would be BREEAM excellent and utilises rainwater harvesting.
- 1.6 Officers recommend that the Planning Committee **Approve** this application subject to conditions.

2.0 Site Description and Context

Conservation Area	x	Tree Preservation Order (adjacent)	x
Listed Building (adjacent)	x	Flood Zone 1	x
Controlled Parking Zone	x		

- 2.1 The existing site consists of the existing Synagogue and Jewish Community facility situated at 3 Thompsons Lane, Cambridge.
- 2.2 The site is within the Cambridge Historic Core conservation area, and is within the controlled parking zone.
- 2.3 North of the site consists of the CSVPA Graduate Centre, an Art Studio operated by the Cambridge School of Visual & Performing Arts. Further north of the site consists of a four-storey student apartment complex and Bishop Bateman Court, which fronts the corner of Thompsons Lane and New Park Street.
- 2.4 East of the site consists of Portugal Place, a Grade II listed terrace of early-19th century residential properties.
- 2.5 South of the site consists of The Old Vicarage, a Grade II listed residential property, whereas further south consists of St Clement's Church, a Grade II* listed church which fronts Bridge Street.

- 2.6 West of the site consists of Thompsons Lane. The properties fronting Thompsons Lane from the west are a mix of Grade II listed properties and Buildings of Local Interest (BLI).

3.0 The Proposal

- 3.1 The application seeks full planning permission for the Demolition of the existing Synagogue and Jewish Community facility and erection of a new Synagogue and Jewish Community facility including parking spaces, new cycle storage, landscaping and associated infrastructure works.
- 3.2 The proposed scheme seeks to replace the existing Synagogue and Jewish Community Centre along Thompsons Lane. The current building is not delivering for the needs of the local Jewish community. The building is too small to cater for the growing Jewish Community within Cambridge, and is outdated, with evidence internally of large leaks and ineffective space.
- 3.3 The proposed scheme utilises a unique design with curved elevations which enable the previously ineffective areas of the site to be used appropriately. The proposed building utilises a primarily single-storey design to the rear adjacent to Portugal Place, with a two-storey wrap around design for the western front and southern side of the building.
- 3.4 New documentation and amended drawings have been provided throughout the course of the application to address concerns with materials, noise in respect of residential amenity and a technical impact assessment and ecological impact. Reconsultation with statutory consultees was undertaken, however, reconsultation with third party representatives was not considered necessary as the amendments were technical.

4.0 Relevant Site History

Reference	Description	Outcome
20/04261/FUL	Demolition of existing Synagogue and Jewish Community facility and erection of a new Synagogue and Jewish Community facility including replacement parking spaces and new cycle storage and associated works.	Refused Appeal dismissed

4.1 Historically, a similar proposal was brought to Planning Committee in January 2023. The application was Refused on grounds of harm to heritage, harm to amenity of neighbouring occupiers, and potential harm to trees.

4.2 The application was appealed and dismissed.

4.3 A copy of the Inspector's Decision letter in relation to the appeal is attached at appendix 1.

5.0 Policy

5.1 National

National Planning Policy Framework 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

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 Draft Greater Cambridge Local Plan 2024-2045 (Regulation 18 Stage Consultation - December 2025 to January 2026)

- 5.2.1 The Regulation 18 Draft Greater Cambridge Local Plan (the draft 'Joint Local Plan' (JLP)) represents the next stage of preparing a new joint Local Plan for Greater Cambridge. Once it is adopted, it will become the statutory development plan for the Greater Cambridge area, replacing the current (adopted) Local Plans for Cambridge City and South Cambridgeshire District.
- 5.2.2 Following endorsement by Joint Cabinet in November, the draft JLP will proceed to a formal public consultation (under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012). This is currently scheduled between 1 December 2025 and 30 January 2026.
- 5.2.3 In line with paragraph 49 of the National Planning Policy Framework (NPPF), local planning authorities may give weight to relevant policies in emerging plans according to several factors. The draft JLP is consistent with policies in the current NPPF, but represents an earlier stage of the plan making process. Therefore, at this stage, the draft JLP and its policies can only be afforded limited weight as a material consideration in decision making.

5.3 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 27: Site specific development opportunities

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 43: University development

Policy 44: Specialist colleges and language schools

Policy 51: Accessible homes

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 71: Trees

Policy 73: Community, sports and leisure facilities

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.4 Neighbourhood Plan

N/A

5.5 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

Trees and Development Sites SPD – Adopted January 2009

5.6 Other Guidance

Cambridge Historic Core conservation area

6.0 Consultations

6.1 County Highways Development Management – No Objection

6.2 No Objection, subject to conditions pertaining to: Traffic Management Plans, Demolition/Construction Vehicle Access, and Highway Drainage, and an informative pertaining to the need for the developer to obtain licenses if works are to be affect the highway.

6.3 Sustainable Drainage Officer – No Objection

6.4 The Surface Water and Foul Water Drainage Strategies submitted are acceptable. The proposed scheme is supported.

6.5 Urban Design and Conservation Team – No Objection

6.6 No objection, subject to conditions pertaining to the submission of design details and materials.

6.7 Access Officer

6.8 No response.

6.9 Historic England

- 6.10 They have provided a written response indicating no advice is offered in this case.

6.11 Senior Sustainability Officer – No Objection

- 6.12 No objection subject to conditions pertaining BREEAM Design and post-construction certificates.

6.13 Ecology Officer – No Objection

- 6.14 No objection subject to conditions pertaining to compliance with submitted ecological information, BNG, ecological enhancements and lighting strategy for biodiversity.
- 6.15 Awaiting response from Ecology officer following communication error re BNG. Report to be updated.

6.16 Tree Officer – No Objection

- 6.17 No objection subject to conditions pertaining to the submission of Arboricultural Method statement and TPP prior to commencement of works/demolition.

6.18 Environmental Health – No Objection

- No objection, subject to the provision of amended noise impact assessment prior to committee, and the use of strict conditions pertaining to: compliance with the Noise Impact Assessment, submission of details pertaining to plant equipment, opening times for the openable roof, details pertaining to the openable roof structure (i.e. timetable), prohibiting the

use of amplified and acoustic music when the roof is open, dust and demolition/construction activities.

7.0 Third Party Representations

7.1 22 representations have been received. 7 of these representations have been made in objection.

7.2 Those in objection have raised the following issues:

- Character, appearance and scale
- Density and overdevelopment
- Heritage impacts
- Residential amenity impact (impacts on daylight, sunlight, enclosure, privacy, noise and disturbance, light pollution)
- Construction impacts
- Impact on and loss of trees

7.3 Those in support have raised the following reasons:

- Improved Design
- Scheme delivers for the local community, overall aesthetic and local residents
- Current building is in disrepair (crumbling, mouldy, dark, unwelcoming)
- Current building not fit for use (space and design)
- Great need for safe and accessible space for Jewish Community
- Scheme appropriately caters for surrounding neighbours

8.0 Member Representations

8.1 N/A

9.0 Local Interest Groups and Organisations / Petition

9.1 N/A

10.0 Assessment

10.1 Planning Background

10.2 A previous scheme sought under 20/04261/FUL was refused by Planning Committee in January 2023 on grounds of harm to the character and appearance of the conservation area, harm to amenity of neighbours by means of enclosure, and potential harm to mature trees.

10.3 The application was appealed and dismissed. The key considerations of the Inspector's decision have been outlined below:

10.4 Harm to Heritage – Reason for refusal not upheld.

The Inspector disagreed with the council's position that the appeal scheme would allow for adverse impacts on the character of the existing site or surrounding conservation area.

10.5 Harm to Residential Amenity – Reason for refusal *altered* but upheld.

The council argued that No.s 25, 26, 27, 28 and 29 Portugal Place would all be adversely affected by enclosure to outlook that would have been caused the appeal scheme.

The Inspector agreed that the appeal scheme would result in adverse harm to the residential amenity of neighbouring occupiers by means of enclosure to properties 25 and 26 Portugal Place ONLY.

In light of this, the Inspector disagreed that properties 27, 28 and 29 would be adversely affected by the development, given the outlook from these properties is already negatively affected by the substantial height of the existing pitched roof structure of the current Synagogue. The Inspector concluded that the change to the outlook from no.s 27, 28 and 29, would be modest and would not be unduly harmful.

The reason for refusal was upheld, but amended, given that the identified harm was only to neighbours at no.s 25 and 26 Portugal Place.

10.6 Harm to Trees - Upheld

Adjacent to the rear of the site, within the St Clement's Churchyard, there are 2 mature trees which positively contribute to the character of the immediate context and are protected by their positioning within the conservation area.

The previous scheme sought a two-storey built form with lift shafts and new kitchens towards the rear of the site, which meant that new foundations and excess weight would be required in an area identified as the root protection zone for the identified mature trees.

Whilst Arboricultural matters for a site of this scale are usually dealt with by condition, limited information was submitted at the application stage. Information provided at the appeal stage could still not conclude whether trees would be protected throughout construction, and referred to the need for consideration from civil engineers etc.

The inspector determined that the scheme failed to demonstrate that the techniques and methods proposed within the Arboricultural Report were achievable.

10.7 A copy of the Inspector's Decision letter in relation to the appeal is attached at appendix 1.

10.8 The Inspectors decision, and approach towards this decision contained within Appendix 1:Inspector's report, must be taken into account in assessment of this new full planning application.

10.9 Since the outcome of the appeal scheme, the applicant has engaged in a pre-app with the LPA, and has evidenced a significant consultation exercise undertaken in advance of submitting the formal application.

10.10 Principle of Development

10.11 The application seeks full planning permission for the Demolition of the existing Synagogue and Jewish Community facility and erection of a new Synagogue and Jewish Community facility including parking spaces, new cycle storage, landscaping and associated infrastructure works.

10.12 The Local Plan defines religious buildings as Community Facilities, meaning policy 73 of the Cambridge Local Plan 2018 is triggered.

10.13 Policy 73 of the Local Plan states: *New or enhanced community, sports or leisure facilities will be permitted if:*

- a. the range, quality and accessibility of facilities are improved;*
- b. there is a local need for the facilities; and*
- c. the facility is in close proximity to the people it serves.*

10.14 The application seeks the provision of a brand new synagogue and Jewish Community Centre. The existing facility is in disrepair, resulting in an unwelcoming and almost unusable space for members of the Local Jewish Community. This scheme seeks to deliver an improved facility which can effectively cater for the needs and wants of the local Jewish Community, whilst offering larger and better-quality spaces for prayer and study in a contemporary build. The development is therefore considered compliant with the provisions of Policy 73(a).

10.15 There is a well-established Jewish community within Cambridge. The level of support for the application, alongside evidence of continued use of the existing facility, promote that there is indeed a local need for an improved Synagogue and Jewish Community Centre to be provided. The

development is therefore considered compliant with the provisions of Policy 73(b).

10.16 The application site is situated within the heart of Cambridge City Centre, which holds a significant number of student housing complexes, university schools and colleges, and the city's primary shopping district. The area is densely populated by students, visitors, and Cambridge residents, many of whom are likely practising the Jewish faith, or are of Jewish decent. The development is therefore considered to be suitably located in close proximity to the people it intends to serve. The development is therefore compliant with the provisions of policy 73(c).

10.17 Subsequently, the development is considered compliant with the provisions of Policy 73 of the Cambridge Local Plan (2018) and the principle of development is therefore considered acceptable.

10.18 Design, Layout, Scale and Landscaping

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

10.20 The existing synagogue holds little architectural merit and is outdated in terms of its design and functionality. The building does not positively contribute to the street scene and is considered to detract from the character of the area. Furthermore, due to the age and state of disrepair, the building no longer delivers for the needs of the local community. The proposed demolition and associated loss of the existing synagogue building is not considered to allow for any adverse impacts on the character of the immediate context or surrounding conservation area, and is supported.

- 10.21 The footprint of the building proposed is larger than the existing synagogue, which is currently set back from the highway (Thompsons Lane). The proposed scheme seeks to step the built form forwards, closer to Thompsons Lane, and in line with the adjacent CVSPA building which lies to the North. The proposed building is not considered to interrupt the varied building line along Thompsons Lane, and retains a suitable set back to allow for enhanced landscape arrangements between the new building and Thompsons Lane.
- 10.22 The street scene is subject to varied building heights, stretching from simple 2-storey houses up to 4-storey student apartment buildings. The development would primarily utilise a single-storey built form to the rear, with a two-storey wrap around design along the southern (side) and western (front/principle) elevations. The scale of the proposed development is considered appropriate for the immediate context given the proximity of taller buildings and presence of buildings of a similar height to the proposals, and the scale of the development is therefore considered acceptable.
- 10.23 The proposed building utilises a contemporary and unique design with curved elevations. The building's design is considered high quality and is suitably formed to the existing parameters of the site. Whilst a contemporary and unique style has been used, the development is not considered boastful or incongruent. The scheme is considered to be successfully integrated with the existing site, and the modern styling is considered appropriate for the varied context found along Thompsons Lane. The interesting and aesthetically pleasing design is considered to enhance the character of the site, removing a negative structure for the introduction of a positive and artistic design.
- 10.24 The applicant's have sought the use of green hued slate for the exterior design materials. Whilst the material is unconventional, the approach to its use is well considered. The applicants have purposefully selected specific veins of stone from quarries in the Lake District, meaning the material has

been sustainably sourced from British quarries and chosen for a bespoke build.

- 10.25 The material itself (green hued slate) is of a semi-green, semi-grey colour with visible stone veins throughout. The colour is not too dissimilar from the green leaves of the Olive trees on site, unless wet, where a darker tone with stronger visibility of stone veins is revealed. The material and associated colour have been chosen to assist in integrating the scheme within the heavily-greened immediate context generated by overarching trees from adjacent sites, and the existing Olive trees on site.
- 10.26 The architects have advised that a landscape derived approach has been utilised, due to the varied and mixed contrast of materials used within the built form in the surrounding street scene. The stone slabs are to be cut in large horizontal bands and are bespoke to this project. The large stone slabs are to be fitted so that no visible joining has taken place, allowing the resulting scheme to be perceived as a natural feature of singular stone tucked behind the existing and proposed vegetation. This approach has been supported by urban design and Conservation Officers following site visits which confirmed the acceptability of the material's use.
- 10.27 The development seeks the incorporation of a green roof (as required by Policy 31 of the local plan) which is considered to further enhance the aesthetic merits of the scheme as a landscape derived feature which complements the existing vegetation which surrounds the site. Conditions shall be applied to any permission granted to ensure that an appropriate green roof system is installed, and that appropriate maintenance takes place. The proposed green roof will act as an attractive feature for views from the rear, improving outlook for the residential properties along Portugal Place when compared with the current site.
- 10.28 The application seeks to include a well landscaped area to the frontage along Thompsons Lane, which shall accommodate space for 2no. car parking spaces, an entrance path equipped with benches made of the

same stone proposed for the building. The proposals seek to plant a centralised tree within the front landscaped area, similar to the existing scenario on site. The proposed landscaping approach is considered acceptable, and conditions regarding hard and soft landscaping shall be applied to any permission granted, to ensure appropriate details are secured.

10.29 Paragraph 131 of the NPPF states that: *The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.*

10.30 The approach used for the design of the new synagogue is masterful, utilising an artistically unique design with high-quality bespoke material choices at a scale appropriate for the immediate context, and is considered to allow for enhancement to the character of the site and surrounding area. In the context of paragraph 131 of the NPPF, significant weight should be given to the building's high-quality and beautiful design in this case.

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

10.32 Trees

10.33 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.

10.34 The application is accompanied by an Arboricultural Technical Note prepared by FLAC.

10.35 The note advises that the proposed construction approach seeks to retain the existing slab/foundations of the current synagogue and shift all high weight elements of the structure (kitchen, lift etc) to the front of the site and outside of any root protection zones. The note states the parameters by which the development should sit in order to avoid harm to existing trees.

10.36 Place Services, on behalf of the Council's Tree Officer has advised that the proposed approach is considered to prevent conflict with existing trees, however, there is still potential for existing trees to be harmed by the demolition and construction activities which will take place to facilitate the proposed development. The Place Services team on behalf of the Tree Officer have stated that an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) are required, however, these can be dealt with at condition stage.

10.37 A condition shall be added which requires further arboricultural information to be submitted prior to any demolition/construction activities take place.

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

10.39 Heritage Assets

10.40 The application falls within the Cambridge Historic Core Conservation Area. The application site is within the setting of the Old Vicarage (Grade II listed) and St Clement's Church (Grade II* listed). The site is situated adjacent to Portugal Place (Grade II listed). The site sits opposite 30-31 Thompsons Lane (Grade II listed) and 32-35 Thompsons Lane (Buildings of Local Interest).

10.41 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of

preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

10.42 Para. 205 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.

10.43 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.

10.44 Whilst in close proximity to several heritage assets, the site is only considered to be within the setting of two listed building; the Old Vicarage and St Clements Church.

10.45 St Clements Church (Grade II* Listed) shares a boundary with the application site. The application site is considered to be within the setting of St Clements Church. Whilst the development is within close proximity to the Church, the site only shares a rear boundary which abuts the church graveyard, which provides a landscape buffer between the development site and grade II* listed church. The development is considered recessive in terms of appearance and materiality, and is therefore considered to have a neutral impact on the setting of the church which is acceptable.

- 10.46 The development seeks to retain key views of the Old Vicarage from Thompsons Lane. The proposed positioning of the principal elevation is set back from the highway, and is not considered to interrupt views of the Old Vicarage. The impact is neutral.
- 10.47 The development is therefore considered to avoid harm to listed buildings, which is supported.
- 10.48 The site is situated within the Cambridge Historic Core Conservation Area, and is within the context of two key streets; Thompsons Lane and Portugal place.
- 10.49 The Cambridge Historic Core Conservation Area Appraisal includes key positive views for Thompsons Lane. One key positive view for Thompsons Lane, which points north down the centre of Thompsons Lane towards New Park Street. Similarly another key positive view which points south down the eastern side of Thompsons lane. The development is set back from the highway along Thompsons Lane, and therefore does not interrupt, or form part of, these key positive views.
- 10.50 The Cambridge Historic Core Conservation Area Appraisal includes key positive views for Portugal Place. These views are primarily within the Portugal Place Street, viewing north and south. There is another key positive view from Bridge Street looking north-east towards a focal feature. The development site does not interrupt, or form part of, these key positive views.
- 10.51 The proposed synagogue will be visible from the southern end of Portugal Place in views across the existing St Clement's Churchyard. This does not form a key positive view as outlined within the conservation area appraisal, and whilst the proposed synagogue will visible, it will not be prominently visible from Portugal place due to existing vegetation and no.s 28/29 Portugal place, which obscure the site from view.

10.52 The Conservation Officer has advised that the building is not considered to cause harm to adjacent listed buildings, or other heritage assets, and is considered to be a positive introduction to the conservation area.

10.53 It is considered that the proposal, by virtue of its scale, massing and design, would positively impact the character and appearance of the Conservation Area whilst avoiding harm to the setting of listed buildings. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990 s.66 and 72, the NPPF and Local Plan policies 60 and 61.

10.54 Carbon Reduction and Sustainable Design

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

10.56 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.

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

- 10.58 The application is supported by a Design and Access Statement and a Planning statement which advise the scheme is targeting a BREEAM excellent rating, with the submitted BREEAM pre-assessment showing a score of 70.8%, giving a slight buffer over the minimum requirement but with the potential to achieve 78.8%. The statements advise that Air/Ground source heat pumps and maximum BREEAM Wat 01 credits for water efficiency shall be used, including the use of rainwater harvesting.
- 10.59 Limited information has been provided in relation to sustainable design and construction at this stage, and a detailed energy/sustainability strategy will need to be submitted to fully satisfy the requirements of Policy 28.
- 10.60 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.
- 10.61 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

10.62 Biodiversity

- 10.63 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

- 10.64 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal which sets out that 38.4% net gain will be achieved. *(awaiting clarification from Ecology).*
- 10.65 The submitted Bat Survey has found no evidence to suggest that a protected species licence will be required prior to works commencing on site. The report has recommended non-licensable reasonable avoidance measures to remove any residual risk of harm or disturbance to protected or priority species.
- 10.66 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 and the estimated biodiversity net gain is delivered.
- 10.67 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, 69 and 70 of the Cambridge Local Plan (2018).

10.68 Water Management and Flood Risk

- 10.69 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 10.70 The site is in Flood Zone 1 and is therefore considered at low risk of flooding. The site is below 1ha in size, and thus does not require a Flood Risk Assessment.

10.71 The application proposes that surface water will discharge into the Anglian Water surface water sewerage system with flow rates controlled to 2l/s. Surface water from buildings will be managed through a green roof system. Hardstanding areas will utilise porous paving. Foul water from the proposed development will be disposed of via a dedicated below ground piped network, which discharges into the Anglian Water sewer located on Thompsons Lane.

10.72 The Council's Sustainable Drainage Engineer has advised that they support the Surface Water and Foul Water Drainage Strategies.

10.73 Conditions shall be applied to ensure compliance with the submitted drainage information.

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

10.75 Highway Safety and Transport Impacts

10.76 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

10.77 Para. 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.78 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal subject to conditions pertaining to: Traffic Management Plans,

demolition/construction vehicle access and highway drainage. The Highway Officer has also requested the inclusion of an informative, outlining the need for further permissions to be secured if works to the highway are required to facilitate the basement.

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

10.80 Cycle and Car Parking Provision

Cycle Parking

10.81 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 Places of Worship states that a minimum of 1 short-stay space for every 4 seats is required.

10.82 The development proposes the inclusion of cycle storage space to the rear of the development, with space for 26no. bicycles. This would be sufficient for 106 seats, although in the absence of specific expectations for attendees, it is expected that a higher number of persons may visit the site at peak times. There is sufficient space to the rear for more cycle storage, and the potential for double stacked cycle racks to assist in enhancing cycle storage capacity further. For these reasons, it is deemed appropriate to deal with final cycle storage designs via condition.

10.83 A condition shall be applied requiring the submission of details pertaining to cycle storage, including reference to double stacked stands to enhance capacity.

Car parking

10.84 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L.

10.85 The development proposed is a Place of Worship for which appendix L of the local plan allows for 1 space per 100sqm of floor area plus disabled parking. The development has a floor area of approximately 682sqm, meaning a maximum of 6 car parking spaces, plus disabled parking, would be permitted.

10.86 The application seeks to deliver 1no. parking space, and 1no. disabled parking space. This is within the maximum threshold for places of worship outlined in appendix L of the local plan, and therefore the car parking proposed is acceptable.

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

10.88 Amenity

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

Neighbouring Properties

10.90 Concerns have been received from neighbouring properties with regards to noise impacts, enclosure, loss of light, loss of privacy and light spill. The assessments conducted in response to these concerns are outlined below.

Daylight/Sunlight (All neighbouring properties)

10.91 The applicant has submitted a daylight/sunlight impact assessment, which advises that the impact of the development is small and fully compliant with the default BRE criteria, meaning all neighbouring properties along Portugal Place, and the Old Vicarage on Thompsons Lane will continue to benefit from good daylight and sunlight amenity. The daylight/sunlight impacts are considered acceptable.

10.92 Concerns have been raised regarding the absence of the CVSPA building from the applicant's daylight/sunlight assessment, however, the CVSPA building does not constitute a residential building and so it is not common practice to require full daylight/sunlight assessments to be conducted.

10.93 The CVSPA building is situated to the north of the application site. The first-floor rooms constitute a mezzanine/study space with small rear facing windows, 1 front facing window and rooflights. It is considered that the rooflights are the primary source of light for this room, furthermore, neither the rear or front facing windows are affected by the proposed scheme. A 25- and 45-degree rule of thumb assessment as outlined in BRE guidance was undertaken, and neither the front facing windows (at ground floor and first floor) or the rear facing windows at second floor were breached by the proposed development. Therefore, the development is not considered to allow for adverse impacts to the CVSPA building concerning loss of light.

Light spill (All neighbouring properties)

10.94 Concerns have been raised by neighbouring occupiers with regards to potential light spill impacts which may occur from use of the building in evening hours due to the presence of large windows.

10.95 The applicant seeks to address this concern via the use of an automated blackout blinds system, which would lower blackout blinds at the sign of darkness and prevent excessive light spill from harming neighbour amenity in the evening hours.

10.96 Similar products have been used to overcome light spill/light pollution concerns elsewhere in the UK for both protection of ecological assets and residential amenity. To assess the suitability of these proposed measures, conditions pertaining to the automated blackout blind system, and Artificial Lighting shall be added to any permission granted, in the interest of protecting residential amenity from light pollution.

Loss of Privacy (All neighbouring properties)

10.97 Concerns have been raised by neighbouring parties regarding the potential overlooking which may arise from the large windows on the rear and side elevations of the proposed development. These windows are proposed to be frosted glass, which has been indicated on plans. To ensure a suitable degree of privacy for neighbouring parties can be assured, a condition shall be applied to any permission granted requiring the windows to be obscured to a suitable standard, and fixed shut, to avoid any overlooking concerns arising in future.

10.98 Concerns have been raised from neighbouring occupiers regarding overlooking concerns from the proposed green roof area. The proposed green roof is not an amenity space of any kind. It is a functional biodiverse roof system, which is not sought for use as leisure/amenity space. A condition shall be added to any permission granted which shall restrict the use of the green roof to maintenance purposes only, which shall prevent the use of the space for amenity purposes.

10.99 The development is not considered to allow for any adverse impacts regarding loss of privacy to neighbouring properties.

Noise Impact (All neighbouring properties)

10.100 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of

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

- 10.101 A Noise Impact Assessment has been provided. The council's EHO has assessed the submitted information.

Plant Equipment

- 10.102 The EHO has raised concerns with the limited information pertaining to potential noise impacts arising from the proposed plant equipment on site. The applicant proposes the use of a ground source heat pump (GSHP), however, they cannot yet confirm whether a GSHP shall be implemented as detailed designs have not been finalised.
- 10.103 In an effort to reduce impacts on neighbours, the applicant has confirmed that the development will not seek the use of any external plant, and intends to use the proposed basement space to accommodate all necessary plant equipment, whether GSHP or ASHPs are used. The Noise Impact Assessment shall be amended to make direct reference to the development not using external plant. The applicant has agreed to facilitate the changes to the Noise Impact Assessment prior to committee.
- 10.104 A condition shall be added to any permission granted requiring strict compliance with the noise impact assessment. Additional conditions shall be applied to ensure details pertaining to the location, type and final noise impacts of plant on site shall be submitted to and agreed by the LPA prior to construction.

Openable Roof form

- 10.105 Concerns have been raised from neighbouring occupiers with regards to noise impacts generated by religious and community events held on site. The EHO has raised concerns with regards to the openable roof space.
- 10.106 The openable roof space has been designed to allow appropriate provisions to be in place for the celebration of Sukkot.

- 10.107 The Sukkot is a religious festival held by members of the Jewish faith whereby celebrations are held under a temporary roof structure. Currently, an area to the rear of the site is used, where attendees use a temporary roof against the boundary wall with Portugal Place residencies. The current location for the festival generates noise impacts on residents at Portugal Place, given it is not contained inside.
- 10.108 The application seeks to relocate the space for celebrating the Sukkot to inside the new development, with an openable roof form to allow for a modern approach to celebrating Sukkot to be achieved. Conditions shall be applied to ensure that when the retractable roof is open, no amplified or acoustic music shall be played. The relocation of the event space to inside the building, alongside the noise prevention measures outlined in the noise impact assessment, will ensure an improved situation regarding noise impact to neighbours when compared with the current situation, which allows the celebration to be held outside adjacent to sensitive receptors.
- 10.109 Furthermore, the applicant has agreed to a condition which shall require the submission of a timetable for when the roof form may open in the year, which shall limit the number of days that the roof form may open, and a condition restricting the hours in which the roof may be open.
- 10.110 The proposed openable roof form allows for the site to maintain the ability for Jewish persons to celebrate Sukkot. It is considered that the openable roof form may allow for some noise impacts on residents, however, when compared with the existing scenario which allows for outdoor celebrations to take place with no restrictions, the resulting impacts from the proposals would be considered modest and not unduly harmful to the amenity of neighbouring residents.

10.111 Concerns have been raised by neighbouring occupiers with regards to the impacts of the waste/refuse store being located adjacent to a neighbouring window. The application seeks to establish a new bin store behind the northern elevation of the proposed development. The bin store will be situated internally behind closed doors, and bins will only be outside on collection days. This approach is an improvement on the current situation and is not considered to allow for adverse impacts on the amenity of neighbouring occupiers.

Enclosure Impacts

10.112 The previous application was refused on grounds of enclosure to outlook of neighbouring properties. The Inspector found that only properties 25 & 26 Portugal Place were adversely affected by the appeal scheme, and concluded that neighbouring properties 27, 28 and 29 Portugal Place already witnessed a significant degree of enclosure from the existing synagogue, and thus the proposed development would not be unduly harmful. This is an important consideration in the assessment of this application. The concerns pertaining to enclosure to amenity spaces on each neighbouring property shall be outlined below.

Enclosure Impact on No.s 28 and 29 Portugal Place

10.113 No.s 28 and 29 Portugal Place are situated to the southeast of the application site. The single storey element (3.4m tall) of the proposed development to the rear will sit within 6m of the rear elevation of these 2 residential properties, yet the two storey element of the scheme (6.8m tall) will be over 6.8m from the rear elevation of no 28 Portugal Place, and approximately 7.3m from the rear windows of 29 Portugal Place, which is an improvement compared with the previously refused scheme which had a 2-storey built form at 6m from the rear elevation of 28/29 PP.

10.114 It is important to note, that the high-pitched roof of the existing synagogue building sits closer to 28/29 Portugal Place than the current proposed scheme. The Inspector noted in their assessment of the previous appeal scheme (20/04261/FUL) that given the substantial height of the existing

pitched roof structure and its proximity to the upper floor windows of Nos 27, 28 and 29, a significant sense of enclosure already exists when using those rooms. The Inspector concluded that: “whilst there would be some change to the outlook experienced by the occupiers of Nos 27, 28 and 29, when compared to the existing situation, the change to their outlook would be modest and this would not be unduly harmful.”

- 10.115 The current proposal is considered an improvement on the previously submitted scheme where the planning inspectorate found the degree of enclosure to properties 28 & 29 Portugal Place to be acceptable. In light of this, the proposed development is considered acceptable in terms of its enclosure impacts to no.s 28 & 29 Portugal Place.

Enclosure Impact on No. 27

- 10.116 The single storey element of the proposed development (3.4m tall) sits approximately 5.2m from the rear elevation of no.27 Portugal Place, whereas the two-storey element of the proposals is approximately 9.4m from the rear windows of no.27 Portugal Place. The application’s proximity to no.27 Portugal Place at two-storey has been shifted by over 4m when compared with the previous application, showing a significant improvement to the outlook from no.27 when compared with the previous appeal scheme. It is important to note, that the inspector concluded that the enclosure impact of the appeal scheme on no.27 would not be unduly harmful and did not constitute a reason for dismissing the appeal.

- 10.117 The proposed development is therefore not considered to allow for any adverse impacts on the amenity of no.27 Portugal Place by means of enclosure.

Enclosure Impact on No.26

- 10.118 The proposed development will have a single storey built form (3.4m tall) sited approximately 5.9m from the rear windows of no.26 Portugal place, there is a protruding segment at 4.5m in height, which acts as a lightwell, which sits 8.3m from the rear windows of no.26 Portugal Place. The

proposed development will have a two-storey built form (6.8m tall) situated approximately 14m from the rear windows of no.26 Portugal Place. The appeal scheme had a two-storey built form at approximately 7.9m from the rear elevation of no.26 PP, meaning this application has made a significant improvement since the previously refused scheme.

10.119 The application site is within an urban location where development is reasonably dense. The neighbouring building to the north of the appeal site (the CVSPA) is approximately 16m from the rear windows of no.26 Portugal Place, and utilises a similar height to the proposed development, which is not considered to enclose the outlook from rear windows of no.26. The development is considered suitably distanced from No.26 as to avoid harm by means of enclosure, and thus it is not considered that the proposed development would allow for adverse impacts to the rear outlook of the rear windows at no.26 Portugal Place.

Enclosure Impact on No.25

10.120 The proposed development will have a single storey built form (3.4m tall) sited approximately 5m from the rear windows of no.25 Portugal Place, there is a protruding segment at 4.5m in height, which acts as a lightwell, which sits 8.3m from the rear windows of no.25 PP. The proposed development will have a two-storey built form (6.8m tall) situated approximately 16.4m from the rear windows of no.25 Portugal Place.

10.121 Whilst neighbouring occupiers at no. 25 Portugal Place will witness a change to their outlook, the change in build height they shall witness from their windows will not be unduly harmful.

Enclosure Impact Rear Gardens (No.s 25-29 Portugal Place)

10.122 Rear gardens of Nos 25-29 are shallow in depth and modestly sized and a change in topography results in these rear gardens being set at varying levels lower than the land level of the application site. The gardens are also subject to very tall boundary treatments effectively enclosing the gardens from any positive outlook at ground level.

10.123 With regards to the previous scheme's impacts on rear garden's, the Inspector concluded that: "given the existing boundary treatment and land topography, any change to the outlook of occupiers when using their rear gardens would be very limited and the outdoor space would not result in it becoming a less pleasant space for the occupiers of those dwellings as a consequence of the proposed development."

10.124 The current development is considered an improvement on the appeal scheme in terms of its proximity to boundaries and overall height. The proposed development is not considered to allow for any adverse enclosure impacts on the outdoor amenity space of neighbouring occupiers along Portugal Place.

Enclosure Impact on The Old Vicarage

10.125 The Old Vicarage has 2no. small windows in proximity to the proposed development, and 2no. larger windows closer to Thompsons Lane. The 2no. small windows include a vent style hatch window and a sash window abutting an extension. Neither of the two windows are considered to grant positive views and thus are not considered adversely affected by the development in terms of enclosure.

10.126 The 2no. larger windows closer to Thompsons Lane would retain clear views down Thompsons Lane and thus are not considered to have their outlook adversely affected by the proposed scheme.

10.127 In light of the above paragraphs 10.103-10.117, the development is not considered to allow for an adverse impact on the amenity of neighbouring occupiers by means of enclosure.

10.128 Construction and Environmental Impacts

10.129 Summary

10.130 The proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 52, 53 and 57.

10.131 Third Party Representations

10.132 Third-party representations have been addressed in the preceding paragraphs.

10.133 Other Matters

10.134 Bins

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

10.136 The bin store is proposed to be located behind the north (side) elevation of the proposed development in a purpose built refuse store. The proposed bin store details shall be secured by condition, including a refuse management strategy, and thus the application is considered compliant with the provisions of policy 57.

10.137 Planning Balance

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

10.139 The application submitted seeks to replace a negative building within the conservation area with a truly unique high-quality building for use by the Jewish community. It is considered the design will enhance the character and appearance of the Conservation, adding to its rich variety and this

should be given considerable weight given the provisions of the local plan and paragraph 131 of the NPPF. No harm would arise upon the setting of nearby listed buildings. This is a bespoke building design tailored for the site which has a positive impact on the character of the area. The provisions of S66 and S72 of the LBCA Act 1990 are satisfied. Furthermore, the improved facility will enable continued community use of the site to take place, that is much needed.

- 10.140 The proposals are considered to have overcome the previous reasons for refusal which were upheld by the Inspector, who's decision is referred to throughout this assessment as a material consideration.
- 10.141 The proposed scheme will improve issues with noise when compared with the current site, and allows for enhancements in sustainability via the introduction of a BREEAM excellent building.
- 10.142 The development poses no threats to protected species and would provide BNG beyond the statutory requirements.
- 10.143 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of the Equality Act 2010, section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval subject to conditions.

11.0 Recommendation

11.1 Approve subject to:

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

12.0 Planning Conditions

1 – 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 – Tree Protection

Prior to commencement of development, including demolition, and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to and agreed in writing by the local planning authority before any tree works are carried out and before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition).

In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, demolition, foundation design (allowing for tree root growth and accounting for heave and subsidence), storage of materials, ground works, installation of services, erection of

scaffolding and landscaping. 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).

4 – Traffic Management Plan

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

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.

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).

5 - Dust

No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, has been submitted to

and approved in writing by the local planning authority.

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

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

6 – Noise Impact Assessment (Compliance)

The development shall be delivered and maintained strictly in accordance with the submitted Noise Impact Assessment.

Reason: In the interest of protecting the amenity of neighbouring properties (Cambridge Local Plan 2018 Policy 35)

7 – Demolition/Construction Noise Impact Assessment

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

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

8

No development shall take place above ground level (except for demolition) until details of all the materials for the external surfaces Of buildings to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. The details shall include joints and interfaces of all materials and external

features such as stone cladding, windows, doors, metal fins. all external metalwork and rainwater goods. The details shall consist of a materials schedule and a design details document, including detailed elevations and sections (scaled 1:5, 1:10, 1:20) and samples as appropriate to the scale and nature of the development in question and shall demonstrate consistency with the approved elevations. The development shall be carried out in accordance with the approved details.

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

9 – BREAAAM Design Stage CErt.

Within 12 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met, with maximum credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed Development.

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

10 – BREEAM Post-Construction Cert.

Within 12 months following first occupation, a BRE issued post Construction Certificate shall be submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. If such a rating is replaced by a comparable national

measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

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

11 – Automated Blinds

Prior to occupation of the development hereby approved, details of the automated blackout blinds system shall be submitted to and approved in writing by the Local Planning Authority. The details shall include measures to be used for reducing light spill and light pollution impacts on residents including the timing of use. The development shall be delivered, maintained and used in accordance with the approved details in perpetuity.

Reason: To protect the amenity of neighbouring occupiers (Cambridge Local Plan Policy 56)

12 – Waste Management Strategy

No development, except demolition or site clearance, shall commence until a strategy for the on-site storage facilities for waste, including waste for recycling have been submitted to and approved in writing by the local planning authority. The Strategy shall identify the specific positions of where wheeled bins, or any other means of storage, will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. The approved scheme shall be carried out before the use is commenced and shall be retained as such.

Reason: To ensure that the need for refuse and recycling is successfully integrated into the development. (Cambridge Local Plan 2018 policy 57).

13 Falls/Levels (Highways)

All paved areas hereby approved shall be constructed so that the falls

and levels are such that no private water from the site drains across or onto the adopted public highway. The paving shall be retained as such in perpetuity.

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

14 Demolition/Construction Vehicles

Demolition/construction vehicles with a gross weight in excess of 3.5 tonnes shall only enter or leave the site between the hours of 9.30hrs-15.30hrs, seven days a week.

Reason: In the interest of highway safety (Cambridge Local Plan Policy 81)

15 – Surface/Foul Water Drainage

The development shall be carried out in accordance with the submitted Foul and Surface Water Drainage Operation and Maintenance document - doc. ref. 0358-SAW-ZZ-ZZ-RP-C-002 Rev p01 Dated 05/06/2025.

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

16 – Green Roof

Prior to any development above ground level of any permanent building with a flat roof, details of the biodiverse green roof(s) shall be submitted to and approved in writing by the Local Planning Authority.

Details of the biodiverse roof(s) shall include the following:

- a) Confirmation of substrate depth, which shall be between 80-150mm (unless otherwise agreed).
- b) A plant /seed mix (with wildflower planting indigenous to the local area and no more than a maximum of 25% sedum (green roofs only)).

- c) A management / maintenance plan including means of access.
- d) Where solar panels are proposed, an array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation.

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

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

17 – Cycle Parking

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).

18 – 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).

19 – Plant Equipment/Plant Room Details

No demolition or construction activities shall take place until full details of the plant equipment and associated plant room are submitted to and approved in writing by the Local Planning Authority.

The details shall include:

- Location of Plant
- Ventilation Measures for Plant Room
- Details pertaining to the suppression of noise from plant installed

The plant equipment and its mitigation (suppression of noise) shall be delivered in accordance with the approved details and maintained thereafter.

Reason: In the interest of protecting residential amenity of neighbouring occupiers from noise and vibration (Cambridge Local Plan 2018 Policy 35)

20 – Openable Room (Times)

The openable roof shall always remain closed outside the hours of 8am-9pm.

The playing of amplified music, acoustic instruments or amplified sound will be strictly prohibited at times when the roof form is open.

Reason: In the interest of protecting the amenity of neighbouring occupiers from noise (Cambridge Local Plan 2018 Policy 35)

21 – Openable Roof Form Details

Prior to first occupation/use of the development hereby approved, full details pertaining to the use and management of the openable roof form shall be submitted to and agreed in writing by the Local Plan Authority.

The submission shall include details pertaining to:

- the number of maximum days per year the roof is to be open.
- the management of the facility when the roof form is open.

The development shall be delivered in accordance with the approved details.

Reason: In the interest of protecting the amenity of neighbouring occupiers from noise (Cambridge Local Plan 2018 Policy 35)

23 – Ecology (Compliance)

Prior to the occupation of the development, the ecological mitigation shall be carried out in full in accordance with the details contained within #. The ecological measures shall thereafter be retained for the lifetime of the Development.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018, policy 57, 59 and 70)

24 – Ecological Enhancement

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).

25 - Ecological Sensitive Lighting

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 include:

- a) details (including luminaires, fittings and any shrouds) of any artificial lighting on the site and an artificial lighting impact assessment with predicted lighting levels at the site boundaries;
- b) unless otherwise agreed, not exceed 0.4 lux level (against an agreed baseline) on the vertical plane at agreed locations;
- c) detail all building design measures to minimise light spillage;
- d) set out a monitoring and reporting regime for the lighting scheme.

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

Reason: To fully conserve and enhance ecological interests (South

Cambridgeshire Local Plan 2018 policies HQ/1 and NH/4).

Informatives

1 - Highways

As far as can be determined from the submitted drawings the new basement wall projects to within 3.66m (4 yards) of the public highway and will therefore be acting as a retaining structure for the highway.

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

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Appeal Decision

Hearing held on 19 October 2023

Site visit made on 20 October 2023

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 11 March 2024

Appeal Ref: APP/Q0505/W/23/3325645

Jewish Synagogue, 3 Thompsons Lane, Cambridge, CB5 8AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by the Trustees of the Cambridge University Jewish Society against the decision of Cambridge City Council.
 - The application Ref 20/04261/FUL, dated 15 October 2020, was refused by notice dated 26 January 2023.
 - The development proposed is described as 'Demolition of existing Synagogue and Jewish Community facility and erection of a new Synagogue and Jewish Community facility including replacement parking spaces and new cycle storage and associated works'.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by the Trustees of the Cambridge University Jewish Society against Cambridge City Council. This application is the subject of a separate decision.

Preliminary Matters

3. The application was originally made in the name of the Trustees of the Cambridge University Students' Union. I am advised that this was an error that was subsequently corrected in a modified planning application. The application was brought by the Trustees of the Cambridge University Jewish Society. The appeal was submitted on behalf of a named individual (a trustee) for the Trustees of the Cambridge University Jewish Society. I have therefore amended the name of the appellant to those details given within the modified planning application.
4. A revised version of the National Planning Policy Framework (the Framework) was published on the 19 December 2023 after the close of the hearing. The main parties have been given the opportunity to comment on any relevant implications for the appeal. I have had regard to their comments and the Framework in my consideration of this appeal.

Main Issues

5. The main issues are:-

- i) the effect of the proposed development on the living conditions of occupiers of dwellings on Portugal Place, with particular regard to enclosure and outlook; and
- ii) whether the proposed development would preserve or enhance the character and appearance of the Cambridge Historic Core Conservation Area (CA) with particular regard to the design and scale of the appeal proposal and its effect on trees.

Reasons

Living conditions

Windows

- 6. The appeal site, at its rear, adjoins the rear gardens of a number of terraced dwellings, namely, 25, 26, 27, 28 and 29 Portugal Place (Nos 25-29). Nos 28 and 29 Portugal Place have been joined together to form a single dwelling. Within the rear elevation of these properties there are a number of windows serving habitable rooms.
- 7. The rear elevation of the proposed building would broadly follow the build line of the existing building. It would be positioned at a distance of approximately 2.7 metres from the common boundary, taking the Council's figure, which has not been disputed by the appellant. The boundary is presently defined by a brick wall of substantial height which would be unaltered as part of the appeal scheme. Given that the proposed building and existing terrace of dwellings would not be positioned parallel to each other, the alignment of the proposed building would result in the intervening distances between the rear wall of the terrace and the appeal building being varied. At its closest, it would be positioned at some 3.5 metres from No.29, whereas the distance would increase to some 5.6 metres at No.25, again taking the Council's measurements, which have not been disputed by the appellant.
- 8. The existing outlook from windows of rooms located within the basement of the terrace is towards the shared boundary wall. Given that the wall would be unaltered by the appeal scheme, its significant height would predominantly obscure views towards the appeal site and the outlook from within these windows would therefore be comparable to the existing situation.
- 9. Upper floor rear windows within Nos 25 and 26 Portugal Place face towards the existing single storey element of the appeal building. These windows serve a kitchen, landing areas of stairs and a number of bedrooms. The bedroom of No.26 is currently in use as a home office, although its use may change in the future and a bedroom use could be re-established. Given the limited height of the existing building and its flat roof structure, it is not a prominent feature in the outlook from those windows. Whilst the existing pitched roof can be seen in oblique views from these windows, the appeal building does not dominate and there is a pleasant outlook which is not unduly dominated by built form.

10. In contrast, given the substantial height of the existing pitched roof structure and its proximity to the upper floor windows of Nos 27, 28 and 29, the appeal building restricts the outlook from those windows and a significant sense of enclosure already exists when using those rooms.
11. The proposed rear elevation would occupy a broadly similar position to the existing rear elevation of the building and thus the intervening distance to the rear of the terrace would be unaltered. At the hearing, the appellant advised that a distance of some 9.3 metres would exist between the proposed building and the rear windows at No 25. This would be in the region of 8.5 metres for No 26. The Council did not take any issue with these measurements. Whilst the proposed roof structure would include a ridge height that would be broadly similar to the tallest part of the existing roof structure, it would extend for the full width of the rear of the building thus creating a continuous pitched roof above an increased eaves height. Albeit the roof would be angled to slope away from the common boundary the resultant roof structure would appear as a substantial blank area of continuous metal roof material. In the vicinity of Nos 25 and 26, the roof structure would be set back behind an area of roof of very shallow pitch which would be tantamount to a flat roof. Notwithstanding this, the depth of the shallow roof structure would be shallow and it would have limited effect in reducing the scale and mass of the roof structure.
12. Given the limited size of intervening gap between the existing and proposed buildings and by reason of its substantial height, scale and mass, the proposed building would loom large and appear unacceptably dominant. It would overwhelm and give rise to a significant overbearing form of development to the occupiers of Nos 25 and 26. The enclosing effect of the proposed building would be stark and oppressive and it would contrast significantly to the existing more open outlook. The resultant poor outlook would be unduly harmful and materially compromise the living conditions of the occupiers of Nos 25 and 26.
13. For No 25, I observed that the first floor window served the kitchen of that property which, as an open plan kitchen and living room, was a room with dual aspect. However, the harm caused to the occupants of this dwelling would not be justified by reason of the inclusion of the additional window to that room given that it already has a poor outlook onto built form to the front of the property.
14. Whilst there would be some change to the outlook experienced by the occupiers of Nos 27, 28 and 29, when compared to the existing situation, the change to their outlook would be modest and this would not be unduly harmful.

Rear gardens

15. Rear gardens of Nos 25-29 are shallow in depth and modestly sized and a change in topography results in these rear gardens being set at varying levels lower than the land level of the appeal site. As a consequence of the lower land level and the substantial height of the shared boundary wall, the existing outlook from these garden areas towards the appeal site is limited with only limited views of the upper part of the existing building and its roof being visible above the wall.
16. Despite the constrained size of the neighbouring rear gardens, I observed that they contained items including seating, tables and some planting and to my

mind, they are an attractive, pleasant and useable area of private outdoor amenity space for the use of the occupants of those dwellings.

17. Whilst the appeal building would contain two storeys and thus a greater height, width, scale and mass than the building it would replace, given the existing boundary treatment and land topography, any change to the outlook of occupiers when using their rear gardens would be very limited and the outdoor space would not result in it becoming a less pleasant space for the occupiers of those dwellings as a consequence of the proposed development.

Conclusion on living conditions

18. I recognise that this is an urban location where development is reasonably dense and the historic arrangement of buildings may have included a much larger building to the rear of Portugal Place in the past. However, the occupants of Nos 25 and 26 currently have a pleasant outlook which is not unduly dominated by built form. Notwithstanding that I have found that the living conditions of the occupiers of Nos 27, 28 and 29 would not be unduly harmed, the appeal scheme would introduce a building that would have a materially oppressive and intrusive effect on the occupants of Nos 25 and 26.
19. Accordingly, I conclude that the appeal scheme would cause unacceptable harm to the living conditions of neighbouring occupiers at 25 and 26 Portugal Place with particular regard to their outlook and sense of enclosure. Thus, the appeal scheme would conflict with Policies 55 and 57 of the Cambridge Local Plan (2018)(LP) insofar as these policies require a high quality development that integrates with the immediate locality and uses appropriate local characteristics to help inform, among other things, the siting, massing and scale of new development.
20. In addition, the appeal scheme would conflict with the provisions of paragraph 135 of the Framework insofar as it requires developments to create places that, among other things promote health and well-being and have a high standard of amenity for existing users.

Character and appearance

Design and scale

21. The existing building on the site is relatively modern in its design and is constructed in red brick with glazing and a mix of tiled hipped pitch roof and flat roof forms. It is located within the CA and more particularly within the 'Thompson's Lane' part of the CA as identified within the Cambridge Historic Core Conservation Area Appraisal (2015)(CAA). It also lies within the setting of several listed buildings and buildings of local interest. These include the Old Vicarage (Grade II), St Clement's Church (Grade II*) and a terraced row comprising Nos 23-29 Portugal Place (Grade II). In addition, Nos. 32-35 Thompson's Lane are buildings of local interest.
22. Thompson's Lane is a densely developed street with a busy and mixed character. It is comprised of two distinct halves, separated by a bend in the road. The appeal site is positioned towards one end of the street and is comprised from a variety of buildings of differing architectural styles, materials and age. Buildings are predominantly two to three storeys in height and by reason of their front elevations being positioned along the back edge of the footway this creates a strong sense of enclosure and provides channelled views

along the road. The significance of this part of the CA is, in part, due to the low height of the buildings and their alignment and consistent build line which creates a strong sense of enclosure.

23. In contrast, the appeal building is currently set back from the pavement edge. It includes extensive areas of hardstanding and areas for the parking of vehicles to its front with some limited areas of planting. As a consequence, the site is poorly defined and the important sense of enclosure is diluted to the detriment of this part of Thompson's Lane. The appeal site therefore fails to make a positive contribution to the streetscene and the significance of the heritage asset, a matter which is recognised within the CAA.
24. At its front, the proposed building would broadly align with the front elevation of the Cambridge School of Visual and Performing Arts (CSVPA). As a result of being positioned close to the highway, it would form a continuation of the build line fronting Thompson's Lane and establish a sense of enclosure thus enhancing the significance of the CA.
25. The proposed building would include a larger footprint and taller height than the building it would replace and therefore comprise a greater scale and bulk. However, at two storeys in height it would be consistent with the prevailing scale of buildings along Thompson's Lane. Whilst it would stand taller than the adjacent CSVPA building, it would include a lower height than the Old Vicarage which would provide a gentle and gradual transition in heights and scale between the historic building and the CSVPA thus improving the rhythm and character of the Thompson's Lane streetscene.
26. Reference is made by the Council to the inclusion of a combination of flat and sloping roof elements which the Council refer to as a 'skewed arrangement'. However, I disagree. Given the varied mix of roof forms on buildings along Thompson's Lane, an absence of any overall prevailing roof type, and noting that sloping and flat roof forms are commonly found within the area, I find that the proposed roof structure would not appear at odds with other properties, nor appear out of keeping with the wider area.
27. Furthermore, the inclusion of a mix of sloped and flat roof elements within an articulated roof structure together with the architectural treatment of the exterior elevations to include vertical elements to break up the mass of these elevations would limit the visual impact of the overall height, mass and bulk of the building on the streetscape of Thompson's Lane and Portugal Place. When viewed from Thompson's Lane, the inclusion of elements such as windows and metal sheet roofing material would reference vertical detailing found within the area and in particular it would sit well with the neighbouring CSVPA building which includes a flat roof, long slit windows and vertical panels to its front elevation.
28. I note that the Council's concerns, in part, also relate to consistency of the proposed elevations. Whilst there is limited coherence between the facades of each side of the building, in part due to the articulated roof form, to my mind, the differences would be justified by reason of the dense arrangement of buildings and the variety in built form to each of the appeal site's sides. For reasons explained above, the proposed front elevation would be read alongside the neighbouring CSVPA building and the inclusion of the 'Winter Garden' and its extensive glazing would provide an active frontage that would assimilate well into the streetscene such that it would not appear incongruous. Similarly,

from the rear, in public and private views from Portugal Place and across land forming the grounds of St Clement's Church, the inclusion of a sloping pitched roof sits well with the pitched roof structures of the neighbouring residential terraces and the Old Vicarage.

29. Whilst the proposed building would be of a contemporary design, it would complement the varied mix of building designs in the area. It would use materials such as red toned brick and metal sheet for the roof. Although some of these materials are not commonly found locally, a varied palette of materials can be found to have been used within the construction of buildings along Thompson's Lane and within the wider CA. The CAA observes that '*buildings are generally unified through the use of Gault brick, although the red brick of the early C20 terraced houses stand out as something different*'. Red brick would reference material used as part of the construction of the Old Vicarage. The roofing material would consist of a tonal palette of bronze colours to complement the red brick of the proposed building and it would blend with the soft colours of the Old Vicarage. Taking everything into account, I consider that the proposed materials would respond to the local surroundings and not have a negative effect on the CA.
30. Having regard to the above, I find that by reason of the appeal scheme's design and scale it would be compatible with the relatively diverse surrounding built environment and amount to a harmonious addition that makes a positive contribution to the streetscene. Taken together with the proposed siting of the building, a clearer sense of enclosure at this point in Thompson's Lane would be created, thus providing an enhancement to the significance of the CA. Thus, to the extent of the design and scale of the proposed development, it would accord with Policy 61 which, among other things, seeks to ensure the conservation and enhancement of Cambridge's historic environment.

Trees

31. A number of trees are positioned within the appeal site with a number of additional trees being located outside of, but in close proximity to the boundary of the appeal site. Given their location, these trees are protected by virtue of their position within the CA. A tree preservation order¹ applies to a tree within the site. However, as the protected tree (T1) is non-existent, tree T1 did not form part of the Council's consideration on this issue and I see no need to take a different view.
32. Trees identified as T006, T007 and T008 within the appellant's preliminary arboricultural report (AR) are identified as Grade C trees of low quality or poor longevity. As a dispersed group of young specimens they are assessed as having limited townscape value. The proposed felling of these trees is not opposed by the Council subject to their replacement as part of a suitable landscaping scheme and I find no reason to disagree with this approach.
33. Therefore, for the purposes of this decision, my consideration is therefore limited to the impact of the proposed development upon trees located outside of the site, namely trees T001, T002, T003, T004 and T005. Trees T001, T002, T003 and T004 have their trunks positioned within neighbouring land at St Clement's Church and tree T005 is sited in close proximity to the northern boundary of the site. These trees are mature specimens and, with the

¹ TPO 03/1993

exception of one, a Weeping Ash, which I heard at the hearing will be reduced in size due to being a threat to nearby built form, these trees are in good health and have a life expectancy of in excess of 20 years. They are imposing specimens by reason of their tall heights, extensive spread and overall shape of their canopies. As a result, both individually and as a group, they are attractive, visually dominant and they make a significant and positive contribution to the visual amenity of the area and are an important feature in the setting of the CA. Any loss to these trees would therefore be to the detriment of the character and appearance of the surrounding area.

34. The footprint of the proposed building, the supporting structure of the bike shelter, cycle hoops and new hard surfaces would coincide with a sizeable part of the root protection area (RPA) of trees that are proposed to be retained. As a result, the AR sets out how the appeal scheme could be constructed without causing harm to the trees. In particular, linear root pruning work would be carried out along the lines of the proposed internal elevator and bike shelter supporting structure, 'no dig' construction techniques would be undertaken for the construction of hard surfaces and the foundations or structural support required for the proposed building would involve 'careful consideration' and require input by a Structural Engineer in conjunction with an arboriculturist to design specialised foundations such as piled, cantilevered or pad and beam in areas where the building footprint would coincide with the RPA. A range of ground protection measures would be implemented to protect the remaining roots and trees during demolition and construction.
35. Notwithstanding the above, at paragraph 6 of the summary to the AR, it clearly recommends that specialist advice is obtained from expert practitioners in other disciplines to demonstrate that the techniques and methods proposed within the AR are achievable. In particular, it states that the advice of a structural engineer is required to advise upon items of foundation and structural design for the proposed building and bike shelter and a civil engineer's input is needed for the specification of the "no dig" surfacing so as to confirm that finished levels and the load bearing is achievable and works necessitating cutting into the ground will be avoided. No evidence from a structural or civil engineer has been provided as part of the appeal scheme.
36. Whilst the likely financial implication in engaging structural and civil engineers were explained to me at the hearing, the evidence before me fails to demonstrate that the techniques and methods proposed within the AR are achievable nor does it enable a conclusion to be reached as to whether the consequent effect of the proposed development upon the retained trees would be acceptable.
37. I am mindful that the foundations of the existing building may have restricted the growth of the existing roots. However, there is limited substantive evidence to quantify the extent of this, nor to substantiate the view that the majority of the trees' roots are located within neighbouring land. In any event given that the appeal building includes a second storey it is likely that deeper foundations would be required.
38. Within the AR, there is a clear lack of information as to the type of foundation that would be constructed and moreover, it provides limited information to show that there would be no need for any cutting into the ground within the RPA to facilitate any foundations and supporting structure.

39. Similarly, for the bike shelter support, although the AR makes reference to achieving the 'smallest foundations that a Structural Engineer can design', the lack of certainty regarding the extent of any foundation and supporting structure and any consequent ground cutting and encroachment into the RPA as a result of linear root pruning cannot, in my view, be regarded as a 'minor intrusion' in the absence of any detailed information.
40. Furthermore, in respect of the cycle hoops, there is further uncertainty within the AR which explains that excavation by hand or spade would be required to identify where roots are present or absent. It goes on to state that the exploratory works would be used to determine the final position of the cycle hoops to avoid roots or, where it would compromise structurally significant roots, the cycle hoops would need to be relocated elsewhere. These comments provide me with uncertainty over the delivery of this part of the scheme.
41. Although "no dig" construction methods are suggested for the formation of hard surfaces, the AR at paragraph 4.4.4 comments that the *'exact specification must be designed by a civil engineer who can confirm that the finished levels and load bearings are achievable with this type of design without cutting into the ground'*. Accordingly, in the absence of any information to conclude that a no dig solution is achievable, the appellant has failed to demonstrate that the new hard surfaces could be constructed without cutting into the ground and interfering with the root stems.
42. At the hearing, it was put to me that the need for any specialist foundations would be removed if root pruning works were to be undertaken along the line of the existing drainage. However, this would be dependent upon the specific type of soil and in the absence of this information, it is not clear to me whether this method could be undertaken without detriment to the trees. Moreover, it would necessitate cutting into the root structure and I am advised that root feeding would be required to overcome the initial impact to the roots.
43. To my mind, the uncertainty of the work proposed within the RPA and the subsequent extent of any incursion is unclear and, to my mind, the assessment of the impact on the health of retained trees is unsatisfactory.
44. Furthermore, whilst I accept that some trees can recover from root disturbance, the RPA is the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability, and where the protection of roots and soil structure is treated as a priority. The default position as set out within BS 5837:2012 is that structures should be located outside the RPAs of trees to be retained, although, it goes on to recognise that where there is an overriding justification for construction within the RPA, technical solutions might be available that prevent damage to a tree.
45. However, in this instance, even if I were minded to agree that an overriding justification for construction within the RPA existed, there is little certainty regarding what work is proposed within the RPA, the depth of any necessary work and type of foundation to be used. Even though it was suggested by the appellant's tree expert at the hearing that in their opinion there would be no adverse arboricultural implications posed by the proposed development, on the basis upon which the AR required input by experts in other disciplines, there is little clear evidence to establish the likely effect of construction within the RPA and to adequately demonstrate that the technical solutions advanced by the appellant would be capable of being implemented. On the evidence before me,

I find that there is inadequate certainty that there would not be harm to the long-term viability of the retained trees.

46. Consequently, with a precautionary principle in mind, the appeal scheme fails to demonstrate that there would be adequate protection for the root stems such that the appeal scheme would not jeopardise the long-term health and survival of the retained trees. Given the lack of certainty regarding the methods and techniques proposed, in the absence of any compelling evidence to demonstrate that the retained trees can be adequately protected, it would not be feasible to impose appropriately worded planning conditions to safeguard the longevity of the trees.
47. Accordingly, I consider that the appeal scheme fails to accord with Policies 55, 56 and 71 of the Cambridge Local Plan 2018. Among other things, these policies require a high quality development that responds positively to existing features of natural and local importance and for proposals to preserve, protect and enhance existing trees that have amenity value as perceived from the public realm. The appeal scheme would be contrary to paragraph 136 of the Framework insofar as it recognises that trees make an important contribution to the character and quality of the urban environment and aims to retain existing trees wherever possible.
48. Furthermore, there would also be conflict with Local Plan Policy 61 insofar as it requires proposals to preserve or enhance the significance of the heritage assets of the city, their setting and the wider townscape. The harm to the CA identified would amount to "less than substantial harm". As such, paragraph 208 of the Framework requires the harm to be balanced against the public benefits of the proposal.

Public benefits

49. It is recognised by the parties that the appeal scheme would provide a venue that is required to support the Jewish population. The particular needs of the Egalitarian Jewish student community and importance of this building as their permanent religious venue is a material planning consideration as part of my assessment. This is further reinforced due to the fact that it is a growing student community for which there is no other similar facility available nearby for the use by students, the current facility is not fit for purpose, it is too small and contains inadequate space and facilities.
50. The proposed building would be a cultural building, a place of worship and a meeting place which would be intended to serve a community of approximately 1200 Jewish students in Cambridge. The facilities would include an Orthodox Synagogue, hall and Kosher kitchen on the ground floor together with social, educational and egalitarian synagogue on the upper floor. The value of the proposal to this specific community is plainly evident from the number of individuals that attended the hearing, a number of whom orally addressed the hearing together with the numerous written comments and signed petition of interested parties. It is also intended that the building would be used by local residents of Jewish faith and also those of non-Jewish faith thus providing a multi-faith community centre which would promote interfaith dialogue, meetings, education and social interactions to foster good relations.
51. The proposed development would provide larger, more versatile and better quality spaces. This is in the context of some parts of the fabric of the building

requiring a significant investment in order to repair, refurbish and improve the available facilities. At the site visit, my attention was drawn to various parts of the building where remedial work is needed, for example to address leaks or damp. I also observed that some of the facilities such as toilets are not of a standard which provide access to those with disabilities.

52. The appeal proposal would make provision for improved accessibility by providing level access, accessible toilet facilities and include a lift to the upper floor. Taken together with the provision of full disabled facilities, the proposed building would be more user friendly than the current layout and there would be safe, accessible and convenient access for all users.
53. In addition, the provision of adequate refuse storage facilities within the building would avoid the unsightly storage of waste receptacles in the open. This would be an improvement to the current situation. Taken together with the proposed building being brought forward to better align and reflect the enclosed character of Thompson's Lane, these are matters which provide an enhancement to the quality of the CA.
54. Ventilation of the existing building is reliant upon windows being open. Given that the proposed building would operate as a fully sealed building it would eliminate the spillage of noise which would be beneficial to neighbouring residents and those passing by. The provision of appropriate space as part of the 'Winter Garden' to accommodate The Sukkah would remove the need for people to congregate in outdoor areas to the rear of the building, thus noise and disturbance to neighbouring properties would be limited further.
55. A scheme of landscaping would provide some biodiversity improvement. However, replacement trees would largely be to mitigate for the loss of existing specimens and given the constrained size of the site, any additional landscaping and consequent increase in biodiversity would be modest.
56. Drawing all of these matters together, I consider that the public benefits of the appeal scheme would be significant. Nonetheless, the Framework advises that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. The harm identified above to the heritage asset by reason of the proposal's effect on the longevity of retained trees is a matter to which I attach great weight. Notwithstanding that the public benefits of the appeal scheme are matters to which I attribute significant weight, to my mind, the public benefits do not outweigh the harm to the CA. Accordingly, I consider that the appeal scheme also fails to comply with the provisions of national planning policy set out within section 16 of the Framework.

Planning Balance

57. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
58. I have concluded that the appeal scheme fails to demonstrate that there would be adequate protection for the root stems of retained trees such that their long-term health and survival would not be compromised to the detriment of the character and appearance of the area. Thus, the appeal scheme fails to demonstrate that the proposed development would not be materially harmful

to the setting of the CA. This is a matter to which I attach significant weight. In addition, there would be harm to the living conditions of neighbouring occupiers at Nos 25 and 26 Portugal Place and this is a matter to which I also attach significant weight.

59. Weighing against the harms I have identified above, are the benefits of the development. The proposed development would bring a number of economic, social and environmental benefits, a number of which are addressed above at paragraphs 49-56. Whilst I have not repeated those benefits here, they are matters to which I attribute significant weight in the overall planning balance.
60. As part of my assessment, I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010 which sets out the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. The appellant is part of a group with protected characteristics for the purposes of the PSED. However, as a result, it does not follow that the appeal should necessarily succeed, but rather that I have a duty to consider the implications of my decision upon this group.
61. Expenditure during the construction phase would be an economic benefit of the appeal scheme.
62. The appeal scheme would be constructed from sustainable materials and use cross laminated timber construction to improve the longevity of the building. In addition, it would enable the efficient use of energy and water resources therefore reducing the carbon footprint of the facility and there would be a corresponding reduction in running costs.
63. I am mindful that in not granting planning permission, individuals using the existing facility will need to continue using a building that is not fit for purpose and this will have a negative impact upon their enjoyment of the building, their ability to practice their faith and their wellbeing. I also note that the appellant has made several revisions to the scheme in an attempt to overcome concerns of the Council and neighbouring occupiers. It was also put to me at the hearing that it was unlikely that an alternative scheme would be brought forward at a future date.
64. However, drawing all matters together, I have found that the appeal scheme conflicts with the development plan and the material considerations weighing in favour of the scheme, individually and combined, do not outweigh the harms I have identified above. As such, the material considerations in this instance do not indicate that determination should be made otherwise than in accordance with the development plan.

Other Matters

65. No overlooking towards neighbouring properties would occur and therefore the privacy of those occupiers would be safeguarded. However, the absence of harm is a neutral matter weighing neither for nor against the proposal.
66. Although the Council's officer recommendation in this instance was to grant planning permission, the local planning authority is not obliged to accept the recommendation of their officer and as such councillors were entitled to reach

an alternative view on the main issues. I therefore do not attach any weight to this matter in determining the appeal.

67. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires the decision maker in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. However, given that I am dismissing the appeal on the main issues above, it has not been necessary to consider this matter any further.

Conclusion

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

E Brownless

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

David Cooper – David Cooper & Co

Julian Cooper – David Cooper & Co

Peter McKeown – Carter Jonas

Tom Foggin – RH Partnership

Joanna Burton – JB Heritage

Stephen Hayden – Haydens Arboriculturalist Consultants

Richard Loftus – Appellant - Agent for the trustees

Robert Perlman - Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Lawrence Moore Senior Planning Officer Cambridge City Council

INTERESTED PARTIES:

Jany Gwynne

Richard Fentiman

Richard Neill

Jonathan Cullen

Maria Cullen

Karl Sanderson

Lia Joffe

Dalia Bornstein

Reverend Dr. Stephen Plant

Rabbi Benjamin Baruch

Sir Michael Pepper

Reverend Devin McLachlan

Reverend Alison Kennedy

Andrew Day

DOCUMENTS

Cambridge Historic Core Appraisal – Portugal Place

Cambridge Historic Core Appraisal – Thompson’s Lane



Appendix 1: Decisions Notified By The Secretary of State

REFERENCE	SITE ADDRESS	DETAILS	DECISION	DECISION DATE	PLANNING DECISION
24/01588/FUL (APP/Q0505/W/25/3365274)	16 - 17 Sidney Street, 18 - 19 Sidney Street, And 21 Hobson Street Cambridge Cambridgeshire CB2 3HG	Demolition of existing buildings except for 16 and 17, 18 - 19 Sidney Street facades, 16 and 17 street facing roof aspect and chimneys, provision of: Replacement retail units totalling 882m2 (use class E (a) (b) (c) & (e)), 4,107m2 of office space (use class E (g) (i), (ii)), and 349m2 of community space (use classes F1 and F2), new shopfront to 16 and 17 Sidney Street and alterations to roof and northern chimney, and public realm enhancement works.	Appeal Dismissed	21/11/2025	Refusal of planning permission (Committee Decision (Area/Main))

23/03204/OUT (PCU/RTI/Q0505/3360365)	Beehive Centre Coldhams Lane Cambridge CB1 3ET Cambridgeshire	Outline application (with all matters reserved) for the demolition of existing buildings and structures and redevelopment of the site for a new local centre (E (a-f), F1(b-f), F2(b,d)), open space and employment (office and laboratory) floorspace (E(g)(i)(ii) to the ground floor and employment floorspace (office and laboratory) (E(g)(i)(ii) to the upper floors, along with supporting infrastructure, including pedestrian and cycle routes, vehicular access, car and cycle parking, servicing areas, landscaping and utilities. (The Development is the subject of an Environmental Impact Assessment)	Appeal Allowed	09/12/2025	(Committee Decision (Area/Main))
24/01244/FUL (APP/Q0505/W/25/3361632)	Anstey Hall Maris Lane Cambridge Cambridgeshire CB2 9LG	Construction of two blocks of retirement accommodation (Class C2) comprising 87 two-bedroom apartments with associated hard and soft landscaping, bin storage, cycle and car parking. Provision of new vehicular access onto Maris Lane and reconfiguration of wall with new entrance gates. New pedestrian access onto Old Mills Road.	Appeal Dismissed	17/12/2025	Refusal of planning permission (Committee Decision (Area/Main))

Appendix 2: Appeals received

REFERENCE	SITE ADDRESS	DETAILS	DATE LODGED
25/02695/HFUL (6002662)	1 Stanesfield Close Cambridge Cambridgeshire CB5 8NJ	Single storey rear extension.	16/12/2025

Appendix 3a: Local Inquiry dates scheduled

NO RESULTS

Appendix 3b: Informal Hearing dates scheduled

NO RESULTS

Appendix 4: Appeals Awaiting Decision from Inspectorate

REFERENCE	SITE ADDRESS	DETAILS	REASON
23/00566/FUL (APP/Q0505/W/23/3324785)	Pavement Outside Y59 Grafton Centre Cambridge CB1 1PS	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator	Refusal of planning permission (Delegated Decision)

23/00567/ADV (APP/Q0505/Z/23/3324786)	Pavement Outside Y59 Grafton Centre Cambridge CB1 1PS	Installation of 1no 86 inch LCD screen capable of showing illuminated static displays in sequence.	Refusal of planning permission (Delegated Decision)
EN/00096/25 (APP/Q0505/C/25/3364436)	179 Coleridge Road Cambridge Cambridgeshire CB1 3PW	Without Planning Permission the construction of a detached one bed studio apartment	Appeal against enforcement notice
EN/00044/24 BOC (APP/Q0505/C/25/3370670)	139 Arbury Road Cambridge Cambridgeshire CB4 2JD	The authorised use of the property is as a single dwelling (4 beds) with a self- contained annexe (1 living/bed). I visited the site for a pre-application enquiry for the change of use of the dwelling to a guesthouse (6 beds some studios) and a separate holiday unit (2 beds) on 18 Jan 2024. The internal works had already been carried out and I then found them both on Booking.com. Related Planning Reference: Date breach occurred: 18/01/2024	Appeal against enforcement notice

25/02499/ADV (APP/Q0505/Z/25/3372766)	Pavement Outside 18 - 19 The Broadway Mill Road Cambridge Cambridgeshire CB1 3AH	Installation of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit	Refusal of planning permission (Delegated Decision)
25/02498/FUL (APP/Q0505/W/25/3372765)	Pavement Outside 18 - 19 The Broadway Mill Road Cambridge Cambridgeshire CB1 3AH	Installation of 1no. BT Street Hub and removal of associated BT payphones.	Refusal of planning permission (Delegated Decision)
25/02497/ADV (APP/Q0505/Z/25/3372768)	Pavement O/S 90 Hills Road Cambridge Cambridgeshire CB2 1LN	Installation of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit	Refusal of planning permission (Delegated Decision)

25/02496/FUL (APP/Q0505/W/25/3372767)	Pavement O/S 90 Hills Road Cambridge Cambridgeshire CB2 1LN	Installation of 1no. BT Street Hub and removal of associated BT payphones.	Refusal of planning permission (Delegated Decision)
25/02500/FUL (APP/Q0505/W/25/3372838)	Pavement Outside Unit 1, 11 - 13 Rectory Terrace High Street Cherry Hinton Cambridge Cambridgeshire CB1 9HU	Installation of 1no. BT Street Hub and removal of associated BT payphones.	Refusal of planning permission (Delegated Decision)
25/02501/ADV (APP/Q0505/Z/25/3372839)	Pavement Outside Unit 1, 11 - 13 Rectory Terrace High Street Cherry Hinton Cambridge Cambridgeshire CB1 9HU	Installation of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit	Refusal of planning permission (Delegated Decision)

25/02502/FUL (APP/Q0505/W/25/3372896)	Pavement Outside Burleigh Street Cambridge Cambridgeshire CB1 1DG	Installation of 1no. BT Street Hub and removal of associated BT payphones.	Refusal of planning permission (Delegated Decision)
25/02503/ADV (APP/Q0505/Z/25/3372897)	Pavement Outside Burleigh Street Cambridge Cambridgeshire CB1 1DG	Installation of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit	Refusal of planning permission (Delegated Decision)
24/04266/FUL (APP/Q0505/W/25/3373568)	122 Malvern Road Cambridge CB1 9LH	Change of use from a 6 person house in multiple occupation (C4 use) to a 9 person house in multiple occupation (sui generis)	Refusal of planning permission (Delegated Decision)

25/01683/FUL (6001322)	33 Coleridge Road Cambridge Cambridgeshire CB1 3PH	Erection of detached self-build dwelling together with access, cycle parking and associated infrastructure following demolition of existing dwelling.	Refusal of planning permission (Delegated Decision)
25/01431/FUL (6001460)	28 Carlyle Road Cambridge Cambridgeshire CB4 3DN	Retention of use as a self-contained 1 bed flat in basement (use class C3) and a large 8 bed 8 person House in Multiple Occupation at ground, first and second floors (sui generis use) (retrospective application) and erection of cycle stores.	Refusal of planning permission (Delegated Decision)

Appendix 5: Appeals Pending Statement from the Local Planning Authority

NO RESULTS

Data extracted at: 2025/12/19 07:56:09