



<b>Planning Committee Date</b>	21/04431/REM
<b>Report to</b>	Joint Development Control Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	21/04431/REM
<b>Site</b>	Castle (Land between Huntingdon Road and Histon Road)
<b>Ward / Parish</b>	Castle
<b>Proposal</b>	Reserved Matters Application for second housing phase (known as BDW2) including 323 dwellings with associated internal roads, car parking, landscaping, amenity and public open space. The Reserved Matters include access, appearance, landscaping, layout and scale and related partial discharge of conditions 8, 10, 14, 17, 18, 22, 25, 26, 28, 35, 40, 49, 52, 58, 62, 63, 66 and 69 pursuant to outline approval 07/0003/OUT
<b>Applicant</b>	Barratt David Wilson Homes (BDW) Cambridgeshire
<b>Presenting Officer</b>	Charlotte Burton, Principal Planning Officer (Strategic Sites Team)
<b>Reason Reported to Committee</b>	This is a reserved matters application for the provision of more than 100 residential units within the JDCC administrative area.
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	<ol style="list-style-type: none"> <li>1. Principle of development</li> <li>2. Context of site, design, and external spaces</li> <li>3. Impact on residential amenity</li> <li>4. Housing delivery</li> <li>5. Access and transport</li> <li>6. Community infrastructure</li> <li>7. Sustainability</li> <li>8. Environmental considerations</li> <li>9. Third party representations</li> </ol>
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions with delegated authority to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary) prior to the issuing of the planning permission.

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## **1.0 Executive Summary**

- 1.1 The proposal is for 'BDW2' which is the next residential parcel within the Darwin Green 1 development on land between Huntingdon Road and Histon Road and pursuant to the outline consent 07/0003/OUT. It follows on from the BDW1 and Local Centre phases. Occupations on earlier phases have recently reached the 200th dwelling occupation.
- 1.2 The application is for the approval of reserved matters relating to layout, landscaping, appearance and scale. The scheme would deliver 323 new homes including 129 affordable homes, public open space, an allotment site, three play areas, part of the Orbital Cycle Route connecting to Huntingdon Road and other associated infrastructure. The existing pavilion building is not included in the red line boundary of the application site.
- 1.3 The application includes information for approval to part discharge conditions on the outline consent in relation to this phase of development.
- 1.4 Amendments were submitted during the course of the application. The first set of amendments were submitted in February 2022 and, among other changes, included an amendment to the red line of the application site to incorporate changes to the primary road (previously approved via the infrastructure reserved matters consent) to address comments from the Highways Authority. A full consultation was undertaken on the amendments. The second set of amendments were submitted in June 2022 including amendments to several plots to improve the amenity of the future occupants. These were subject to a limited internal consultation with the relevant technical officers.
- 1.5 The reserved matters proposals are generally compliant with the outline consent, including the outline parameter plans (as amended by the recent non-material amendment to the building heights parameter plan 07/0003/NMA1) and the Design Code. The proposals have evolved the site layout from the Design Code and conform to the established principles, and are supported by officers.
- 1.6 The current application follows the refusal of the previous proposal 19/1056/REM by the JDCC in December 2020. The reasons for refusal related to 1) the residential amenity of future occupants, 2) inadequate supporting infrastructure (public open space, play areas and cycle parking), 3) impact on residential amenities of neighbouring properties (Grosvenor Court and Hoadly Road), and 4) the clustering of affordable homes.
- 1.7 The applicant has sought to address these reasons for refusal through this reserved matters application and the subsequent amendments to the scheme. This includes 1) all homes meet the internal space standards and the smallest gardens have been enlarged, 2) the public open space

exceeds the requirements of the outline consent, 3) increased distance between some of the plots adjacent to neighbouring properties, and 4) affordable housing clusters in accordance with the adopted guidance. The applicant presented these changes to the JDCC in April 2021 at the developer briefing. The application has also been subject to an officer briefing to the JDCC in April 2022. Officers are satisfied these changes address the previous reasons for refusal.

- 1.8 In addition, compared to the previous scheme, the current proposal delivers benefits which exceed the requirements of the outline consent, including providing active electric vehicle (EV) charge points for on-plot parking spaces (or 50% provision for other parking areas and passive provision for remaining spaces); future-proofing infrastructure to facilitate the upgrade to efficient electric heating systems; and a commitment for over one third of homes to be built to the forthcoming Part L Building Regulations 2021 achieving a greater carbon reduction than the current standards.
- 1.9 Furthermore, the applicant has committed to conditions relating to maintenance of the ditch to the rear of properties on Woodlark Road and to install a bund for the duration of construction to prevent flows entering the ditch, in order to address concerns from local residents. Other third party representations have been addressed in this report.
- 1.10 For these reasons, the proposals are supported by officers, and the recommendation is to approve the application subject to conditions.
- 1.11 The recommendation includes the respective approval or refusal of details submitted to part discharge outline planning conditions in relation to this phase of development. Any conditions that are not recommended to be discharged will need to be resubmitted by the applicant in line with the triggers applied to each specific condition.
- 1.12 Issues relating to compliance with the approved Phasing Plan and obligations within the Section 106 Agreement mentioned in this report will be resolved separately to this reserved matters application.

## **2.0 Site Description and Context**

- 2.1 The application site known as parcel 'BDW2' is within the wider Darwin Green development, which is a 52.87 hectares site situated on land between Huntingdon Road and Histon Road. This site is allocated within the CLP 2018 within the 'Land between Huntingdon Road and Histon Road Area of Major Change' policy 20.
- 2.2 To the north west is an 80 hectares site known as 'Darwin Green 2/3' which is within the South Cambridgeshire District Council (SCDC) boundary and is allocated in the SCDC Local Plan 2018 for approximately 1,000 homes, social infrastructure and open space. Darwin Green 2/3

does not have outline consent, however a hybrid planning application was submitted in May 2022 and is pending consideration (22/02528/OUT).

- 2.3 The parcel known as 'BDW2' is approximately 8.11 hectares within the southern corner of the Darwin Green development site. It comprises the former Christ's and Sidney Sussex playing fields. The former pavilion building in the southernmost corner and immediate surroundings is excluded from the red line boundary of the application site and therefore does not form part of the current proposals.
- 2.4 The site is orientated with the longest length approximately on a south-west to north-east axis. The site is rectangular with the northern corner removed where it adjoins the school playing fields. The north-western boundary adjoins the BDW1 parcel and an existing hedge marks this boundary. The north-eastern boundary will adjoin future parcels, again with a hedge forming a natural boundary.
- 2.5 The land is currently grass and scrub with some earthworks and construction storage associated with the development of other parcels. The primary road which runs west to east through the site on a 'dog leg' – which was approved under the infrastructure reserved matters application - has been completed to base course level. The land gradually rises from south to north.
- 2.6 The south-east boundary adjoins the rear gardens of properties along Woodlark Road and Hoadly Road. There is a ditch within the site (and within the applicant's ownership) which runs along most of the length of this boundary to the rear of neighbouring properties, although it ends within 90m short of the site boundary on the eastern end. There is a hedge along parts of this boundary.
- 2.7 The south-west boundary adjoins the rear gardens of properties on Huntingdon Road, and part of the north-west boundary adjoins the rear gardens of properties on the southern side of Howes Place. Again, there is hedge along part of this boundary.
- 2.8 The site is not within a conservation area. The former National Institute for Agricultural Botany (NIAB) headquarters building on Huntingdon Road and Howes Place are Buildings of Local Interest (BLIs). There are no listed buildings within the vicinity. The site is within Flood Zone 1.

### **Surrounding Area**

- 2.9 Darwin Green is within a predominantly residential area on the edge of the built-up area of the city. The development together with Eddington on the western side of Huntingdon Road and Orchard Park on the eastern side of Histon Road (within South Cambridgeshire) form part of the city's north west growth area providing mixed use employment and residential development and creating distinctive communities.

- 2.10 The site is approximately 2km from the city centre and 4km from the main train station. The cycle, pedestrian and public transport facilities secured through the Darwin Green outline consent connect to good existing infrastructure, including along Huntingdon Road and Histon Road. The Orbital Cycle Route approved through the infrastructure reserved matters provides good connectivity.
- 2.11 The adjoining residential areas along Huntingdon Road, Woodlark Road, Hoadly Road and Howes Place are described further in the residential amenity section of this report. In summary, these are characteristically two storey semi-detached and detached properties with relatively long rear gardens, and which have enjoyed an outlook onto the open sports field on the application site. One exception to this is Grosvenor Court on Woodlark Road, which is described in detail in this report.

### 3.0 The Proposal

- 3.1 The application is made pursuant to condition 1 of the outline planning permission (07/0003/OUT) which mandates submission of reserved matters for each development parcel. Reserved matters approval is sought for the appearance, landscaping, layout and scale for 323 homes, informal open space, allotments and associated infrastructure and landscaping.
- 3.2 The proposal would provide 129 affordable and 194 market homes including a mix of houses and apartments, with a range of sizes, types and tenures, as summarised in the table below.

Size of unit	Affordable - Social rent	Affordable - Shared ownership	Market	Total
1 bed flat	12	0	6	18
2 bed flat	18	12	12	42
2 bed house	33	8	5	46
3 bed house	9	16	60	85
4 bed house	21	0	107	128
5 bed house	0	0	4	4
<b>Total</b>	<b>93</b>	<b>36</b>	<b>194</b>	<b>323</b>

- 3.3 The affordable homes would be a mix of 93 affordable rent and 36 shared ownership. The affordable dwellings will be owned and/or managed by the affordable housing provider London and Quadrant (L&Q) who are the developer's partner in delivering affordable housing across the Darwin Green development.

- 3.4 The houses would be a mix of attached and detached properties over two to three storeys and including flats-over-garages (FOGs). The apartments would be within blocks up to three storeys high. The built form is a mix of gabled and hipped roofs with varying orientations parallel and perpendicular to the street.
- 3.5 The primary route through the site enters from the BDW1 on the north-west boundary and heads towards the north-east site boundary onto BDW3. There is also a secondary route from BDW1 and together these routes feed a grid block structure. Tertiary streets are more relaxed and break down into smaller mews and shared surface areas.
- 3.6 The proposal includes 0.15 hectares area of public open space in the southern corner referred to as 'Pavilion Green'. The existing pavilion fronts this space, but is excluded from the application site. Pavilion Green includes a locally equipped area of play (LEAP) and is crossed by a cycle and pedestrian route.
- 3.7 Two further locally equipped areas of play (LAPs) are proposed throughout the development. One is located in a Pocket Park within the mews area in the western corner of the site. The second would be within a motor-vehicle free space in the centre of the parcel referred to as the 'T Park'. Informal open space is integrated throughout the site.
- 3.8 The proposal also includes a 0.43 hectare allotment site in the north-east corner. This would have vehicle access from the primary street and would include car parking spaces, an area to receive deliveries and communal facilities. These allotments already have consent under the infrastructure reserved matters consent 14/0086/REM and the current proposals are for an alternative, although similar, arrangement.
- 3.9 The application red line boundary also includes a pedestrian and cycle link from Huntingdon Road into the southern corner of the site. This has already been approved under the infrastructure reserved matters consent.
- 3.10 Car parking is proposed via on-plot spaces for the houses and small parking courts primarily for the apartments. In total 509 residential car parking spaces are proposed plus 29 on-street visitor spaces and 3 spaces within the allotments.
- 3.11 Cycle parking is via small stores for each house and small communal stores for the apartments. A small number of flats-over-garages have cycle parking within a garage.
- 3.12 Refuse and recycling facilities are similarly provided for each house or via a small communal store for the apartments.

### **Pre-application**

- 3.13 The proposals were subject to extensive pre-application discussions prior to the submission of the previous application 19/1056/REM. This included a presentation to the Cambridgeshire Quality Panel and the Disability Consultative Panel. The feedback from these panels were considered as part of the previous application and have been incorporated into the current proposals.
- 3.14 Following refusal of the previous application, the applicant presented their amendments to the scheme in response to the reason for refusal to the JDCC in April 2021. The current application was also presented to the JDCC by officers in April 2022. The applicant actively engages in the North West and West Community Forum meetings held quarterly with residents.

### **Application timeline**

- 3.15 The application was received on 1 October 2021 and before the expiration of the outline consent on 18 December 2021 as controlled via condition 4 on the outline consent. The application was received valid.
- 3.16 During the course of the application, amendments were received on 24 February 2022 (including an amendment to the red line of the application site boundary) and on 26 May 2022. These are described further below. A full consultation was undertaken on the first set of amendments as covered in the Publicity section of this report, and a limited consultation was undertaken with relevant technical officers on the second set of amendments.

### **Application documents**

- 3.17 In addition to the application forms, covering letter and architectural drawings, the application is accompanied by the following supporting information:
- Planning Statement
  - Affordable Housing Statement and management approach
  - Design and Compliance Statement
  - Design Intent Report and Material Palette
  - Landscape Design Approach and Compliance Statement
  - Detailed Open Space Landscape Management and Maintenance Plan
  - Youth and Children's Play Strategy and Compliance Statement
  - Drainage Report, drawings and calculations
  - Transport Statement
  - Ecological Conservation Management Plan
  - Sustainability Statement and Energy Report
  - Public Art Delivery Plan
  - Noise Assessment
  - Construction Management Plan
  - Site Waste Management Plan
  - External lighting details for public and private areas



- Vehicle tracking diagrams and highway adoption plan
- Arboricultural Method Statement and plans
- LAP1, LAP2, LAP3 and Youth and Children's Play Design Compliance Report
- Design Code compliance statement
- Ecological Conservation Management Plan Statement
- Affordable Housing Scheme and Plan

### **Amended Plans and Additional Information**

3.18 Following the statutory consultation period and initial officer assessment of the application, revised information was submitted on 24 February 2022. This included an amendment to the red line boundary of the application site and response to issues raised in the consultation. These revisions relate to the following formal submissions:

- Planning update statement
- Response to third party representations
- Plans and elevations to apartment blocks
- Plans and elevations to houses
- Construction Method Statement (CMS)
- Detailed Waste Management Plan (DWMP)
- Drainage Strategy, Levels Plan, Exceedance plan
- Vehicle Tracking plans
- Affordable Housing Scheme and Plan
- Arboricultural Method Statement (AMS)
- Details of LAP and LEAP play areas
- Detailed Open Space and Landscape Maintenance and Management Plan (DOSLMMP)
- Hard and Soft Landscape
- Bin storage and car and cycle parking
- Material palette

3.19 A Daylight and Sunlight Assessment of the impact on identified neighbouring properties, and visualisations of views from Hoadly Road were also submitted during the course of the application. The occupants of 1 Hoadly Road were invited to comment on these.

3.20 A further set of amendments and additional information was received on 26 May 2022. This included amendments to several plots to address concerns from officers about the amenity of the future occupiers. The applicant also sought to address other concerns raised by technical officers. The submission included the following information:

- Site plan at ground, first and roof level
- Drainage Strategy, Levels Plan, Exceedance plan and Drainage Changes Summary Letter
- Tree Survey, Arboricultural Method Statement (AMS) and Arboricultural Implications Assessment (AIA)
- Refuse Vehicle Tracking Diagrams

- Lighting proposals
- Details of LAP and LEAP play areas
- Strategy plans updated to reflect amended plot layouts
- Plans and elevations to identified plots
- Updated Design and Compliance Statement
- Material palette
- Updated Landscape Design Approach Report
- Updated landscape and planting plans

3.21 The detail of these amendments is discussed further in the relevant sections of this report.

### **Discharge of conditions**

3.22 This reserved matters application includes the submission of details to partially discharge the following conditions on the outline consent 07/0003/OUT insofar as they relate to the BDW2 reserved matters:

- Condition 8 Design Code Compliance
- Condition 10 Youth Facility and Children's Play Provision
- Condition 14 Soft and Hard Landscaping
- Condition 17 Tree and Hedge Survey and Arboricultural Implications Assessment
- Condition 18 Arboricultural Method Statement
- Condition 22 Allotment Strategy
- Condition 25 Affordable Housing
- Condition 26 Accessible Dwellings
- Condition 28 Renewable Energy
- Condition 35 Detailed Surface Water Strategy
- Condition 40 Ecological Conservation Management Plan Statement
- Condition 49 Secure Parking of Bicycles
- Condition 52 Construction Management Plan
- Condition 58 Noise Assessment for future residents
- Condition 62 Domestic and Trade Waste
- Condition 63 Construction Waste Management
- Condition 66 Lighting
- Condition 69 Public Art

## **4.0 Relevant Site History**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>
07/0003/OUT	Mixed use development comprising up to 1593 dwellings, primary school, community facilities, retail units (use classes A1, A2, A3, A4 and A5) and associated infrastructure including vehicular, pedestrian and cycleway accesses, open space and drainage works.	Approved on 20 February 2015

07/0003/NMA1	Non material amendment on application 07/0003/OUT to the Number of Storeys Parameter Plan 2197/LP_3.2 Rev J	Approved on 22 December 2020
S/0001/07/F	Formation of Vehicular Pedestrian and Cycleway Access Road from Histon Road to serve the Urban Extension of the City between Huntingdon Road and Histon Road Cambridge together with Drainage and Landscaping Works.	Approved on 18 December 2013
14/0086/REM	Reserved matters of 07/003/OUT for access roads, pedestrian and cycle paths, public open space, services across the site and one allotment site.	Approved on 19 June 2014
14/1410/REM	Construction of public square with hard surfaced pedestrian and cycle areas, access road, disabled and service bay parking, soft landscaping, drainage and utilities pursuant to outline approval 07/0003/OUT	Approved on 23 December 2014
15/1670/REM	Reserved matters for 114 residential units and local centre, including library, community rooms, health centre and retail units pursuant to outline consent 07/0003/OUT.	Approved on 23 May 2016
C/5000/15/CC (County Council)	Erection of 2-Form Entry Primary School and Children's Centre.	Approved on 17 February 2016
16/0208/REM	Reserved matters application for first housing phase (known as BDW1) including 173 dwellings with associated internal roads, car parking, landscaping, amenity and public open space.	Approved on 27 May 2016
S/1355/17/FL	Construction of a drainage pond (relocation of drainage pond permitted under reference S/0001/07/F) to support Darwin Green One site wide strategic drainage including revised access and landscaping details.	Approved (date TBC)
07/0003/NMA2	Non-material amendment to permission 07/0003/OUT to amend the location of the attenuation pond in the Flood Risk Assessment approved in condition 34 to that proposed in application S/1355/17/FL.	Approved (date TBC)
S/0001/07/NMA1	Non-material amendment to permission S/0001/07/F to amend the location of the attenuation pond in the Flood Risk Assessment approved in condition 6 so that it accords with the proposed location in application S/1355/17/FL.	Approved (date TBC)

18/0355/FUL	Application for the temporary use of the ground floor of Block B, Plot 70, BDW1 (first residential phase) as a Community Room.	Awaiting decision
19/1056/REM	Reserved Matters application for second housing phase (known as BDW2) including 328 dwellings with associated internal roads, car parking, landscaping, amenity and public open space. The Reserved Matters include access, appearance, landscaping, layout and scale and related partial discharge of conditions 8, 10, 14, 18, 22, 25, 26, 27, 29, 35, 40, 49, 52, 58, 62, 63, 66 and 69 pursuant to outline approval 07/0003/OUT.	Refused on 22 December 2020
21/03619/REM	Reserved matters application for fifth and sixth housing phases and Allotment 3 (collectively known as BDW5 and 6) including 410 dwellings and allotments with associated internal roads, car parking, landscaping, amenity and public open space. The reserved matters include access, appearance, landscaping, layout and scale and the related partial discharge of conditions 8, 10, 14, 22, 25, 26, 27, 29, 35 and 58 pursuant to outline approval 07/0003/OUT.	Approved on 22 December 2021
21/04431/REM	Reserved Matters application for second housing phase (known as BDW2) including 323 dwellings with associated internal roads, car parking, landscaping, amenity and public open space. The Reserved Matters include access, appearance, landscaping, layout and scale and related partial discharge of conditions 8, 10, 14, 17, 18, 26, 28, 35, 40, 49, 52, 58, 63, 66 and 69 pursuant to outline approval 07/0003/OUT.	Pending consideration
22/02528/OUT	Hybrid planning application comprising: Outline planning permission (all matters reserved except for means of access) for up to 1,000 residential dwellings, secondary school, primary school, community facilities, retail uses, open space and landscaped areas, associated engineering, demolition and infrastructure works; and Full planning permission for relocation of drainage pond permitted under reference S/0001/07/F	Pending consideration

## 5.0 Policy

### 5.1 National

National Planning Policy Framework 2021  
National Planning Practice Guidance  
National Design Guide 2019  
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design  
Circular 11/95 (Conditions, Annex A)  
Technical Housing Standards – Nationally Described Space Standard (2015)

## **5.2 Cambridge Local Plan 2018**

Policy 1: Presumption in favour of sustainable development  
Policy 3: Spatial strategy for the location of residential development  
Policy 13: Areas of major change and opportunity areas  
Policy 20: Land between Huntingdon Road and Histon Road Area of Major Change  
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 33: Contaminated land  
Policy 34: Light pollution  
Policy 35: Protection of human health and quality of life from noise and vibration  
Policy 36: Air quality, odour and dust  
Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding Zones  
Policy 42: Connecting new developments to digital infrastructure  
Policy 45: Affordable housing and dwelling mix  
Policy 50: Residential space standards  
Policy 51: Accessible homes  
Policy 55: Responding to context  
Policy 56: Creating successful places  
Policy 57: Designing new buildings  
Policy 68: Open space and recreation provision through new development  
Policy 69: Protection of sites of biodiversity and geodiversity importance  
Policy 70: Protection of priority species and habitats  
Policy 71: Trees  
Policy 80: Supporting sustainable access to development  
Policy 81: Mitigating the transport impact of development  
Policy 82: Parking management  
Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

## **5.3 Supplementary Planning Documents**

Affordable Housing SPD (2008)  
Cambridgeshire Flood and Water SPD (2018)  
Cambridgeshire Quality Charter for Growth (2008)

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide SPD (2012)  
Public Art SPD (2010)  
Greater Cambridge Sustainable Design and Construction SPD (2020)  
Greater Cambridge Biodiversity SPD (2022)

#### 5.4 **Other Guidance**

Greater Cambridge Housing Strategy 2019 – 2023  
Draft Affordable Housing SPD (June 2014)  
Cambridge City Council's Air Quality Action Plan (2018)

#### 6.0 **Consultations**

##### **Joint Housing Strategy Officer (South Cambridgeshire District Council)**

Comment 24 November 2021

- 6.1 Further discussions before the scheme can be supported:
- Need to provide more 3 bed houses and reduce the number of 4 bed houses.
  - The scheme does not maximise the bed spaces for affordable homes (-35 compared to a policy compliant scheme)
  - Clarification on some of the house types.
  - Local Lettings Plan and nomination agreement for the scheme to be agreed between the Council and the Registered Provider.

Comment on amendments 4 May 2022

- 6.2 The responses are acceptable.

##### **Access Officer (Greater Cambridge Shared Planning)**

- 6.3 No comments received.

##### **Urban Design Team, Built and Natural Environment Team (Greater Cambridge Shared Planning)**

Comment 31 November 2021

- 6.4 Support subject to recommendations: Amendments to sections of the primary street south and secondary street introduce raised tables to manage the maximum design speed of 20 miles per hour. Conditions relating to materials, brickwork sample panel and cycle parking.

Comment on amendments 23 March 2022

- 6.5 The amendments have addressed previous comments. The proposal is supported subject to conditions recommended above.

Comment on amendments 17 June 2022

- 6.6 Amendments have addressed plot specific issues. Cycle stores located at the front of plots should have a green roof. Support subject to a condition to secure design details and materials and details of the cycle stores to include a green roof.

**Landscape Team, Built and Natural Environment Team (Greater Cambridge Shared Planning)**

Comment 24 November 2021

- 6.7 Support subject to recommendations: previous recommendation on application 19/1056/REM (condition for landscape management and maintenance plan, tree pit details and green roofs).

Comments on amendments 21 June 2022

- 6.8 Support the amendments. Recommend conditions 10 and 22 are not discharged as more details are required to gain approval by the adopting authority. Recommend conditions relating to details of green roofs and boundary fencing at site perimeters near hedging and retained watercourse.

**Sustainable Drainage Engineer (Cambridge City Council)**

- 6.9 No comments received.

**Lead Local Flood Authority (Cambridgeshire County Council)**

Comment 24 November 2021

- 6.10 Object:
- Plans to reinstate, regrade and install a new headwall on the outfall from the existing ditch backing onto the properties on Woodlark Road , including access for future maintenance works, should be clearly included within the drainage layout plan, including the access routes.
  - More information is required within the submitted drainage layout plans, such as the details of the proposed flow controls and the pipe network that these features are connecting into within the wider network, as well as a catchment plan indicating the five networks within this application to assist in the review of the drainage layout and calculations.
  - Exceedance routing should be indicated within the drainage layout plan, ensuring that the flow do not take any exceedance to any existing or proposed dwellings.
  - The applicant should submit all calculations for each network, showing the 1 year, 30 year and 100 year storms. There should be no

surcharging in the 1 year and no water outside the system in the 30 year storms.

- FSR rainfall data is now outdated and there are more accurate data sets in FEH 1999 and 2013 models. FEH rainfall data is now required on all applications to ensure the hydraulic modelling is an accurate representation of the proposed network.
- Permeable paving on private driveways should be maintained by the prospective resident or each property, to ensure that these can be maintained all year round. Permeable paving should be brushed regularly to help keep the surface in good working order and this should also be included within the maintenance plan.
- The maintenance of the retained ditch against the properties of Woodlark road should be included within the maintenance plan. This should detail all required maintenance and the frequency of proposed maintenance to the ditch.

Comment on amendments 31 March 2022

- 6.11 No objection. The submission demonstrates that surface water from the proposed development can be managed through the use of permeable paving over private access and parking areas. A swale is proposed along the T-park area. Surface water is then discharged into the wider approved strategic surface water drainage system, serving the wider Darwin Green development area, at a controlled rate.
- 6.12 The proposals include the re-profiling of a drain along the eastern boundary of the scheme, which outfalls into the Anglian Water system. There have been discussions regarding the timing of these works to the drain and the LLFA believes this should be as soon as possible to ensure that the drain functions suitably during the construction period. Should the LPA support this reserved matters application, the LLFA would support a suitably worded condition to ensure that the works to the drain are implemented and is maintained for the duration of the works and lifetime of the proposed development.
- 6.13 Support subject to recommended informatives relating to the ordinary watercourse and pollution control.

Additional comment 03.05.2022

- 6.14 No objection to the discharge of condition 52. Surface water will be managed suitably during the construction stage.

**Sustainability Officer, Built and Natural Environment Team (Greater Cambridge Shared Planning)**

Comments 19 November 2021

- 6.15 Support, subject to:



- Conditions relating to futureproofing for low temperature housing and implementation of carbon reduction strategy
- Outline conditions 27 and 28 recommended for discharge subject to imposition of new conditions
- Outline condition 63 not recommended for discharge

Comment on amendments 21 March 2022

- 6.16 Support, subject to conditions above. The applicant has now submitted a Waste Management Technical Note pursuant to the information required by condition 63 which is recommended for discharge

Comment on additional information 29 March 2022

- 6.17 Further information has now been provided regarding the construction standards and the number of homes being built to the Code for Sustainable Homes as required by condition 29 of the outlined permission. This is supported and the condition previously recommended for a carbon reduction strategy condition is no longer required.

**Ecology Officer, Streets and Open Spaces (Cambridge City Council)**

Comment 11 November 2021

- 6.18 No objection. Recommend discharge of outline condition 40.

Comment 25 March 2022

- 6.19 No further comment on amendments.

**Tree Officer, Streets and Open Spaces (Cambridge City Council)**

Comment 12 April 2022

- 6.20 The Arboricultural Method Statement (AMS) is out of date with the Tree Protection Plan (TPP) and not reflecting the submitted general arrangement. The AMS does not provide servicing information. Works to the existing ditch course have not been considered in relation to T9. Levels information is unclear on the TPP and the impact on root protection areas is not supported. Resubmission required.

**Streets and Open Spaces Team (Cambridge City Council)**

Comment 20 January 2022

- 6.21 Unable to comment, further information required:
- More detail on the LAP provision generally.
  - Detail of fixed play equipment at each location.
  - Extent of boundaries of the adoptable open space/play space provision.
  - Dates for the completion of the adoptable play space and landscape.

- Detail of the community art offering for public open space.
- Detail of ecological enhancements wildlife corridors and habitat.
- Detail of drainage features within the adoptable Open Space provision.
- Detail of Management Plan reflecting the City Council's green ambitions

- 6.22 Comments based on limited information including relating to the distribution of play spaces, the integration of play provision into open space, the quantity, connectivity and distribution of accessible open space, integration of public art into open space, details around future maintenance, measures to reduce need for chemical weed control, and proportion of hardstanding and green spaces within the open space.
- 6.23 Recommend conditions relating to submission of details of maintenance and management of the public open space and allotments, submission of details of boundary treatments, and submission of further details about the LAP and allotments.

**Public Art Officer, Streets and Open Spaces Team (Cambridge City Council)**

Comments 15 June 2022

- 6.24 The principle of the proposal is supported, however the timescale in the Public Art Delivery Plan needs to be updated.

**Greater Cambridge Shared Waste Team**

- 6.25 No comments received.

**Local Highway Authority (Cambridgeshire County Council)**

Comment 17 November 2021

- 6.26 The proposed layout and design of the internal road layout is unlikely to achieve a 20mph design speed. The proposed use of on street car parking as speed reducing features is also not acceptable. The swept path analysis for the refuse vehicle clearly shows it entering third party land when turning, which demonstrates that the proposed turning area is too small. The swept path also shows the refuse vehicle in conflict with some of the street trees. The Highway Authority would adopt some of the roads in principle subject to detail.
- 6.27 Recommend conditions relating to pedestrian visibility splays, construction of driveways, and inter-visibility splays for access points

Comment on amendments 21 March 2022

- 6.28 The introduction of additional vertical features within the carriageway will significantly improve the compliance with the 20mph design speed. Some of the refuse tracking is still constrained, but the diagrams do show a

vehicle manoeuvring without striking the kerbs or oversailing any footways.

- 6.29 The Highway Authority will not seek to adopt all the streets, this will include the shared surfaces serving plots 202-261 as these two no through routes provide motor vehicle access to 16 and 17 properties each. This is in excess of the level that the Highway Authority finds acceptable.

### **Environmental Quality and Growth Team (Cambridge City Council)**

Comment 08 November 2021

- 6.30 No objection subject to recommend conditions for electric vehicle charging points. Outline condition 58 recommended for discharge. Outline conditions 52 and 66 not recommended for discharge.

Comment on amendments 14.03.2022

- 6.31 No objection subject to recommended condition for electric vehicle charging points. Outline conditions 52, 58 and 66 recommended for discharge.

### **Anglian Water**

Comment 01 November 2021

- 6.32 No comment to make. The Flood Risk Assessment/Drainage Strategy has been reviewed and the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of Anglian Water's jurisdiction and so unable to provide comments on the suitability of the surface water discharge. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

### **Environment Agency**

Comment 28 October 2021 & on amendment 15 March 2022

- 6.33 No comment to make. Refer to standing advice.

### **Cambridge City Airport**

Comment 11 November 2021 & 18 March 2022

- 6.34 No safeguarding objection. Draw attention to British Standard Code of Practice for the safe use of Crane and the need to consult the aerodrome.

### **Cambridgeshire Constabulary**

## Comments on amendments 21 March 2022

- 6.35 The site is in an area of medium risk to the vulnerability to crime. Overall the proposal is an acceptable layout in relation to crime prevention and fear of crime. Detailed comments in relation to cycle stands and stores, bin stores and lighting to parking courts.

## Health and Safety Executive

- 6.36 No interest.

## Cambridge Fire and Rescue

Comment 10 November 2021

- 6.37 Advice about securing fire hydrants, access and facilities for the Fire Service in accordance with Building Regulations. If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

Comment 28 April 2022

- 6.38 No further comment on amendments.

## Defence Infrastructure Organisation

- 6.39 No objection due to there being no flat roofs.

## 7.0 Publicity

- 7.1 The following publicity has been undertaken:

Neighbour notification	Yes
Site notice	Yes
Advertisement	Yes

- 7.2 In addition to the initial consultation when the application was validated, a full re-consultation for 21 days was undertaken for the amendments submitted in February 2022 (including the amendments to the red line of the application site) via neighbour notification, site notice and advertisement.

## 8.0 Third Party Representations

- 8.1 During the course of the application, representations were received from the owners/occupiers of the following properties:

- 1 Hoadly Road
- 11 Woodlark Road
- 29 Woodlark Road
- 65 Woodlark Road
- 98 Windsor Road
- 162 Huntingdon Road
- 176 Huntingdon Road
- 6 Howes Place
- 8 Howes Place

8.2 Representations were also received from the Committee of the Windsor Road Residents Association (93 Windsor Road).

8.3 The representations have been summarised as follows:

#### **Character, appearance and scale**

- The proposed house on plot 76 is closer to the boundary than other similar plots and should be set further away from the boundary in line with other plots.
- Amendments should be made to the proposed homes backing onto Howes Place properties: 1) Replacement of red bricks / clay tiles with buff bricks / slates on plots 185, 186 and 190-192; and 2) Replacement of 1200mm high post and rail timber fence with 1800mm high close board / larch lap timber fencing along the boundary maintaining all existing hedging along this boundary.
- Clarify what the access path will be used for? Has thought been given to the security risk to both the proposed homes and existing properties on Woodlark Road? The gates should be locked and sufficiently high to prevent access.

#### **Residential amenity impact**

- The proposed dwellings are at a distance from number 1 Hoadly Road that is less than one third the distance from all other properties on Windsor Road and Hoadly Road. A daylight and sunlight assessment of the proposed dwellings on number 1 Hoadly Road is required in accordance with Building Research Establishment's (BRE) guidance to assess the impact on amenity.
- The existing ditch and hedge along the boundary with Woodlark Road should be extended along the side of number 1 Hoadly Road to protect the privacy and amenity of the occupiers of the neighbouring property. A former ditch in this location was flattened out by the developer.
- Tree planting along the pathway from Huntingdon Road will result in increased shading in the summer months of rear terrace to number 162 Huntingdon Road. The existing hedge along the boundary with number 162 Huntingdon Road needs to be restocked to make good the gaps that appeared following the developer's initial clearance and site set up. Any planting along this boundary should be carried out with

consultation particularly with regard to the shading, securing and future enjoyment of the neighbouring property.

### **Construction impacts**

- There must be security for the rear of the Woodlark Road properties and other adjacent properties during construction.

### **Highways**

- Discontinuity between the BDW2 tertiary street with the BDW3 tertiary street in the south east corner. Confirm the status of the roadway in the south east corner towards BDW3 and the regulations that will apply to this roadway and the meaning of the dotted lines (Design Changes Report p7) This route should not provide motor vehicle access which should be prevented in the future.

### **Sustainability**

- Insufficient proposals on sustainability and decarbonisation which should be set to higher standards to address climate change. Installation of solar panels and thermal insulation to passiv-haus standards as a minimum.

### **Impact on trees and hedges**

- The hedge should be maintained along the entire boundary with Woodlark Road specifically behind Grosvenor Court. The hedge should be mixed and 3 metres high and 1 metre wide for privacy, biodiversity and flood protection.
- Confirm proposals for feature tree (p29 of the landscape design approach)
- Uncertainty about proposed tree works. The hawthorn trees to the rear of Woodlark Road properties (specifically number 65 Woodlark Road) should not be removed to retain existing birds and other wildlife.

### **Drainage and flooding**

- There are currently surface water drainage flows from the site into the existing ditch to the rear of Woodlark Road properties. There will be surface water entering the existing ditch to the rear of Woodlark Road properties from the BDW2 gardens and the Woodlark Road gardens.
- Anglian Water have responsibilities in respect of the site drainage and have not commented on the application. Anglian Water own the storm drain between numbers 27 and 29 Woodlark Road and the proposals include a new access change to the outfall. What is the new access changer to outfall and how does that affect flood risk?
- The existing ditch to the rear of Woodlark Road properties should be cleared out before housebuilding commences to prevent flooding to

Grosvenor Court and adjacent properties and retained clear of debris and with a suitable width during construction.

- The drainage work and ditch, the secure maintenance path and the hedge must be maintained at specified intervals by an identified responsible authority.
- Has consideration been given to surface water run-off into existing gardens along Huntingdon Road? It is incorrect that existing surface water run-off is from Huntingdon Road gardens into the site. Evidence of flooding in January – April 2018 has been provided to the Council and flooding also occurred in Christmas 2020 – February 2021.

### **Use of Pavilion**

- There are no proposals for the existing pavilion and the future of this building is unpredictable. The existing pavilion building should be maintained in a good state of repair.

8.4 Full copies of the representations can be found on the application file.

## **9.0 Member Representations**

9.1 Representations were received from Councillor Simon Smith (Cambridge City Council Ward Councillor for Castle) regarding:

- visualisations showing the impact on the Hoadly Road street scene.
- the impact on 1 Hoadly Road.
- the drainage proposals including ongoing maintenance.
- the drainage ditch to the rear of Woodlark Road properties.
- overlooking from dwellings backing onto existing developments.
- boundary treatments with the rear gardens of Huntingdon Road and Howes Place properties.
- the existing pavilion building.

9.2 Full copies of the representations can be found on the application file.

## **10.0 Planning background**

### **Outline Consent**

10.1 Outline planning permission was granted in December 2013 for DG1 to deliver a mixed-use development comprising up to 1,593 dwellings, primary school, community facilities, retail units (use classes A1, A2, A3, A4 and A5) and associated infrastructure including vehicular, pedestrian and cycleway accesses, open space and drainage works. The outline planning application required Environmental Impact Assessment (EIA).

10.2 The outline consent approved the detail of access from Huntingdon Road within Cambridge City boundary, with a second access from Histon Road approved under a separate full planning permission S/0001/07/F, and wholly within SCDC boundary. The details that were reserved for

determination at a later stage were the appearance, landscaping, layout and scale. These are defined in article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The assessment of a reserved matters application is limited to these aspects.

- 10.3 The outline consent approved a series of parameter plans. The approved parameter plans relate to land use, access, building heights, landscape and urban design parameters. Illustrative material accompanying the outline consent including illustrative masterplans or visualisations are not listed on the decision notice and are not approved plans. A non-material amendment application 07/0003/NMA1 was approved by the JDCC in December 2020. This amended the Number of Storeys Parameter Plan to increase the maximum number of storeys from 2 storeys to 3 storeys for certain plots within the BDW2 parcel (discussed in more detail in this report).
- 10.4 The outline consent was also subject to planning conditions. These include strategic conditions, including a site-wide Design Code. This was approved in 2014 and all reserved matters parcels are required to demonstrate compliance with it. The Code defines a vision for Darwin Green, site-wide coding and defines character areas. Other strategic conditions include a site-wide drainage strategy, a bus route, a site-wide strategy for youth and play, an allotment plan, a public art strategy and construction conditions. The conditions on the outline consent also set requirements for car parking standards, sustainability targets, and affordable housing delivery. Reserved matters must demonstrate compliance with these details.
- 10.5 The outline consent was approved under the previous Cambridge Local Plan 2006. As such, policies within the adopted CLP 2018 can only be applied where these fall within the definition of the reserved matters, where details have been secured through conditions, or where the requirements of the new policy are consistent with the Design Code or other approved outline documents. As such, CLP 2018 policies on space standards, EV charging points, or energy and sustainability cannot lawfully be applied to this reserved matters application, as discussed in the relevant sections of this report.
- 10.6 Finally, the outline consent was subject to a Section 106 Legal Agreement which sets out the requirements for the delivery of affordable housing and social infrastructure, including formal and informal open space, allotments, community facilities and the primary school, and transport improvements.

### **Reserved Matters**

- 10.7 Several reserved matters consents have been granted and outline conditions discharged, as detailed in the Planning History section of this report. This includes approval of site-wide infrastructure including access roads, pedestrian and cycle paths, public open space, services across the



site and one allotment site (14/0086/REM). The main arterial route through the site has been completed to base course level and the strategic drainage works have been completed.

- 10.8 Reserved matters consent has been granted for the Local Centre (15/1670/REM) and public square (14/1410/REM), and three residential parcels known as BDW1 (16/0208/REM) and BDW5 and 6 (21/03619/REM). The Local Centre and applications for BDW1, and BDW5/6 approved 114, 173 and 410 dwellings respectively. Construction is complete on BDW1 and partially complete at the Local Centre. The developer is currently discharging pre-commencement conditions on BDW5/6.
- 10.9 In correspondence with the Council, the applicant has advised that the occupation of these parcels has reached the 200th dwelling, triggering planning obligations not yet delivered. The construction has also not followed the approved Phasing Plan. The specific obligations and phasing are discussed further in the Principle of Development section of this report. As discussed in the same section, the delays in delivering the agreed infrastructure at Darwin Green can be resolved and the Council is following up this issue with the developers.

## **11.0 Assessment**

- 11.1 From the consultation responses and representations received and from an inspection of the site and the surroundings, the key issues are:
- Principle of development
  - Context of site, design, and external spaces
  - Housing delivery
  - Residential amenity for future occupants
  - Social and community infrastructure
  - Access and transport
  - Energy and Sustainability
  - Impact on residential amenity of existing properties
  - Environmental considerations
  - Third party representations

## **12.0 Principle of Development**

- 12.1 The principle of residential development was established by the outline permission 07/0003/OUT. This is a reserved matters application submitted pursuant to condition 1 on the outline consent, which requires approval of details of the appearance, landscaping, layout and scale. This application was submitted and validated within eight years from the date of the outline permission thus complying with condition 4.
- 12.2 This reserved matters proposal is acceptable in principle provided that the development is carried out in accordance with the mitigation measures as set out in the Environmental Statement, that it complies with the outline

parameter plans, and that it is compliant with the Design Code and S106 Agreement. Compliance is assessed as follows and in the relevant sections of this report.

### **Compliance with Outline Parameter Plans**

- 12.3 The outline consent approved a series of parameter plans (PP) and detailed access plans, and condition 72 requires development to be in accordance with those approved documents. The applicant has submitted a statement to assess compliance of the current BDW2 reserved matters application with the PPs, which has been reviewed by officers. This is assessed against the following approved parameter plans:
- Land Use Parameter Plan
  - Number of Storeys Parameter Plan
  - Landscape Parameter Plan
  - Access Parameter Plan
  - Urban Design Framework Parameter Plan
- 12.4 The Land Use PP shows BDW2 within an area identified on the key as 'predominantly residential zones, including associated infrastructure and facilities, such as access roads, play areas and allotments'. The southern corner includes a rectangular area on the northern side of the existing pavilion as 'major formal and informal open space zones'. The applicant has provided an overlay of the site boundaries to demonstrate full compliance with the Land Use PP. This is supported.
- 12.5 The Number of Storeys PP shows the current parcel includes zones varying between up to 2 storeys and up to 4 storeys. Where BDW2 shares a boundary with existing properties on Howes Place, Huntingdon Road and Woodlark Road, the PP shows development would be up to 2 storeys. The centre is where the taller development up to 4 storeys would be located, with a transitional area of development up to 3 storeys in between these two zones. It is important to note that the PP states the maximum building heights.
- 12.6 The non-material amendment approved by the JDCC in December 2020 (07/0003/NMA1) approved an increase in the maximum building heights in four areas from a maximum 2 storeys to 3 storeys. The corresponding plots in the current proposals are numbers 095, 169 and 200. The proposed dwellings in these locations would be 2.5 storeys and therefore the proposals comply with the Number of Storeys PP as amended. This is supported.
- 12.7 The approved Urban Design Framework PP shows key building frontages along the primary route through the parcel. The current proposal uses terraced forms and apartment blocks to create key frontages, and uses red brick for marker buildings to hold key spaces such as the 'T Park' and to hold key corners. This is supported.

- 12.8 The Landscape PP shows the existing hedgerow on the BDW2 boundaries with Howes Place, Huntingdon Road and Woodlark Road properties should be retained, and the existing hedgerow along the boundary with the adjacent BDW1 parcel should be retained with gaps allowed for access. The proposed landscaping plans shows existing hedges around the perimeter to be retained, as discussed further in the Landscape section of this report. The Landscape PP also shows the rectangular area in the southern corner on the northern side of the existing pavilion should be a proposed landscape corridor and open space containing sustainable drainage, which is 'Pavilion Green' in the current proposals. This is supported.
- 12.9 The relevant part of the Access PP for this parcel is the indicative alignment of the primary street from BDW1 in the north west to BDW3 in the north east; and the proposed high quality cycle route (part of the Orbital Cycle Route) coming from Huntingdon Road via the existing access into the southern corner of the parcel. These routes were approved through the infrastructure reserved matters and the current proposal is consistent with this approval and the Access PP. This is supported.
- 12.10 Overall, the proposal is assessed to be compliant with the outline parameter plans for the reasons given above.

### **Outline Environmental Statement**

- 12.11 Condition 6 on the outline consent requires the development shall be carried out in accordance with the mitigation measures as set out in the Environmental Statement (ES) submitted with the outline permission. The conclusion is that the proposal would not have significant environmental impacts as these would be mitigated through measures secured via conditions and planning obligations. The topics covered by the ES are the following:
- Landscape and Visual Assessment
  - Ecology
  - Cultural Heritage and Archaeology
  - Agriculture and Soils
  - Ground Conditions and Contamination
  - Drainage and Flood Risk
  - Traffic and Transportation
  - Noise and Vibration
  - Air Quality
  - Recreation
  - Socioeconomics
  - Services
  - Waste
  - Energy and Carbon Strategy

- 12.12 The proposals would not vary from the outline consent and therefore they would not have significant environmental effects beyond those already assessed with the outline application. An Environmental Impact Assessment therefore is not required alongside the reserved matters application. Compliance with the conditions and planning obligations is discussed throughout this report.

### **Compliance with Section 106 Planning Obligations**

- 12.13 The Section 106 Agreement for the outline consent (as amended by Deed of Variations) establishes the triggers for the delivery of infrastructure. At the time of preparing this report, the delivery of infrastructure is in breach of several triggers. This includes the completion of 0.8 hectares of open space and 0.13 hectares of children and youth provision prior to the occupation of the 200th dwelling, the temporary community rooms prior to the occupation of the 50th dwelling, and identification of a health care tenant prior to the occupation of the 200th dwelling. The Council is working with the applicant, the County Council and the NHS to resolve these breaches and to ensure upcoming triggers are on-track to be delivered.
- 12.14 The requirements for open space and children and youth provision play areas and allotments within the BDW2 parcel are addressed in the current application. The proposals include the allotments and Pavilion Green, with additional open space provided in Pocket Parks including play spaces, and incidental spaces. These align with the respective strategies approved as part of the outline permission, as discussed in the Open Space, Children's Play Spaces and Allotments sections of this report. Officers are therefore satisfied that the proposals within this reserved matters application are consistent with the relevant Section 106 Agreement planning obligations.
- 12.15 The permanent community facility is expected to be handed over to the City Council in a matter of months (at the time of preparing this report), which would be ahead of the delivery trigger for the permanent facility prior to occupation of the 300th dwelling. However, until this facility is handed over, the development is in breach of the obligation to provide a temporary facility by the 50<sup>th</sup> occupation. The Council is working with the applicant on the handover of this facility. This breach is not considered to have a material impact on the acceptability of the BDW2 proposals, as the permanent facility is likely to be open prior to first occupation on BDW2.
- 12.16 The identification of a tenant for the health centre is the subject of recent discussions between the developer, the City Council and the NHS Cambridgeshire and Peterborough Clinical Commissioning Group (CCG). This has been outside the developer's control to some extent, however discussions are now progressing positively. This breach is regrettable as there is currently no commitment that the health centre will be open prior to the 500<sup>th</sup> dwelling occupation. Officers consider that it would not be reasonable to take the view that the BDW2 proposals are unacceptable on

this basis, as compliance is not wholly within the applicant's control and discussions are progressing positively.

- 12.17 Some County Council highways obligations have also not been met in accordance with the delivery triggers. This includes the provision of a toucan crossing on Huntingdon Road prior to occupation of the 50th dwelling. The County Council highways officers advised in April 2022 that some preliminary designs which have been submitted by the applicant to the Highways Authority have been reviewed, however the scheme has not been further progressed to the detailed design stage. Given the proximity of the crossing to the BDW2 parcel, it will be essential that the developer resolves this breach and delivers the crossing point no later than the first occupation on the BDW2 parcel. The City and County Council officers will continue to work together with the developer on this. Officers consider that it would not be reasonable to take the view that the BDW2 proposals are unacceptable on this basis.
- 12.18 Other breaches of highways obligations include: the submission of a walk and cycle signage scheme prior to the 50th dwelling occupation, which needs to be resolved; approval of a Histon Road signal improvements scheme prior to occupation (although the Highways Authority has advised that a Section 278 Agreement for this has technical approval); and the approval of a scheme for cycle upgrades on Histon Road prior to occupation (which the Highways Authority has advised that this may have been superseded by the Greater Cambridge Partnership works along Histon Road). The BDW2 parcel is at the opposite end of the site to these works, and therefore the delay in providing this infrastructure is not considered to have a material impact on the acceptability of the current proposals. Nonetheless, the City and County Council officers will continue to work together with the developer on this.
- 12.19 In summary, at the time of preparing this report, the Council has been working proactively with the developer and colleagues in the County Council and other partners to resolve these breaches. Some of the breaches would not have a material impact on the acceptability of the BDW2 proposals. Where breaches would have an impact on the proposals - namely the delay with the Huntingdon Road toucan crossing – through the provision of infrastructure to provide safe and connected routes to and through the development, the City Council will continue to work proactively on these, however these are not matters that can be resolved through the current reserved matters application.

### **Phasing**

- 12.20 A site-wide phasing plan was approved through the discharge of condition 5 on the outline consent. This phasing plan was dated June 2014. Construction of the BDW2 parcel is split across Phase 2 and Phase 3. It is important to note that the Phasing Plan refers to the construction programme and it is acceptable for parcels to come forward for reserved

matters approvals in a different sequence to the Phasing Plan, including combining into one BDW2 parcel is also acceptable.

- 12.21 There are some areas of inconsistency between the construction on site and the Phasing Plan. This includes the construction sequencing, delivery of infrastructure, open space, drainage, highways works, and pedestrian and cycle networks. The Council has asked the applicant to submit an updated Phasing Plan to re-discharge condition 5 on the outline consent. An application was received on 30 May 2022. The Council has commenced a review of the revised Phasing Plan. This does not have a material impact on the acceptability of the BDW2 reserved matters application.

### **Principle of Development – Conclusion**

- 12.22 The BDW2 scheme forms an important next phase of delivery on Darwin Green, which makes a significant contribution to meeting the Greater Cambridge housing delivery targets. The scheme is generally compliant with the outline consent and any non-compliance is not considered by officers to have a significant material impact on the BDW2 reserved matters proposal or are not matters that can be resolved through the current application. The principle of development is acceptable in accordance with CLP 2018 policies 1, 3 and 20.

## **13.0 Context of site, design, and external spaces**

### **Compliance with Design Code**

- 13.1 The Design Code for Darwin Green was approved through discharge of condition 7 on the outline consent in 2014. Design codes are intended to bridge the gap between outline consents and reserved matters applications for complex and large scale developments that will be delivered over many years. The Code aims to achieve a balance between a clear level of prescription to ensure high standards of design, and an appropriate degree of flexibility to accommodate changing needs, market conditions or government / local guidance over the duration of the project, and allow schemes to come forward that improve upon the Code.
- 13.2 The Design Code sets a vision for the creation of a distinctive new urban extension to the city, achieving the highest quality of design and embodying the principles of sustainability. It includes site-wide coding for elements that cover the whole site and do not differ across the character areas, including movement network, landscape, waste and drainage strategies. The Code also includes character area coding, which set out the essential characteristics for each area. The BDW2 parcel falls within two character areas of the Southern / Pavilion Quarter ‘medium’ and ‘low’ density.
- 13.3 Condition 8 on the outline consent requires reserved matters applications to include a Design Code Statement to demonstrate how the proposal

accords with the Design Code, and accordingly the applicant has submitted a Design and Compliance Statement. It is important to note that some elements of the Design Code are 'mandatory' meaning there is 'minimum flexibility' and any departure must not conflict with the overall aim of the Design Code. All other guidance is important and must be taken into account of when developing reserved matters. Compliance with the Design Code is discussed in the relevant sections of this report.

### **Layout, Form, Scale and Density**

- 13.4 The overall layout is arranged on a grid structure around the primary street which runs through the site following the approved Access PP and the approved infrastructure reserved matters. During the course of pre-application discussions on the previous application 19/1056/REM, opportunities were identified with the urban design team to evolve the block structure and street movement hierarchy to realign the secondary and tertiary routes shown within the Design Code to create a central space and mews areas, which create a more people-friendly structure and strengthen the sense of place.
- 13.5 Key positive variations from the Design Code include the realignment of the secondary route through the site to create a central public open space referred to as the 'T Park'. Rearrangements to the tertiary streets have allowed motor vehicle access to the rear of the dwellings and to small courtyard car parks serving the apartments, which allows the space to be pedestrian-friendly. This provides a high-quality space which will particularly benefit the affordable homes that front the space. It also provides space for movement of pedestrians and cyclists across a key desire line from the southern corner of BDW2 (from Huntingdon Road) through to the local centre, primary school and beyond.
- 13.6 Another key variation from the Design Code has been the creation of the mews streets in the western part of the site. There are two motor vehicle accesses into the mews streets. Through-traffic for motor vehicles is prevented by a Pocket Park within the mews. This is a positive change compared to the gridded layout within the Design Code. It creates a better sense of place, which again will particularly benefit the mixed tenures within the mews. It also provides shared space for pedestrians and cyclists across a key desire line from the southern corner of BDW2 (from Huntingdon Road) through to the local centre and primary school. These mews streets would not be adopted by the highways authority and would be maintained by a management company.
- 13.7 Comments from the Committee of the Windsor Road Residents Association have queried the road layout in the south eastern secondary street adjoining the BDW3 parcel to the north east. The plans show a discontinuity in the tertiary street with the road layout shown on the BDW3 parcel. However, the road layout for the BDW3 parcel shown on the plans for the current proposal are illustrative only. The current plans show the road layout up to the boundary. The detailed landscaping plans show a

blocked-paved road to the site boundary with an annotation that the link is intended to provide pedestrian, cycle and vehicular access into the adjacent parcel. The proposals submitted for BDW3 (21/05434/REM) show this would provide access to 12 homes. This will be assessed under that application. For the purposes of the current application, the proposal to provide a road to the boundary and the principle of pedestrian, cycle and vehicular access is supported.

- 13.8 The secondary street is closer to the south-eastern site boundary with Woodlark Road compared to the images shown in the Design Code and the illustrative masterplan that accompanied the outline consent. The illustrative masterplan was not an approved plan and the Design Code recognises that the masterplan can be amended as the reserved matters applications are brought forward. The relevant matters to consider are the impact that the changes could have on material planning considerations, including character and residential amenity which are assessed in the relevant sections of this report. This is supported.
- 13.9 Overall, in terms of layout, access and movement, the proposal provides high quality routes for pedestrians and cyclists, including areas free from motor-vehicles or shared space areas. The site is highly permeable to pedestrians and cyclists, whilst deprioritising motor-vehicle usage and discouraging 'rat-running'. Whilst there is a variation in the proposed block layout and street hierarchy to that shown in the Design Code, the layout of the scheme has developed collaboratively with urban design officers through detailed site master-planning in response to key place-making opportunities, and accords with the overall principles set out in the Design Code.
- 13.10 In terms of density, the Design Code shows the parcel includes lower density areas adjacent to the boundaries with exiting neighbouring properties, and medium density areas within the central areas and around the allotments, school playing fields and central park. The Design Code sets the densities within those character areas, however states that this may be subject to review as reserved matters applications are prepared. The applicant confirmed the square metre areas for these character areas in the previous application 19/1056/REM as 2.05 hectares for the lower density area and 5.38 hectares for medium density area.
- 13.11 On this basis, the density is calculated as 29.8 dwellings per hectare for the lower density area, and 48.7 dwellings per hectare for the medium density area for the current proposals. The lower density area is well below the density of up to 40 dwellings per hectare set in the Design Code, however the medium density area exceeds the figure of up to 45 dwellings. This is not significant and the proposal accords with the density principles within the Design Code. The higher density within the medium area is to some extent a result of the change to include a higher proportion of 2 bedroom flats and houses within the affordable provision. This is supported. The density is slightly lower than the previous application due to the reduction of five homes.



- 13.12 The proposed typologies include apartments, flats-over-garages and a range of house types (terraced, semi-detached and detached forms), all have been designed to respond to their specific context. The range of building forms proposed including hipped apartment blocks and gabled house types create a massing and roofscape that is sufficiently varied. The three storey apartment blocks have a domestic and suburban appearance due to the hipped roofs and chimneys. The scale and massing responds well to the Design Code character requirements. This is supported.
- 13.13 The scheme is a mix of 2-3 storeys and complies with the maximum heights set out by the approved Number of Storeys PP as amended by the non-material amendment 07/0003/NMA1. The proposed strategy for height and massing responds to contextual factors and good placemaking principles of the Design Code. Taller forms are located at key intersections, along the primary and secondary routes, and on the northern side of Pavilion Green and the 'T' park to reinforce the legibility of the scheme, addresses public open spaces and terminate key views. The apartments along the northern edge of the parcel positively address and integrate well with the existing hedgerow. Smaller two storey forms are used on secondary, tertiary and mews streets to provide a more intimate street character.
- 13.14 The scale and massing of the proposed plots backing onto the north-western end of Hoadly Road has been assessed through visualisations prepared for the applicant and submitted in a report showing two dimensionally accurate photomontage images. One view was taken from the corner of Hoadly Road and Woodlark Road and the other taken closer to the site at the cul-de-sac end of Hoadly Road. This shows only the varied sloping roof forms of plots 072 and 073 would be visible in both views, however these would not be overly visually dominant and would be appropriate to the character of the existing suburban area. This is supported.

### **Detail and Materials**

- 13.15 The scheme encompasses a large range of house types, which provides variety to the street scene, responds to the character areas set out in the Design Code, and takes opportunities for placemaking. The overall approach to the elevations is supported by the urban design team. Facades of buildings are well-ordered and proportioned which will provide a degree of rhythm and vertical emphasis to the street. The proposed apartments reference the appearance of the BDW1 apartment buildings, yet are successful in having a strong identity of their own.
- 13.16 The material palette would be a mix of yellow, buff, red, white and grey multi-tonal bricks with red clay or slate roof tiles. The materials have been used to provide continuity where appropriate with the BDW1 parcel, or to identify key marker buildings and give identity to the character areas.

Brick patterning, glazed tiles, hardiplank and coloured entrances inject interest, colour and the potential for greater individualism amongst similar house type. The materials palette is supported and a condition is recommended to secure samples and a sample panel (**condition 13 – Design details and materials and condition 14 – Sample panel**).

- 13.17 Third parties have requested amendments to the proposed homes backing onto Howes Place properties to replace the red bricks and clay tiles with buff bricks and slates on plots 185, 186 and 190-192. Plots 185 and 186 occupy a position on the corner of the road and therefore the use of red brick and clay tiles is appropriate to identify this as a marker building without increasing the number of storeys or height of these plots. The proposed materials would not be overly dominant in views from the rear gardens of the Howes Place properties which is further minimised by the long length of these gardens and the proposed set back of the first floor elevations approximately 10m from the shared boundary. Plots 190-192 are shown as buff brick and slate in the proposals. This is supported.

### **Landscaping**

- 13.18 Overall, the proposed hard and soft landscaping is supported by the landscape officer. The proposal would deliver high quality public realm that promotes low-traffic or pedestrian-friendly spaces, which have been designed to encourage interaction with nature including through integration with sustainable drainage features (urban rills, swales and rain gardens). The key public spaces including Pavilion Green, the 'T Park' and Pocket Park have high quality landscaping schemes, as do the hierarchy of streets.
- 13.19 The approved Landscape PP shows the existing hedgerow on the parcel's boundaries with Howes Place, Huntingdon Road and Woodlark Road should be retained, and the existing hedgerow between the parcel and the adjacent BDW1 parcel should be retained with gaps allowed for access. The applicant has submitted soft landscaping plans and a landscape maintenance plan. The proposal would retain existing boundary hedges in accordance with the Landscape PP. Post-and-rail fences are proposed as the boundary treatment for the rear gardens of plots backing onto existing hedges in order to allow maintenance. A condition is recommended to ensure post-and-rail fences are implemented and retained (**condition 9 – Perimeter Boundary Fencing**). This is supported.
- 13.20 The landscape officer has recommended the approval of the landscape proposals under the discharge of condition 14 on the outline consent. This is supported. The landscape officer has recommended a condition for a landscape management and maintenance plan, however this has been submitted and is understood to be supported except for details of the allotments, which is covered under the condition 22 on the outline consent and is not recommended for approval. The condition for details of green roofs as recommended by the landscape officer is discussed under the water management section of this report. Condition 21 on the outline

consent secures replacement planting for any trees or plants lost within the first five years of planting.

### **Woodlark Road boundary**

- 13.21 The proposal for the boundary between BDW2 and the Woodlark Road properties is set out in the updated Landscape Design Approach and Compliance Statement and the detailed landscaping plans. The existing hedge and hedgerow trees along the boundary would be retained at 3 metres in height and gaps would be enhanced with infill-planting where planting conditions allow (discussed further below). A post-and-rail fence form the rear garden boundary of the proposed plots to provide surveillance of the ditch. A second post-and-rail fence is proposed between the edge of the ditch and the retained/infill-planted hedge. This is supported.
- 13.22 While committed to enhancing the existing hedge, the applicant has explained in their submission that opportunities for infill-planting where planting conditions allow may be affected by the constraints of the ditch. One such area is to the rear of Grosvenor Court due to a retaining wall and fence in this area. Planting conditions may not allow for the hedge to be infilled in this location. Notwithstanding this, the applicant proposes a green screen in the rear gardens of plots 129 – 133 comprising a 1.5 metre high screen of hedging in order to screen intervisibility. Maintenance of this hedge would be the responsibility of the future occupants. This is acceptable.
- 13.23 The hedgerow would also be extended along the boundary to the rear of plots 070-072 including hedgerow trees. These would be planted in the rear gardens and maintenance would be the responsibility of the future owners. This is acceptable.

### **Inclusive Access**

- 13.24 The scheme would provide a good distribution of visitor car parking spaces available for carers and others, and the Highways Authority supports the scheme from a highway safety perspective for vulnerable users. Accessible car parking spaces have been provided within the parking courts for the apartment blocks. The allotments have been designed to include an accessible parking space and accessible raised beds. Overall, the scheme would provide inclusive access and is supported.

### **Designing Out Crime**

- 13.25 The Cambridgeshire Constabulary has reviewed the scheme and notes the site is in an area of medium risk to the vulnerability to crime. Overall, the proposed layout has considered crime prevention by providing reasonable levels of natural surveillance with many of the homes facing each other and overlooking open space. Pedestrian and vehicle routes are

aligned together, well-overlooked and pedestrian safety has been considered. Most of the vehicle parking is on-plot and many of the homes have back-to-back protected rear gardens which reduces the vulnerability to crime, and these have been provided with some defensible space to their front.

- 13.26 Detailed comments have been provided with regards to the cycle stands for the allotments, bin stores for the apartments, cycle stores for the houses and houses, litter bin specifications and lighting for the parking courts. These are comments on detailed matters which are supported. However the details can be secured through the resubmission of information to discharge conditions on the outline consent, including condition 49 relating to secure cycle parking, condition 22 relating to the allotment strategy, and condition 66 relating to lighting, which are not currently recommended to be discharged. An informative is recommended to advise the applicant of the need to address these comments within the resubmission (**informative 3 – Cambridgeshire Constabulary comments**).

#### **Context of site, design, and external spaces – conclusion**

- 13.27 In conclusion, the proposed site layout and design responds positively to the Design Code and accords with the outline parameter plans as amended. The scheme has developed through a collaborative process with the urban design and landscape teams and would provide high quality public realm. The proposal accords with CLP 2018 policies 55, 56, 57 and 59, and the guidance on good design within the NPPF applicable to this reserved matters.

### **14.0 Housing Delivery**

#### **Affordable homes**

- 14.1 The Section 106 Agreement accompanying the outline consent requires any reserved matters application to be submitted with an Affordable Housing Scheme to address the priority housing needs identified by the Council, with regard to the Indicative Housing Mix set out within Schedule 17 of the Agreement, the Council's adopted Affordable Housing SPD or any replacement document, the City Council's most recent Strategic Housing Market Assessment, or any replacement mix approved by the Council.
- 14.2 Condition 25 on the outline consent also requires any reserved matters application to be submitted with a plan showing the distribution of market and affordable dwellings, a schedule of the dwellings size (by number of bedrooms). The clustering of affordable homes should be consistent with the Council's affordable housing SPD unless otherwise agreed by the local planning authority. The applicant has submitted a housing tenure plan and housing schedule with the application. This is assessed in the following sections.

### Affordable housing provision

- 14.3 The Indicative Housing Mix within the Section 106 Agreement requires 40% of dwellings to be affordable tenure. The current proposal provides 129 affordable dwellings which is 39.94% of the total housing provided. The 0.06% difference is not considered significant and, as shown by the information within the table below, when taken together with the earlier approved phases, the development would continue to achieve 40% affordable housing across Darwin Green. This is supported.

<b>SPD and S106 requirement</b>	<b>Total affordable %</b>
BDW1 (approved)	39.90
Local Centre (approved)	40.35
BDW5 and BDW6 (approved)	39.90
BDW2 (proposed)	39.94
<b>Overall</b>	<b>40.02</b>

### Tenure split

- 14.4 The Indicative Housing Mix within the Section 106 Agreement requires a tenure split within the affordable housing provision of 75% for social rent and 25% for intermediate. The current proposal provides 93 homes for social rent and 36 homes for shared ownership. This equates to 72% for social rent and 28% for shared ownership. While this deviates from the Indicative Housing Mix, the over-provision of social rent redresses an under-provision in the previous approved phases. As shown in the table below, overall the proposal would move closer to meeting the Indicative Housing Mix. This is supported.

<b>SPD and S106 requirement</b>	<b>Social rent 75%</b>	<b>Intermediate 25%</b>
BDW1 (approved)	81.15	18.85
Local Centre (approved)	73.92	26.08
BDW5 and BDW6 (approved)	75.00	25.00
BDW2 (proposed)	72.09	27.91
<b>Overall</b>	<b>75.54</b>	<b>24.56</b>

### Housing mix and typology

- 14.5 The Indicative Housing Mix within the Section 106 Agreement sets out the preferred size mix for the affordable element across Darwin Green, having regard to the different social rent and intermediate tenures. This was intended to ensure a balanced, mixed community with a range of sizes to meet housing needs. The Section 106 Agreement was completed in 2013. Schedule 8 of the Agreement requires the affordable housing provision to meet the Indicative Housing Mix, unless otherwise agreed with the City Council. This allows an opportunity for the Council to agree an alternative appropriate mix with the applicant.

- 14.6 The table below shows the proposed dwelling mix for the affordable tenures on BDW2 alongside the approved mix for the Local Centre, BDW1 and BDW 5 and 6. The dwelling mix for each parcel follows the densities and character areas set out in the approved Design Code, which is reflected in the affordable housing mix as well as the market homes. BDW2 is within low and medium density character areas adjacent to existing neighbouring properties. It is therefore an appropriate parcel on which to provide houses - as opposed to flats - to meet demand for larger homes for affordable tenures. This is supported.

<b>Approved or proposed</b>	<b>Site</b>	<b>Tenure</b>	<b>1 bed flat</b>	<b>2 bed flat</b>	<b>2 bed house</b>	<b>3 bed house</b>	<b>4 bed house</b>	<b>Total</b>
Approved	Local Centre	Social rent	12	22	0	0	0	34
Approved	Local Centre	Shared ownership	0	12	0	0	0	12
Approved	BDW1	Social rent	11	35	5	5	0	56
Approved	BDW1	Shared ownership	0	0	10	3	0	13
Approved	BDW5&6	Social rent	32	53	28	6	4	123
Approved	BDW5&6	Shared ownership	7	28	0	6	0	41
Proposed	BDW2	Social rent	12	18	33	9	21	93
Proposed	BDW2	Shared ownership	0	12	8	16	0	36

- 14.7 The proposed affordable housing dwelling mix across Darwin Green has been extensively discussed with the Joint Housing Strategy Officer with a view to achieving a balanced community which also reflects the housing need within Greater Cambridge. The table below shows a comparison between the Indicative Housing Mix in the Section 106 Agreement and the cumulative mix including both the approved parcels and the BDW2 proposals. Overall, the figures show more 2-bedroom flats would be provided than the Indicative Mix. This is supported by the Joint Housing Strategy Officer as it reflects changes in the priority for more smaller homes since the Section 106 Agreement was completed nine years ago.

Source	Tenure	1 bed flat	2 bed flat	2 bed house	3 bed house	4 bed house	Total
S106 Indicative Housing Mix	Social rent	10%	10%	15%	30%	10%	75%
S106 Indicative Housing Mix	Shared ownership	0%	5%	10%	10%	0%	25%
Approved plus proposed BDW2	Social rent	16%	31%	16%	5%	6%	75%
Approved plus proposed BDW2	Shared ownership	2%	13%	4%	5%	0%	25%
<b>Difference between S106 Indicative Housing Mix and approved plus proposed BDW2</b>	<b>Social rent</b>	<b>6%</b>	<b>21%</b>	<b>1%</b>	<b>-25%</b>	<b>-4%</b>	<b>0%</b>
<b>Difference between S106 Indicative Housing Mix and approved plus proposed BDW2</b>	<b>Shared ownership</b>	<b>2%</b>	<b>8%</b>	<b>-6%</b>	<b>-4%</b>	<b>0%</b>	<b>0%</b>

14.8 The comparison also shows an under provision of 3 bedroom houses. This reflects an under provision on the approved earlier phases, partly due to the high-density character of these areas which lend themselves to flats rather than houses. The current BDW2 proposals include the highest number of 3 bedroom houses compared to the previously approved parcels, which is appropriate given its low and medium density character areas. The overall mix for Darwin Green will be considered further for the remaining parcels BDW3 and BDW4 which include a mix of low to high density character areas. Overall, the Joint Housing Strategy Officer has confirmed that this mix responds to the current housing need, and the proposals are therefore supported.

14.9 The current Greater Cambridgeshire Housing Strategy 2019-2023 was published after the grant of the outline permission for Darwin Green, requiring that the number of bedspaces to be maximised to ensure the Council can house as many people in the housing register as possible. Whilst it is acknowledged that the scheme theoretically could provide a further 35 bedspaces, this requirement was not applied to the outline permission, and therefore it would not be reasonable in planning terms to refuse the proposals on these grounds. The Joint Housing Strategy Officer's other comments have been resolved during the course of the application. The proposed affordable housing mix is supported.

### Clustering

- 14.10 The adopted Affordable Housing SPD (2008) states that the layout of developments should integrate affordable and supported housing with the open market housing in ways that minimise social exclusion. Clustering affordable homes is supported normally in groups of up to 25 dwellings depending upon the size and design of the development and the nature of the affordable housing. In flatted schemes no more than 12 affordable dwellings should normally have access from a common stairwell or lift.
- 14.11 The submitted Housing Tenure Plan shows the affordable tenures would be distributed across the parcel. While there are multiple ways in which the distribution of affordable homes could be broken into clusters, a pragmatic approach has been taken to define clusters. On this basis, clusters would be between 3 and 22 homes and there would be a mix of social rent and shared ownership tenures within the larger clusters. Market homes have also been interspersed with the clusters. The largest apartment blocks would have 6 affordable dwellings accessed from a common stairwell. Clustering would be in accordance with the SPD and is supported.

#### **Affordable housing provider**

- 14.12 The Section 106 Agreement requires that the City Council has approved the appointment of an approved affordable housing provider. The developer has confirmed that L&Q will remain as the affordable housing provider for Darwin Green, as per earlier phases of the development. This is acceptable.

#### **Affordable housing – conclusion**

Consideration has been given to the mix of tenures and house types and to the clustering towards achieving a balanced community as set out in the Design Code which also reflects the changing housing need within Greater Cambridge and the Greater Cambridgeshire Housing Strategy 2019-2023. The proposed mix which departs from the Indicative Housing Mix within the Section 106 Agreement is supported by the housing team and is acceptable. Condition 25 on the outline consent is recommended to be part discharged.

#### **Accessible homes**

- 14.13 Condition 26 of the outline consent requires a minimum of 15% of all market housing and 15% of all affordable housing to be designed with external design, layout, and access suitable for occupation by people with disabilities and capable of adaptation to meet long term housing needs. The applicant has submitted a Lifetime Homes drawing which shows provision of 20 affordable homes (mixture of 3-bed and 4-bed) and 30 market homes (mix of 2-bed flats and 4-bed homes) which meets this requirement. This is supported and condition 26 is recommended to be part discharged.



- 14.14 The outline consent had been granted before the publication of the Building Regulations 2010 Approved Document M, establishing requirements for the access and use of buildings, considering three categories: M4(1) visitable; M4(2) accessible and adaptable; and M4(3) wheelchair user dwellings. Also since to the outline consent is the adoption of CLP 2018 and policy 51, which currently requires all housing developments to enable requirement M4(2) to be met, and 5% of developments providing 20 or more dwellings to meet requirement M4(3) or be easily adapted for residents who are wheelchair users.
- 14.15 Policy 51 cannot lawfully be applied to the assessment of the current reserved matters application because accessibility and the internal arrangement of the dwellings does not fall within the definition of any of the reserved matters. There is no condition on the outline consent requiring reserved matters applications to comply with updated accessibility standards. As a result, there is no lawful requirement for the current reserved matters application to comply with CLP 2018 policy 51 to meet M4(2) standards. The only requirement is to comply with condition 26 on the outline consent, which – as shown above – has been met. This is acceptable.

### **Housing Delivery – conclusion**

- 14.16 In summary, housing delivery - including of affordable and accessible homes – would be in accordance with the outline consent. The scheme would deliver 129 affordable homes and the applicant has worked with the Joint Housing Strategy Officer to provide a mix which addresses the current housing need within Greater Cambridge and the Greater Cambridgeshire Housing Strategy 2019-2023. Officers are satisfied that the clustering is now in accordance with the adopted guidance and has addressed the previous reason for refusal. On this basis, the proposals are acceptable with regard to housing delivery.

## **15.0 Residential amenity for future occupants**

### **Internal floor space**

- 15.1 The outline consent was granted under the previous Cambridge Local Plan 2006 before space standards were adopted, and there is no condition to secure this requirement, nor is there is an internal floor space requirement within the approved Design Code.
- 15.2 Since the Nationally Described Space Standards (NDSS, 2015) were published and the adoption of the CLP 2018 Policy 50, the local planning authority has taken legal advice from Counsel which informs the officer position on the current reserved matters application. Case law has established that the internal arrangement of buildings – including the floor space – does not fall under the definition of any of the ‘reserved matters’, namely ‘scale’, ‘appearance’, layout’. Therefore, there is no lawful basis

on which the local planning authority can require the proposed scheme to strictly comply with any internal space standards.

- 15.3 Notwithstanding this, the local planning authority must assess the quality of the proposed accommodation and the residential amenity of future occupants as a material consideration. For this purpose, the NDSS do provide a useful guide and reference point as to the minimum floor spaces that are generally considered to provide an acceptable living environment. In this context, in the current BDW2 proposal all 323 dwellings would meet or exceed NDSS for gross internal area. Over one quarter would exceed the NDSS by over 10 percent of the NDSS requirement, including homes for affordable tenures. A further one fifth would exceed the NDSS by between 5 percent and 10 percent.
- 15.4 To achieve this, compared to the previous BDW2 proposal (19/1056/REM), the current proposal has removed house types that did not meet the NDSS or have enlarged the gross internal area through amendments to the standard house types. Other changes have included reducing the intended occupancy of bedrooms or replacing bedrooms with studies. One of the house types for the social rent tenure is the Ambersham which has been changed from a 2 bedroom flat to a 1 bedroom flat by removing an internal wall to provide a study space opening out from the hallway. This would provide flexible space for example for support homeworking. Occupancy of the social rent tenures will be controlled through the local housing provider and the Local Lettings Plan.
- 15.5 Officers are satisfied that the applicant has made sufficient changes to the scheme to address the previous reasons for refusal with regard to internal space and residential amenity of the future occupants. This is supported and the proposal would provide an acceptable level of amenity for the future occupants in this regard.

### **External amenity space**

- 15.6 By the same logic relating to the outline consent, the external space standards within the CLP 2018 Policy 50 cannot be lawfully applied, and therefore the relevant assessment is about the quality of the external amenity space and whether this provides a high-quality living environment. The approved Design Code states that amenity space should be of a size, shape, aspect and level that allows it to be positively used whilst affording an appropriate level of privacy to users and should be of a size appropriate to the size of the dwelling in order to accommodate outdoor furniture so that the space is productive.
- 15.7 All the proposed houses and apartments would have private external amenity space, with the exception of the flats-over-garages, of which there are a total of 4 proposed within the development (plots 029 030, 306 and 307). This is acceptable given the policy position above and these are 1 bedroom properties unlikely to be occupied families. The apartments have

balconies that are large enough to provide a table and chairs and are inset to provide privacy and shelter. The development is generally arranged to maximise sunlight to gardens with streets orientated on south-west to north-east axis, or the perpendicular.

- 15.8 Houses have a rear garden or courtyard which would provide space for a table and chairs, as well as bin and bike storage. The gardens to plots 021 – 028 have been enlarged compared to the previous application (following amendments submitted during the course of the application) to address concerns about the size and quality of these gardens. Further amendments have also increased the size of the gardens of plots 314 – 317 and plots 194 – 199 during the course of the application. All homes would now provide quality external amenity space for the future occupants.
- 15.9 In terms of the house types that were referenced in the reason for refusal on the previous application 19/1056/REM – namely the Amber, Opal and NS4 house types but also others – the applicant has sought to address these in the current proposal. The Amber house types have been redistributed to provide acceptable external amenity space, particularly the plots along the ‘T-Park’. The Opal house type has not been used and has been replaced on plots 319 – 323 by the 7SV2 house type which has a wide plot and rear garden. The NS4 house type has been used appropriately across the parcel.
- 15.10 Officers welcome the changes that the applicant has made in response to the previous reasons for refusal with regard to amenity space and residential amenity of the future occupants. This is supported and the proposal would provide an acceptable level of amenity for the future occupants in this regard.

#### **Impact on amenity from existing neighbouring properties**

- 15.11 Plots 071 and 072 have been arranged so that the windows on the side elevation of the neighbouring property, 1 Hoadly Road, would have a direct outlook onto the car parking spaces and bin and bike stores. Only oblique views would be afforded towards the patio areas which are typically used for more sensitive uses, such as sitting out. This maximises the privacy and minimises the perceived overlooking for the future occupants. This is acceptable.
- 15.12 The position of Grosvenor Court stepped back behind the building line on Woodlark Road brings development closer to plots 129-132. A description of this property and consented development is provided in other sections of this report. There could be views from the amenity space towards the first floor windows of the proposed plots, however these would be partially screened by the proposed boundary treatments and would be looking upwards. These would be views from the proposed windows on the rear elevation of the extensions and the roof terraces, however there would be a 4 metres wide maintenance track and ditch, combined with the setback

more than 4 metres of the closest parts of Grosvenor Court from the boundary. This is acceptable.

### **Inter-relationships between units**

- 15.13 The blocks are generally arranged around perimeter blocks which define the public and private space. This is supported in the Design Code both for the low and medium density character areas. The Design Code does not specify back-to-back distances, but states that the block lengths are likely to be likely to be approximately 37 / 38m. There are no back-to-back to back distances within the adopted CLP 2018 and therefore this is another matter of planning judgement in terms over overlooking, sense of enclosure, and daylight and sunlight.
- 15.14 Houses are typically with gardens backing onto gardens. The separation distance between rear elevations is typically between 12 and 16 metres. Where there are shorter separation distances down to 12 metres, such as in the mews area, the position of the dwellings has been offset to minimise direct inter-looking between first floor windows, however there would be some mutual indivisibility from bedroom windows towards gardens. This is acceptable.
- 15.15 The larger separation distances around 17 metres are where three storey dwellings back onto two storey dwellings, such as on the southern side of the primary street. There would be some overlooking from first and second floor windows within 7 metres of the shared boundary towards the gardens of the properties backing on, however these gardens are typically deeper and wider, therefore providing options for the occupants to layout seating or other sensitive uses to minimise direct overlooking. This is acceptable.
- 15.16 Shorter separation distances have been used between houses and non-traditional house types such as flat-over-garage and the AMB house type. The flat-over garages sit behind the rear gardens of the houses. There are no windows on the rear elevations to prevent overlooking into the gardens. Conditions are recommended to remove permitted development rights for the insertion of first floor windows and roof extensions on the rear elevation and rear-facing roof slope for these house types **(conditions 20 and 22 – Removal of Permitted Development Rights)**. Some of the rear gardens have been extended during the course of the application and nonetheless, the two storey flat-over-garage would not lead to unacceptable enclosure or overshadowing of these gardens. This is acceptable.
- 15.17 The AMB house type has been used across the development where the elevations sit on, or in close proximity to, boundaries with neighbouring properties (with the exception of plots 041, 120 – 122, and 144 – 146). There are no windows on these elevations. Conditions are recommended to prevent first and second floor windows and roof lights being inserted for those AMB house types (with the exception of those plots listed above) to

prevent overlooking into neighbouring gardens (**conditions 20 and 22 – Removal of Permitted Development Rights**). This is acceptable.

- 15.18 Amendments submitted during the course of the application have improved the relationship between homes. This includes the relatively close arrangement between the three storey plots 012 – 013 and the rear gardens of plots 031 - 032. The garden length of plots 012 - 013 have been increased and the first and second floor elevations would be blank with windows moved to the side elevations. Conditions are recommended to prevent first and second floor windows and roof lights being inserted on the rear elevation of plots 012 – 013 (**conditions 20 and 22 – Removal of Permitted Development Rights**). This is acceptable to mitigate any potential overlooking. A second condition is also required to secure details of the brickwork on the rear elevation in place of the windows (**condition 15 – Brickwork detailing plots 012 and 013**).
- 15.19 A design solution has also been discussed with the applicant to address potential overlooking from the two first floor bedroom windows on the front elevation of plots 031 – 032 into the rear gardens of plots 033 – 034 in response to the constraints of the site. One window is proposed to be moved to the side elevations. A second window is to be designed to direct views obliquely and prevent direct views towards the neighbouring properties. This could be, for example, a box window with sidelights to allow light and views sideways. A condition is recommended to secure further details of these windows (**condition 16 – Window details plots 031 and 032**) and conditions to remove permitted development rights would also apply (**conditions 20 and 22 – Removal of Permitted Development Rights**).
- 15.20 There are also examples of attached house types used in the northern corner of the site, which provide frontages both to the school playing field and the mews area. This is supported.

### **Residential amenity for future occupants – conclusion**

- 15.21 Overall, the proposals would provide an acceptable residential amenity for the future occupants. Officers are satisfied that the applicant has made sufficient changes to the scheme the previous reasons for refusal in relation to the internal and amenity space by meeting or exceeding internal space standards and enlarging the smallest gardens. The proposal is acceptable both in terms of the outline permission and CLP 2018 policies 55 and 56.

## **16.0 Community Infrastructure**

### **Open Space**

- 16.1 The site-wide Strategy for Public Open Space provision was approved via schedule 6 of the Section 106 Agreement for the outline consent where the minimum requirement for this parcel was 0.72 hectares. The location

and general size of open spaces was identified on approved outline landscape parameter plan and finer details in the approved Design Code. The allotments and the Pavilion Green are the two areas of formal open space identified on the parameter plans and Design Code within this parcel, however the character areas identify four pocket parks for informal open space throughout the parcel.

- 16.2 The proposals deliver approximately 0.85 hectares of open space (excluding play spaces) across the parcel. This exceeds the minimum requirement within the Section 106 Agreement by approximately 0.13 hectares which is supported. This includes the allotments (0.43 hectares) and Pavilion Green (0.11 hectares excluding play space). The remaining area is provided as informal open space which has been integrated into the masterplan, including the 'T Park' and Pocket Park within the mews area. Incidental spaces provide breathing space within the urban form including seating and soft planting, which contribute positively towards the open space on the site. This is supported.
- 16.3 The scheme complies with the outline requirements for open space for this parcel and details within the approved Design Code. In addition to this, the parcel lies within a 10 minute walk of the 6 hectare Central Park which will provide residents access to larger formal and informal open space, formal sports pitches and strategic planting areas.

### **Children's Play Spaces**

- 16.4 A site-wide Strategy for Youth Facilities and Children's Play Provision for Darwin Green was approved via condition 9 on the outline consent. The play provision requirements for the BDW2 parcel are to provide one local equipped area of play (LEAP) and two local areas of play (LAP). The strategy also sets out design requirements including locally distinctive areas within green corridors that are safe, easily accessible and inclusive.
- 16.5 Condition 10 on the outline consent requires reserved matters applications to include a Play Statement demonstrating compliance with the approved strategy. The applicant has submitted a Youth and Children's Play Strategy and Compliance Statement which was updated during the course of the application. The proposal provides a LEAP within Pavilion Green, which aligns with the approved strategy. The majority of the BDW2 parcel to be within walking distance to the LEAP, and therefore this is highly accessible. This is supported.
- 16.6 The site-wide strategy identifies general locations for the two LAPs distributed across the parcel. While the location of the two LAPs proposed is a slight adjustment from the approved strategy, this is an improvement in terms of providing a safe, accessible and inclusive space which is integrated into the landscaping scheme. One of the proposed LAPs is situated within the 'T Park', which is centrally located in the parcel and within a motor-vehicle free landscaped area. The second LAP is situated within the Pocket Park within the mews area. This is supported.

- 16.7 The detail for the proposed play spaces has been provided on the landscaping plans and the Youth and Children's Play Strategy and Compliance Statement which includes the specification of play equipment. Amendments were submitted to the play spaces during the course of the application to address concerns raised by the Council's Streets and Open Spaces Team and landscape officers. While the landscape officer supports the revised proposals, as comments have not been received from the Streets and Open Spaces Team – who will adopt the play spaces - condition 10 is not recommended to be discharged at this stage and a further submission will be required. This is acceptable.

### **Allotments**

- 16.8 The Section 106 Agreement on the outline consent secured three allotment sites across Darwin Green totalling 1.59 hectares. An Allotment Specification setting out the location, layout, design and management principles for the allotments was submitted and approved via the infrastructure reserved matters consents, in accordance with the requirements of the Section 106 Agreement and condition 22 of the outline consent. The BDW2 parcel includes Allotment 1 in the approved strategy. Allotment 1 was previously approved under the infrastructure reserved matters consent, which is an extant consent and a material consideration. The current application includes an alternative, although similar, proposal for Allotment 1.
- 16.9 Condition 22 requires the submission of an Allotment Strategy for each allotment within a reserved matters parcel. The applicant has submitted details on the proposed landscaping plan and within the Landscape Design Approach and Compliance Statement updated during the course of the application. The proposed allotment would be 0.43 hectares arranged around a central communal area featuring car and cycle parking, accessible raised beds, a tool store, meeting shed, and seating. The proposal is in general accordance with the principles within the Design Code to promote community cohesion and facilitate access for all.
- 16.10 While the overall concept and layout is supported, the City Council's Streets and Open Spaces team - who will adopt the allotments - has requested minor changes to the landscaping and facilities. Revised proposals were submitted during the course of the application to address their concerns, however as comments have not been received from the Streets and Open Spaces Team, condition 22 is not recommended to be discharged at this stage and a further submission will be required. On this basis, the proposals are acceptable with regard to the provision of allotments.

### **Provision for Waste and Recycling**

- 16.11 Condition 62 on the outline consent requires full details of the on-site storage facilities for waste including waste for recycling. This should

comply with the Design Code which states that the proposal should be guided by the Cambridgeshire and Peterborough Waste Partnership (RECAP) Waste Management Design Guide SPD. The applicant has submitted a Refuse Storage and Collection Plan showing the arrangement of bin stores and collection areas, detailed plans and elevations for the bin stores serving the houses and apartments, and a Refuse Vehicle Tracking Plan which were updated during the course of the application.

- 16.12 Each house would have a bin store providing space for three bins, which is supported. Apartment blocks would have communal bin stores within the ground floor footprint of the building or a separate store within the parking courtyard. The capacity of the communal stores is acceptable. For most of the apartment blocks, the bin stores are approximately within 30 metre carry distance as required by the guidance, with the exception of the one block in the northern corner which would be approximately 40 metres. This affects approximately 6 homes for social rent. This is acceptable given the small number across the parcel.
- 16.13 In all cases, the distance between storage and collection is within the 25 metres distance required by the guidance. A collection point would be used to serve some of the apartments and homes within the 'T Park' which would have a management company to move the bins to a collection point that is accessible to the refuse vehicle. This does require the refuse vehicle to reverse more than the maximum 12 metres required by the guidance, however consultation with the Greater Cambridge Shared Waste Team during the course of the previous application 19/1056/REM came to a point of agreement to this as an acceptable exceptional circumstance.
- 16.14 Refuse vehicle tracking diagrams have been provided and updated during the course of the application to reflect amendments to the site layout. This shows the refuse vehicle reversing into the 'T Park', as above. It also shows the refuse vehicle manoeuvres within the mews areas and around the Pavilion Green. The vehicle tracking does not oversail the footway or landscape areas. The refuse vehicle would need to traverse non-adopted roads including the mews areas and therefore a condition is recommended to ensure these are built to adoptable standards to minimise damage caused by the refuse vehicle (**condition 2 – Non-adopted roads**). This is acceptable.
- 16.15 While no comments have been received from the Shared Waste Team, the proposals are considered to be acceptable based on the discussions on the previous application. In terms of the detail of the bin stores, the applicant has provided some plans and elevations for the houses and apartment stores, however some details are missing, including details of the standalone stores for houses and apartments. Therefore condition 62 is not recommended to be discharged at this stage and a further resubmission is required. On this basis, the proposals are acceptable with regard to the refuse strategy.



## **Public Art**

- 16.16 The outline consent approved a site wide Public Art Strategy dated July 2013, which sets out the themes and process for delivering public art across the Darwin Green as a whole. It also breaks down separate commissions with budgets allocated for each commission. Condition 69 on the outline consent requires the submission of a Public Art Delivery Plan with any reserved matters application, which has been submitted.
- 16.17 Relating to BDW2 the site-wide strategy identifies the allotments for a public art commission. The delivery plan sets out the concept for an evolution of the Darwin sweet pea and cabbage research developed in earlier phases and links the allotments commission with and the Local Centre commission. The proposal is for an etching of a detailed cabbage in the paving within the allotments and a series of etched pavers installed across the parcel including the 'T Park' featuring the names of cabbage varieties studied by Charles Darwin.
- 16.18 The Council's Public Art Officer supports the proposals in principle, however, highlights that the timescales within the submitted Public Art Delivery Plan need to be updated to ensure the delivery timing is not too late in the design process. Therefore, condition 69 is not recommended to be discharged at this stage and resubmission of an updated delivery plan is required. On this basis, the proposals are acceptable with regard to the delivery of public art.

## **Community Infrastructure – conclusion**

- 16.19 In summary, the proposals would deliver formal and informal open space, including the allotments and Pavilion Green, making an important contribution towards the site wide community infrastructure and supporting the wider community within Darwin Green. In response to the previous reasons for refusal, the provision of open space within the scheme is generally compliant with the outline permission, the Design Code, and the social and community objectives of the CLP 2018 policies and the NPPF.

## **17.0 Impact on residential amenity of existing properties**

- 17.1 The site has boundaries with existing residential properties on three sides, and with the BDW1 site which is occupied. These existing residential properties are: Huntingdon Road to the south-west; Woodlark Road and Hoadly Road the south-east; and Howes Place to the north-west. The properties within the BDW1 site are along Beagle Close, Falmouth Avenue and Falmouth Close. The impact on these properties in terms of overlooking, overbearing, overshadowing and daylight/sunlight is considered in turn below. Construction impacts are mitigated through the outline conditions.

### **Huntingdon Road**

- 17.2 These are large detached and semi-detached properties fronting Huntingdon Road with long rear gardens backing onto the site. The properties are predominantly two storeys and have been variously extended and altered, including some rear extensions and roof extensions. The gardens include some outbuildings and mature tree planting and there is an existing boundary treatment at the rear.
- 17.3 The proposed plots 169-183 backing onto the Huntingdon Road gardens would be two storeys (or 2.5 storeys for plot 169) with first floor windows on the rear elevation facing towards the gardens. The separation distance between the proposed rear elevations and the neighbouring garden boundaries would be over 10 metres which is acceptable.
- 17.4 The proposed corner plot 184 has a side elevation facing the gardens of Nos. 194 and 196 Huntingdon Road. During the course of the application, an amendment was submitted to remove the secondary bedroom window on the first floor side elevation in order to prevent overlooking, due to the proximity of the side elevation to the boundary. **Condition 20 (Removal of permitted development rights – windows)** would prevent windows being inserted in the future.
- 17.5 The proposed corner plot 168 would be two storeys and would have a shallow garden approximately 5.5m deep. The house type used here would have no windows on the first floor rear elevation so there would be no overlooking towards the rear garden of No. 162 Huntingdon Road. This property has a long rear garden so there would not be an unacceptable overbearing or enclosing impact. **Conditions 20, 21 and 22 (Removal of permitted development rights)** would prevent the insertion of windows, roof lights and extensions in the future.
- 17.6 The orientation of these properties to the north-east of the long rear gardens of the Huntingdon Road properties means that there would not be an unacceptable overshadowing or loss of daylight/sunlight impact.
- 17.7 Nos. 164 and 162 Huntingdon Road are positioned either side of the pedestrian/cycle connection to Huntingdon Road. This connection was established through the infrastructure reserved matters consent. Therefore, any impact in terms of noise and disturbance from comings and goings on the existing residents is acceptable.

### **Woodlark Road**

- 17.8 The properties on the north-western side of Woodlark Road are predominantly semi-detached, however there are some detached properties on the south western end of the street and are primarily two storeys, with relatively long rear gardens including some outbuildings. One exception to this is Grosvenor Court which is a 2.5 storey building of flats currently undergoing extension and conversion. Grosvenor Court is discussed in more detail below.

- 17.9 The proposed BDW2 dwellings would generally have a back-to-back arrangement with the Woodlark Road properties. Within the development site, to the rear of the gardens of plots 078 – 170 would be a 1.2m wide path and the existing ditch, so that in most instances, the rear boundary of the BDW2 gardens would be approximately 4m from the site boundary and from the rear boundary of the Woodlark Road properties.
- 17.10 The boundary between the BDW2 site and the Woodlark Road properties generally has a hedge and fences, although there are some gaps along the length, so the hedge is not complete. In particular, there is a gap in the hedge directly to the rear of Grosvenor Court and there is a retaining wall and fence in this location, which is discussed in more detail below. In general, the landscaping proposal is to maintain this hedge and re-plant in gaps where planting conditions allow. This is acceptable.
- 17.11 The proposed BDW2 homes backing onto the Woodlark Road gardens would be two storeys. There would be windows on the first floor rear elevations. The first floor rear elevation of the proposed dwellings would be approximately 10 metres or more from the site boundary (including the maintenance path and ditch), with the exception of plots 133 – 135 which would be at least 9.5 metres from the boundary. The ground floor rear elevation would be closer to the boundary on plots 133, 127, 082, 080, 078 and 076 however this would not have a significant impact. This is acceptable.
- 17.12 The proposed plot 167 on the south-western end of the street would have a side elevation within approximately 4.5 metres of the boundary of the garden of No. 1 Woodlark Road. During the course of the application, amendments were submitted to remove the window from the side elevation to prevent overlooking into this garden. **Condition 20 (Removal of permitted development rights – windows)** would prevent windows being inserted in the future.
- 17.13 The existing ground level on the BDW2 site gradually rises away from the Woodlark Road boundary. The site sections show that the proposed ground levels would rise slightly from the boundary, but that there would not be substantial difference in the eaves height of the proposed dwellings compared to the existing Woodlark Road properties, however the proposed dwellings would have a higher ridge height than the existing properties. The visual impact of this would be mitigated by the distance from the boundary and the gaps between the proposed dwellings. This is acceptable.
- 17.14 The orientation of these properties to the north-west of the relatively long rear gardens of the Woodlark Road properties means that there would not be an unacceptable overshadowing or loss of daylight/sunlight impact.

### **Grosvenor Court**

- 17.15 This property is set back from the predominant building line along Woodlark Road so that the building is closer to the BDW2 site boundary. The property has been granted planning permission for conversion and extension to provide 8 flats (application reference 19/1250/S73 & 20/04303/S73). There is a live application for a material amendment including alterations to the top floor, which is currently pending consideration (application reference 21/03228/S73).
- 17.16 The original 'main body' of the Grosvenor Court building is approximately 8.75 metres from the boundary. The approved scheme includes extensions at the rear elevation of Grosvenor Court approximately 4 metres from the site boundary. The completed scheme will have windows on the ground and first floors of the original 'main body' and the extensions, and windows in the roof extensions on the main roof slope. The scheme includes first and second floor balconies to provide private amenity space. The ground floor units have some private amenity space and there is an area of shared amenity space at the rear of the building.
- 17.17 The proposed BDW2 plots 129-132 are located directly to the rear of the buildings at Grosvenor Court. The applicant has responded to the proximity of Grosvenor Court by using a shallower house type for these plots, which increases the separation distance between the proposed rear elevation and the boundary. As a result, the distance between the proposed rear elevation and the site boundary is between 13 - 14 metres (including the maintenance path and ditch). This includes an amendment to plot 132 which has been changed house type compared to the previous application.
- 17.18 The applicant proposes a green screen in the rear gardens of plots 129 – 133 comprising a 1.5 metre high screen of hedging in order to screen intervisibility. Maintenance would be the responsibility of the future occupants. Notwithstanding this, there is an existing 1.8 metre high close-boarded fence along the Grosvenor Court boundary which was erected as part of this development. This fence would screen views into the ground level amenity space and ground floor windows to protect the privacy of the future occupants of the Grosvenor Court properties. This is acceptable.
- 17.19 Plots 129-132 would be two storey dwellings with two first floor windows on the rear elevation. Views from these windows towards the ground level amenity space and windows would be screened by the boundary treatments. Views towards the first and second floor windows would be over a distance of at least 18 metres. This is acceptable.
- 17.20 The extensions to Grosvenor Court include inset roof terraces at first floor level which provide private amenity space. These are enclosed with brick balustrades and railings. The distance between the first floor rear elevation of plots 129 – 132 and roof terraces would be over 18 metres. The distance to the second floor roof terraces would be greater and any views from the first floor rear elevation of plots 129 - 132 would be looking

upwards and would not result in a significant loss of privacy. This is acceptable.

- 17.21 The orientation of the proposed development would be north-west of Grosvenor Court. Notwithstanding this, the applicant has submitted a daylight and sunlight statement referencing the assessment carried out on the previous proposals under the application 19/1056/REM. This showed that the previous scheme had no adverse impact on Grosvenor Court with all rooms continuing to meet or exceed industry-standard BRE guidance. The additional separation distance between plot 132 and Grosvenor Court will improve those results further and as such remain compliant with guidance. This is supported.
- 17.22 The sections show that the eaves and ridge height of the proposed dwellings would not be significantly different from Grosvenor Court. In addition to this, the proposal would not have a significant overbearing or enclosing impact on Grosvenor Court due to the distance between the proposed houses and the boundary, and the gaps between the dwellings. There would be some additional noise from comings and goings and use of the gardens, however this would be residential in nature and would not have a significant harmful impact on residential amenity. This is acceptable.
- 17.23 In conclusion, the development has been carefully considered to respond to the unusual proximity of Grosvenor Court to the boundary and the sensitivity of this relationship is recognised. A condition is recommended to remove permitted development rights for the erection of rear extensions and roof extensions to plots 129 - 132 that would bring the development closer to the boundary and could have a different impact which would need to be assessed through a planning application (**condition 21 – Removal of Class A permitted development rights - extensions**).

### **1 Hoadly Road**

- 17.24 This property fronts Hoadly Road so that the side elevation runs parallel to the BDW2 site. It is a semi-detached two storey property which has been extended at the rear with the two storey element. This assessment is based on the available plans for the approved extension and a site visit.
- 17.25 The side elevation includes three first floor windows: one is the sole window serving a bedroom currently used as a study; one is an ensuite; the third is a large secondary bedroom window with the largest window on the rear elevation. There are windows on the ground floor which are screened by a large hedge and boundary treatment. The property has a long rear garden with several mature trees.
- 17.26 The proposed plots 070-072 follow the same pattern as those backing onto Woodlark Road, with the rear elevation facing towards the site boundary. Due to the orientation of 1 Hoadly Road, these plots face towards the side elevation of this property and the garden. Since the

previous application, the tertiary road has been realigned to increase the separation distance between the proposed dwellings and the site boundary. The rear elevations of plots 070 and 071 are approximately 13.5 metres from the boundary. Plots 070 and 071 are house types with a blank first floor elevation, to prevent overlooking of the garden. Conditions are recommended to prevent first and second floor windows and roof lights being inserted to prevent overlooking into neighbouring gardens (**conditions 20 and 22 – Removal of Permitted Development Rights**), and to prevent rear extensions (**condition 21 – Removal of Class A permitted development rights – extensions**). This is acceptable.

- 17.27 The rear elevation of proposed plot 072 is approximately 11.5 metres from the boundary. The house has been positioned on the western side of its plot so that there are no direct views from first floor windows towards the bedroom/study window of 1 Hoadly Road. There would be some oblique intervisibility, however due to the realignment of the tertiary road, the proposed dwelling would be further from the boundary and the distance between the first floor elevation and the side elevation of 1 Hoadly Road would be over 13 metres to minimise the impact of intervisibility of the privacy for occupants of both the proposed and existing dwellings. This is acceptable subject to the same removal of permitted development rights (**conditions 20, 21 and 22**).
- 17.28 The gardens, parking and stores for plots 070-072 have been arranged so that the parts of the garden most frequently used for sitting out would be away from the windows of 1 Hoadly Road to minimise intervisibility between the gardens and the windows and the impact on actual and perceived loss of privacy. This is acceptable.
- 17.29 These gaps between the proposed dwellings on plots 070-072 also reduce the overbearing impact on 1 Hoadly Road, which has also been reduced by increasing the distance from the boundary compared to the previous application. The gap between 072 and 071 would be approximately 6.6 metres wide, therefore maximising the outlook from the windows. The levels show the finished floor level for the proposed plots would be reasonable. This is acceptable.
- 17.30 The orientation of these plots would be north-west of 1 Hoadly Road. Nonetheless, the applicant submitted a daylight and sunlight assessment during the course of the application, assessing the impact on the neighbouring garden and windows serving habitable rooms. The assessment has been undertaken in accordance with industry-standard BRE guidance. It concludes that the proposal would not have a significant impact on daylight and sunlight, and therefore would not have a significant adverse impact on the amenity of the occupants of this property. This is supported.
- 17.31 There would be some additional noise and disturbance from comings and goings and use of the gardens which could impact on most of the garden

of 1 Hoadly Road, however this would be residential in nature and would not have a significant impact on residential amenity. This is acceptable.

### **Howes Place**

- 17.32 Howes Place adjoins the northern boundary of the site and as a linear development located between the Darwin Green site and the former NIAB site to the north. The dwellings were built as a cohesive development and some have been extended, including rear extensions and roof extensions. The properties have long gardens approximately 30 metres to 58 metres and include mature planting.
- 17.33 The proposed plots 184 - 197 backing onto the Howes Place properties would be two storeys and a mix of detached and attached. The proposed plots would have rear gardens between approximately 6.6 metres and 11.3 metres. The shortest distance would be the rear gardens of plot 194 – 196 which would be between 7.5 metres and 6.7 metres, however these would back onto gardens approximately 58 metres long. There would be first floor windows on the rear elevations of the proposed dwellings which would have some direct views into the rearmost part of the Howes Place gardens, however, due to the length of these gardens this is acceptable.
- 17.34 The orientation of the proposed BDW2 plots to the south-east of the gardens could have some overshadowing impact on these gardens, however again, due to the length of the gardens, this would not have a significant impact. Similarly, any noise and disturbance from the proposed plots would not have a significant impact. The proposal would not have an overbearing impact.

### **BDW1**

- 17.35 The properties on the southern side of Beagle Road in the BDW1 scheme would outlook onto the proposed allotments at the rear, which is acceptable.
- 17.36 The proposed plot 198 would be three storeys and would have a blank elevation facing the BDW1 dwelling. This is acceptable.
- 17.37 The proposed plot 197 would be two stories with two first floor windows on the rear elevation. These would be approximately 7.75 metres from the boundary of the garden of the BDW1 dwelling with the existing hedge to be retained along the boundary. This is acceptable.
- 17.38 The proposed plot 001 would be three storeys and would have a first floor bathroom window on the side elevation. This plot would be approximately 7.5 metres from plot 173 on the BDW1 scheme, which has first and second floor bathroom windows. This is acceptable.

### **Residential amenity of existing properties – conclusion**

- 17.39 In summary, the proposals respond sensitively to neighbouring properties, in particular through amendments made to the plots adjacent to 1 Hoadly Road and Grosvenor Court which officers are satisfied address the previous reasons for refusal. A thorough and comprehensive assessment of the impact of the proposals on existing residential amenity has been undertaken. The proposal is not considered to have a significant unacceptable impact on neighbouring properties in terms of intervisibility or loss of privacy, loss of light or overshadowing, or overbearing and enclosure, as well as noise and disturbance. The proposal is in general accordance with the outline consent and CLP 2018 policies 55 and 56.

## **18.0 Access and Transport**

### **Transport Impact**

- 18.1 The transport impact was assessed at the outline stage and is subject to conditions and mitigation measures secured through that consent. The applicant has submitted a Transport Statement to support the reserved matters application. The residential trip rate agreed at the outline stage has been applied to the proposed development. The statement concludes that as the quantum of development anticipated in this phase has not changed the volume of trips that would be expected to occur.
- 18.2 The Transport Statement provides a summary of the mitigation measures secured through the outline consent via conditions and/or the Section 106 Agreement which promote non-car transport modes. Some measures are already in place, such as the works to Huntingdon Road junction. The implementation of the Histon Road access/ junction will be triggered with the occupation of the 350th dwelling, as noted in the Phasing section of this report. Other measures have been incorporated or will be implemented in this scheme, including the provision of car club spaces, the provision of cycle storage and the implementation of the Travel Plans.
- 18.3 A Residential and Area Wide Travel Plan has been approved for the site under the requirements of the Section 106 Agreement. The aims of the residential travel plan (RTP) are to reduce car travel and maximise the use of the most sustainable modes, cycling and walking, for all journey types. Incentives to encourage car users to try alternative modes of travel and sustain this new travel of behaviour forms part of the RTP. A Travel Plan Coordinator will be appointed for the Darwin Green site as part of the implementation of the travel plan.

### **Car parking**

- 18.4 The outline consent controls the number of car parking spaces via condition 48 which states that car parking for residential properties shall be provided in accordance with the standards set out in the Local Plan. The condition also restricts the total number of residential parking spaces for the Darwin Green development (2,389 spaces) and this cap has not been reached (a total of 915 residential spaces have been approved



through earlier reserved matters consents with 265 and 114 spaces within BDW1, the Local Centre, and BDW5/6 respectively).

- 18.5 Car parking standards within the adopted CLP 2018 are set out in Policy 82 and Appendix L. The standards for new developments outside the controlled parking zone are set out in the table below.

<b>Accommodation</b>	<b>Standard</b>	<b>Provision</b>
Up to 2 bedrooms	No more than a mean of 1.5 spaces per dwelling	No more than a mean of 1.5 spaces per dwelling
3 or more bedrooms	No less than a mean of 0.5 spaces per dwelling, up to a maximum of 2 spaces per dwelling	No less than a mean of 0.5 spaces per dwelling, up to a maximum of 2 spaces per dwelling

- 18.6 A car parking plan has been submitted which shows 509 residential car parking spaces. This would average approximately 1.6 spaces per dwelling. Two car parking space are provided on-plot for homes with 3 bedrooms or more, except within the higher density terraced homes which have one space. Nonetheless, this would be not less than a mean of 0.5 spaces an no dwellings would have more than two spaces, in accordance with the adopted standards. 1 bedroom and 2 bedroom homes have been provided with 1 space, generally on-plot for the houses or within parking courts for the apartments. This is supported.
- 18.7 On-plot parking for the houses is generally provided in tandem which is supported in the Design Code. The 1 bedroom homes have parking provided within the property's courtyard, which allows flexibility for this space to be used for other purposes if the occupants do not have a car. The terraced houses fronting the 'T-Park' and the primary street have parking at the rear within the mews and below the 'flats-over-garages' with access via a rear gate. This is a design-led response which is supported. The parking courts for the apartments contain between 6 and 12 spaces. The use of parking courts is supported in the Design Code and the parking has been provided to the rear of the apartment blocks to maintain street enclosure. This is supported.
- 18.8 Regarding visitor parking, outline condition 48 states that the development could also provide for visitor spaces as appropriate, and that these spaces shall be on street and not allocated to any residential property. The proposal includes 32 visitor parking spaces, which equates to approximately 1 space per 10 dwellings. Visitor parking spaces have been provided on-street and distributed on the primary and secondary streets across the parcel. Four spaces have been provided at the Pavilion Green and three spaces have been provided at the allotments. These are evenly spread throughout the development and there is good provision near to key public spaces. This is supported.
- 18.9 Condition 70 of the outline consent requires the applicant to provide details of interim parking management arrangements prior to any formal

adoption of the roads and ahead of the introduction of a formal traffic regulation order whereby parking controls will be enforced by the local authority. The applicant is required to submit details prior to occupation of any dwelling on this phase.

### **Cycle parking**

- 18.10 Condition 49 on the outline consent requires that any reserved matters application including residential units, non-residential building or public open spaces shall provide details of facilities for the covered, secure parking of bicycles in accordance with the approach approved within the Design Code, set out in the table below. It should be noted that the Design Code requirement exceeds the adopted CLP 2018 standards requiring 3 spaces for 4-bedroom dwellings.

<b>Accommodation</b>	<b>Standard</b>	<b>Provision</b>
Up to 3-bedroom dwellings	1 space per bedroom	1 space per bedroom
4 or more-bedroom dwellings	4 spaces per 4- or 5-bedroom dwelling	4 spaces per 4- or 5-bedroom dwelling

- 18.11 The applicant states that 977 residential spaces have been provided. An updated cycle parking strategy plan was submitted during the course of the application showing the capacity and type of cycle store for each plot. The number of cycle parking spaces is in accordance with the Design Code requirements and is supported.
- 18.12 Houses are provided with a cycle store or in some cases a combined cycle and bin store. Floor plans and elevations for some store types have been submitted. 2 bedroom houses would have a Sheffield hoop beneath a canopy roof within the courtyard. Larger houses would have a timber store. Dimensions are acceptable and meet or exceed the Cycle Parking Guide for New Residential Developments (2010). Although detailed plans for all the store types have not been submitted, officers are satisfied that the stores can be accommodated on the plots. This is supported.
- 18.13 Apartments are provided with a communal store. This is either a standalone store or integrated into the ground floor. The stores are conveniently located for access to and from the entrances and cores to the blocks which are served by dual cores with direct access from the service areas. The stores meet the standards within the Design Code and in some cases exceed the number of spaces required. Dimensions are acceptable and meet or exceed the Cycle Parking Guide for New Residential Developments (2010). This is supported.
- 18.14 Nonetheless, insufficient plans and elevations have been provided for each store types and therefore condition 49 is not recommended to be discharged at this stage. A resubmission is required. This will also allow the applicant to address comments from the Cambridgeshire Constabulary

around security (**informative 3 – Cambridgeshire Constabulary comments**) and from the urban design team around the need for green roofs to soften the visual impact of stores located to the front of dwellings.

- 18.15 The Design Code sets out that some level of visitor cycle parking is expected to be provided, particularly for large housing, without specifying quantity requirements. The cycle parking should be in convenient and safe places, where it would not obstruct the passage of pedestrians or vehicles. Moreover, it expects the cycle parking spaces to be well lit and benefit from natural surveillance and be secure, whilst being provided in key public spaces.
- 18.16 The applicant has stated that 92 visitor spaces would be provided. The general location of these is shown on the cycle parking strategy plan. These are generally close to communal building entrances and public spaces, which is supported. The detailed location is shown on the landscaping plans, as annotated on the strategy plan. This is acceptable.
- 18.17 In conclusion, the proposal accords with the Design Code requirement and are supported with regard to the cycle parking strategy, however on the basis that incomplete information has been submitted to discharge condition 49, this condition cannot be discharged with regard to the BDW2 parcel and a resubmission will be required.

### **Cycling and Pedestrian Infrastructure**

- 18.18 The outline consent secured the delivery of part of the Orbital Cycle Route, which runs along the northern boundary of Darwin Green and has been implemented. This provides a high-quality cycle route and an important piece of cycle infrastructure for the city. The Access PP includes a connection from the Orbital Cycle Route into Windsor Road, which will be delivered in later phases. Relevant to the BDW2 parcel, the Access PP secures a pedestrian and cycle connection through to Huntingdon Road in the southern corner of the site.
- 18.19 This connection has been approved through the infrastructure reserved matters consent (14/0086/REM) and details are shown on the BDW2 landscape drawings. This shows a segregated cycle and footway which enters into the southern corner of the site. At this point, the permeability of the site allows cyclists to continue through the site along key desire lines to the Local Centre, primary school or central open space, for instance. This includes a shared cycle and pedestrian route through Pavilion Green or on-road routes through the site and through low-traffic shared surface areas, including the 'T Park'.
- 18.20 The wider cycling infrastructure for the site has already been approved as part of the infrastructure reserved matters application. Officers are satisfied that the principles of the Design Code ensure that appropriate provision for cyclists has been made, and that similar aspirations for the

site are shared with LTN/10 namely that cycle networks and routes should be coherent, direct, safe, comfortable and attractive.

### **Highway safety**

- 18.21 The applicant has submitted an adoption plan showing public highways to be adopted by the County Council and other areas – primarily shared surface and mews areas – which would be maintained by a management company. The shared surface area surrounding LAP 1 and the mews street leading to it are proposed to be built to adoptable standard and with a right of access provided to the City Council to provide acceptable access for maintenance vehicles. This is secured through **condition 2 – Non-adopted roads** and the right of access will be secured through the transfer process for the open space in accordance with the Section 106 Agreement.
- 18.22 The County Council Highways Engineer supports the proposal following amendments submitted during the course of the application to introduce additional features within the carriageway along the primary street (previously approved via the infrastructure reserved matters and necessitating enlarging the red line boundary for the current application to include alternative proposals for the primary street) and to improve the compliance with the 20 miles per hour design speed, and updated refuse tracking.
- 18.23 Conditions are recommended relating to pedestrian visibility splays (**condition 3 – Pedestrian visibility splays**), construction of driveways and off street parking spaces (**condition 5 – Driveway levels**), and inter-visibility splays for access points (**condition 4 - Inter-visibility splays**) in line with the advice from the County Council Highways Engineer.

### **Access and transport – conclusion**

- 18.24 The proposals promote sustainable transport through the site layout, movement hierarchy, and cycle parking provision, and are consistent with the outline consent and Design Code, and align with CLP 2018 policies 80 and 81. On this basis, the proposals are considered acceptable with regard to access and transport.

## **19.0 Environmental issues**

### **Water Management, Drainage and Flood Risk**

- 19.1 A site-wide Surface Water Drainage Strategy for Darwin Green has been approved under condition 34 of the outline consent. The Design Code sets three key drainage objectives to capture and treat surface water to minimise pollution, harvest rainwater and surface water runoff for reuse and reduce peak flows from the site. The site-wide strategy for Darwin Green incorporates ponds and swales appropriately located within open green areas and alongside roadways to collect controlled run-offs from the

various development site parcels. The sustainable drainage infrastructure has been approved via the infrastructure reserved matters consent and has been partially implemented.

- 19.2 For the detailed proposals, conditions 35 of the outline consent requires the submission of a surface water drainage scheme for each reserved matters demonstrating accordance with the approved site-wide Surface Water Drainage Strategy. The applicant has submitted a Drainage Report and Strategy which was updated during the course of the application. This demonstrates that surface water from BDW2 would be discharged into the site-wide drainage network at a controlled rate.
- 19.3 The proposal includes water butts for harvesting rainwater for garden use; swales/urban rills along the internal road edges and the edges of the pavilion courtyard to store and convey surface water run-off; permeable paving in car parks, footways, shared surfaces and shared drives; and geo-cellular/modular systems to provide below ground attenuation prior to discharge into the wider pond and swale network. The applicant has submitted maintenance details.
- 19.4 The drainage report and micro drainage calculations which demonstrates that the site is designed to drain in accordance with the approved strategic surface water drainage strategy. The system is designed to contain all required storm events below ground for up to 1 in 100-year event plus 40% climate change allowance and a management and maintenance plan has been set out for all proposed sustainable drainage or existing drainage features.
- 19.5 The LLFA supports the proposed drainage strategy. Concerns raised in their initial comments have been overcome. A condition is recommended to secure further construction details (**condition 17 – Detailed drainage construction drawing**), and informatives are commended regarding constructions and alterations within an ordinary water course (**informative 5 – Ordinary Watercourse Consent**) and pollution control (**informative 6 – Pollution Control**). The latter is controlled via condition 38 on the outline consent. These recommendations are supported and condition 35 is recommended to be discharged.
- 19.6 Third party representations have raised concerns about the impact of surface water flooding to the properties along Woodlark Road due to a potential increase in surface water runoff into the ditch to the rear of these properties as a result of the proposed development and poor maintenance of this ditch which is the responsibility of the developer who owns the ditch. The profile of the ditch varies along its length and outfalls to an Anglian Water drain which runs between 27 and 29 Woodlark Road.
- 19.7 The developer has provided information to demonstrate that the ditch does not form part of the site-wide drainage network for Darwin Green and that the proposals would remove water flows into the ditch by diverting water into the strategic surface water drainage network. A drainage ditch

catchments assessment based on site levels submitted by the applicant demonstrates that the existing site currently discharges overland flow into the ditch. As a result of the development, rain falling on the site would be diverted into the strategic drainage network, so that the BDW2 site would be removed from the catchment area of the ditch. Following development of the BDW2 site, the only discharge to the ditch will be overland surface water flow from the existing gardens and roofs of the existing Woodlark Road properties.

- 19.8 The proposal includes reprofiling the ditch so that the base and slope of the ditch would be cleared, local low points would be removed and the hydraulic profile would be improved. A new access chamber and the existing pipe inlet is proposed to form a new headwall. The applicant has submitted drawings showing sections across the width and length of the ditch. This shows the slopes of the sides and the base, and identifies the areas to be remodelled. The LLFA has recommended that the reprofiling works are undertaken as soon as possible to ensure the ditch functions suitably during the construction period. **Condition 18 (Ditch maintenance)** is recommended to secure these works prior to commencement of development. This is acceptable.
- 19.9 Regarding maintenance of the ditch, the proposal includes a 1.2m wide path to the rear of the proposed dwellings. This would be gated on either end to secure the access and a car parking space has allocated for a maintenance vehicle at either end. The submitted Landscape Management and Maintenance Plan includes inspection, repair and clean out to ensure that all debris, detritus and litter are removed on a quarterly basis, and inspection of overflows to ensure they are free from blockages and cut back vegetation as required. This will be carried out by a management company funded via a service charge to the residents of the BDW2 development. Compliance is secured through **condition 18 (Ditch maintenance)** requiring the implementation of the approved Landscape Management and Maintenance Plan. This is acceptable.
- 19.10 Management of surface water drainage during construction is covered by the CMS submitted to discharge condition 52 of the outline consent. Appropriate measures are proposed for protecting potentially hazardous liquids and materials entering any surrounding watercourse. This includes removing any highly contaminated water from wheel wash areas and suitable protection around required bowzers on site in the event of a leak. The existing ditch along the rear gardens of Woodlark Road would be bunded during construction to prevent any silt from overland flows entering the ditch from construction works. The LLFA supports these measures and this advice is accepted. A condition is recommended to secure further details of the bund and its implementation prior to commencement of construction (**condition 19 – Bund construction detail**).
- 19.11 The landscape officer has recommended a condition for green roofs, however there are no flat roofs proposed within the development, therefore this condition is not applicable. The proposal does not conflict

with CLP 2018 policy 31 in this regard. The Urban Design Team has recommended that the cycle stores proposed to be located to the front of plots 194 – 197 should have green roofs in order to minimise visual intrusion on the street scene, and details would be secured through the further submission required to discharge condition 49. This is acceptable.

### **Sustainable Construction and Design**

- 19.12 The applicant has submitted a Sustainability Report which outlines the energy assessment and the approach towards climate change, low carbon development, renewable energy systems, and the sustainable use of environmental resources. For example, the site is designed to avoid overheating through specification of deciduous trees to provide shade in summer but allow useful solar gain and improved daylighting in winter. All apartments will be dual aspect to enable cross ventilation. Buildings are relatively shallow to reduce the need for artificial lighting and mechanical ventilation, therefore reducing energy demands. Homes have been designed with external load-bearing walls to allow maximum flexibility for internal alterations to meet changing needs.
- 19.13 Condition 27 of the outline consent requires each reserved matters application to demonstrate that a 10% reduction in carbon emissions can be achieved using on-site renewable energy. Condition 28 of the outline consent effectively supersedes condition 27 upon adoption of any new policy related to carbon reduction, which has now come into effect following the adoption of the Cambridge Local Plan 2018. Policy 28 requires all new residential development to achieve an on-site reduction in carbon emissions equating to a 19% reduction compared to 2013 Building Regulations Part L.
- 19.14 Information regarding renewable energy provision and overall carbon reduction has been included within the Sustainability Statement. The report sets out a hierarchical approach to reducing emissions, with the use of fabric improvements followed by the implementation of at least 1 kWp of photovoltaic panels for each residential unit. A schedule has been submitted with the application, setting out the amount of photovoltaic panels to be applied to each unit, with a total provision of 508.53 kWp across the site. The site roof plan general arrangement drawing shows the indicative layout of these panels. This approach is supported and enables all units to meet (and indeed exceed) the 19% reduction requirement. This is supported.
- 19.15 Condition 29 of the outline consent requires all homes to be constructed to a minimum of Level 4 of the Code for Sustainable Homes. However, forthcoming changes to the Building Regulations Part L coming into force in June 2022 are incompatible with certification under Code for Sustainable Homes. This is because the technical requirements related to the Code for Sustainable Homes are linked to older versions of the Building Regulations, and are no longer being updated by the BRE following Government's decision to scrap the Code in 2014. The

consequence is that any homes built on this parcel and others under the forthcoming 2021 Building Regulations Part L cannot be certified and cannot comply with condition 29.

- 19.16 The new 2021 Building Regulations Part L introduce further reductions in carbon emissions beyond those required by Code for Sustainable Homes Level 4. The new 2021 Building Regulations Part L standards require a 31% improvement on the 2013 Part L standards, representing an improvement in performance from Code Level 4 which only required a 19% improvement. Therefore, any homes built under the new 2021 Building Regulations Part L standards will exceed the requirements of condition 29 in terms of reducing carbon emissions.
- 19.17 The applicant has submitted a construction programme setting out the number of homes that will be built to the 2013 Building Regulations Part L standards and those which will be delivered against future iterations, notably the forthcoming 2021 Building Regulations. Of the 323 homes proposed, 201 will be constructed to 2013 Building Regulations Part L standards. The remaining 122 homes will be constructed to the new 2021 Building regulations Part L standards. This represents an improvement compared to the homes meeting Code Level 4 and is supported. The construction programme indicates no homes will be built to Future Homes standards.
- 19.18 In terms of condition 29, interim and post-construction certificates will need to be submitted for the 201 homes constructed under 2013 Building Regulations Part L demonstrating they meet Code for Sustainable Homes Level 4. The Sustainability Report includes an indicative pre-assessment under Code for Sustainable Homes, which shows a score of 69.56% for houses and 70.16% for flats is achievable, which provides a small buffer above the minimum score for Code Level 4 (68 credits). This approach is supported by the Sustainability Officer.
- 19.19 For the 122 units constructed to the new 2021 Building Regulations Part L, a new condition is recommended to secure assessment of those units against the relevant standards (**condition 11 – Carbon Reduction Strategy**). This represents a positive development of the scheme compared to the outline requirements and is therefore supported. This approach is consistent with the approach taken for the BDW5/6 parcel and will be carried forward to future parcels BDW3 and BDW4. This is acceptable.
- 19.20 The Energy Strategy includes the use of gas boilers for all residential units. As part of discussions for other phases on the Darwin Green Site, the approach has been to phase out the use of gas boilers in light of the transition to net zero carbon and the implementation of the Future Homes Standard in 2025. The construction programme indicates that no homes will be built under the Future Homes Standards and therefore will not benefit from electric forms of heating from the outset. A condition is recommended to ensure that these homes are futureproofed for electric



heating (**condition 12 – Futureproofing for low temperature heating**). This is to ensure that future homeowners are more easily able to retrofit their homes to support the transition to net zero carbon and to ensure that they are not locked into fossil fuel use in the long term.

- 19.21 The proposal includes a water strategy within the Energy and Sustainability Report, which targets minimising potable water use to 110 litres per person per day through the implementation of elements such as dual flush WC, taps and kitchen sink taps, bath and shower, and rainwater butts. Water efficiency credits are targeted in the Code for Sustainable Homes pre-assessment for those 201 homes constructed under 2013 Building Regulations Part L targeting a maximum water consumption of 90 litres of water per person per day. This is supported and meets the water efficiency targets within the Design Code and CLP 2018 policy 28.
- 19.22 Condition 63 of the outline application requires the submission of a Detailed Waste Management Plan (DWMP), setting out the approach to reducing construction waste. The applicant has submitted a Waste Management Technical Note. This is supported by the Sustainability Officer and recommended for discharge. The condition requires the submission of a Waste Management Closure Report prior to occupation; therefore this condition is recommended for partial discharge.

### **Air Quality**

- 19.23 The outline consent was approved under the Cambridge Local Plan 2006 which contained no requirements for electric vehicle (EV) charging points. As a result, there is no condition on the outline consent and no requirement within the approved Design Code for the applicant to provide EV charging points within the development. The provision of EV charging points does not fall within the legal definition of any of the reserved matters to which the assessment is limited for the current application. This legacy situation means that it is not lawful to apply adopted CLP 2018 policy 36.
- 19.24 Notwithstanding this, the applicant has committed to provide one active EV charge point for each dwelling with an on-plot car parking space, and to provide 50 per cent of spaces within each communal parking area for the apartments and on street parking spaces on private roads with an active EV charge point. Passive provision including installing appropriate ducting and associated infrastructure would be provided to the remaining spaces. The charge points would be a minimum 7 kilowatts. This would be secured through **condition 10 – Electric Vehicle Infrastructure**. This exceeds the requirements of the outline consent and is strongly supported as a benefit delivered by the scheme.
- 19.25 In a similar legacy situation, there is no requirement for the applicant to provide low Nitrogen Oxide (NOx) boilers, as this is not required in the outline conditions or within the Design Code, and it does not fall under the legal definition of reserved matters. Nevertheless, the amended Energy

and Sustainability Report confirms that boilers specified for dwellings should generate less than 40mgNO<sub>x</sub>/kWh. This is in accordance with current policy in CLP 2018 and is supported.

- 19.26 In addition to this, the applicant has committed to installing measures in all dwellings to facilitate the upgrade of heating systems to efficient electric heating (such as heat pumps) to future-proof the homes. This includes installing appropriate radiators, identifying suitable space for air source heat pumps, and installing appropriate pipework and hot water tanks. This would be secured through **12 – Futureproofing for low temperature heating**. This exceeds the requirements of the outline consent and is strongly supported as a benefit delivered by the scheme.
- 19.27 Further measures incorporated into the scheme to promote the use of sustainable transport as described in the Access and Transport section of this report, and the measures to meet carbon reduction and renewable energy targets as covered in the sustainability section of this report, are considered to contribute towards the reduction in emissions and improved air quality for this development.

### **Construction method**

- 19.28 Condition 52 of outline permission requires a construction method statement (CMS) be submitted to demonstrate how the construction of the reserved matters approval accords with the details of construction criteria of the construction environmental management plan (CEMP) approved under outline condition 51. The CMS includes details of access, parking, highway interference, site compound, contractor arrangements, hoarding, construction and delivery hours, waste management, soil management, noise and vibration mitigation and monitoring, dust management, site lighting, drainage control, and public liaison details.
- 19.29 The applicant has submitted a CMS to discharge condition 52. The Environmental Quality and Growth team and Lead Local Flood Authority support the discharge of this condition. The Highways Authority has raised no objection. This advice is accepted and condition 52 is recommended to be discharged. Further comments about the construction drainage methodology to control flows into the ditch to the rear of Woodlark Road properties during construction are provided in the drainage section of this report.

### **Contaminated Land**

- 19.30 Contaminated land is covered by Condition 50 on the outline consent and various site investigation reports have demonstrated that the DG1 development site is largely free from contamination and that no remedial measures are required. As such this condition has been partially discharged and no further investigation works are required. The condition requires a watching brief to be maintained and an assessment and remediation works should be carried out if unexpected contamination is

found. Therefore, parts of condition 50 remain applicable to this reserved matters.

- 19.31 The updated CMS submitted to discharge condition 52 on the outline includes a Soil Management Strategy. The Environmental Quality and Growth team has reviewed this and supports the strategy which provides a clear soil management strategy in terms of the management and risk assessment of imported soils. This advice is accepted and no objection is raised to the discharge of condition 52 in this regard.

### **Lighting**

- 19.32 Condition 66 on the outline consent requires reserved matters applications to include details of the height, type, position, and angle of glare of any final site lighting / floodlights including light contours, with the approved details and measures to be carried out and maintained as approved. The applicants have submitted details of street lighting and private installations which defines Darwin Green as a 'suburban – medium brightness' lighting environment.
- 19.33 The Environmental Quality and Growth Team supports the proposals. Street lighting is proposed in accordance with the County Council's approved list. Revised information was submitted by the applicant in June 2022 in response to comments from Cambridgeshire Constabulary about the need for lighting to car parking courts, however this has not been reviewed by the Environmental Quality and Growth Team. Therefore, condition 66 cannot be discharged at this stage and a revised submission will need to be made.

## **20.0 Ecology and Biodiversity**

- 20.1 A site-wide Ecological Conservation Management Plan (ECMP) setting out how the development will improve net biodiversity and in accordance with the outline Environmental Statement was approved via the discharge of condition 39 of the outline consent. An Ecological Conservation Management Plan Statement (ECMPS) demonstrating how the detailed proposals accord with the site-wide plan is required to be submitted with any reserved matters to discharge condition 40 of the outline consent. The applicant submitted an ECMPS which was updated during the course of the application. The ECMPS is based on a walkover survey undertaken in July 2019.
- 20.2 The site consists of neglected arable land dominated by tall ruderals and patches of ephemeral vegetation and rank grassland. Sections of species-poor hawthorn dominated hedgerow occur along part of the north-western and north eastern boundaries. The former pavilion building is outside the application red line boundary, however there are three smaller disused buildings within the site to be demolished. In terms of protected species, no badger setts have been recorded within 30 m of the site and no evidence of their presence was seen during the walkover survey. No

mature trees potentially suitable for roosting bats occur within the site, however there is potential for the former pavilion building to support roosting bats. An updated emergence survey of the building is recommended.

- 20.3 The ECMPs include the appointment of an Ecological Clerk of Works (ECoW) to oversee construction, including monitoring the impact of site clearance works on nesting birds. In accordance with the site-wide ECMP, the proposals retain the existing hedgerows and provide biodiversity enhancements through sustainable drainage features, soft landscaping within areas of open space, and new street planting. The proposals also deliver five bat boxes, seven swift bricks and ten bird boxes into the development, and a buried log habitat for invertebrates within the allotments, in accordance with the ECMP. The appropriate installation of these features will be overseen by the ECoW. The Ecology Officer supports the proposals and this advice is accepted. Accordingly condition 40 is recommended to be discharged.

## **21.0 Other issues**

### **Trees and Hedges**

- 21.1 Conditions 17 and 18 require the submission of a land survey, tree and hedge survey, and arboricultural implications assessment; and an arboricultural method statement, tree constraints plan and tree protection plan respectively. The applicants have submitted a Tree Survey and Constraints Plan, an Arboricultural Method Statement (AMS), an Arboricultural Implication Assessment (AIA), a Tree Protection and Retention Plan and typical tree pit details.
- 21.2 The Tree Officer is not satisfied with the information submitted which is out of date with the current proposals and provides insufficient details to assess the proposals, including details of servicing, levels and impact on root protection areas. The applicant provided updated information in June 2022, however the Tree Officer has not been consulted on these. Therefore at this stage, conditions 17 and 18 are not recommended to be discharged and a further submission will be required prior to commencement of development.
- 21.3 Notwithstanding this, an additional condition is recommended to secure implementation of tree protection measures prior to the commencement of development and to prevent ground level changes within protected areas, in order to widen the scope of protective measures and provide further protections in addition to the outline condition 19 which secures the implementation of protective fences only (**condition 7 - Tree Protection Methodology implementation**). This is necessary and acceptable.

### **Fire safety**

- 21.4 Cambridgeshire Fire and Rescue Service has raised no objection to the application, however has provided advice regarding the provision of fire hydrants, and access and facilities for fire service. Condition 71 of the outline consent requires the submission of a scheme for the provision and the location of fire hydrants which the applicant will need to discharge prior to commencement of development on this parcel. Notwithstanding the advice from the fire service, the proximity the fire engine can get to buildings will have to be assessed in detail through the Building Regulations process. There are no proposed buildings that would be 18m or more, or seven or more storeys and therefore there are no requirements under Planning Gateway One. This is acceptable.

### **Broadband**

- 21.5 Condition 15 on the outline consent requires a site-wide strategy for the provision or facilitation of broadband. This condition has been fully discharged and the development shall be carried out in accordance with the approved 'Broadband Provision for Darwin Green' document by Utility Consultant Services dated 20 March 2014. This is in accordance with CLP 2018 policy 42.

### **Archaeology and Heritage**

- 21.6 A programme of archaeological investigation works was secured via condition 67 on the outline consent. A written scheme of investigation was agreed with the County Archaeology team, which included part of the BDW5 and BDW6 parcels within an area of investigation. To date, the applicant has not submitted a completion report to the local planning authority to confirm the investigation works have been carried out. Condition 67 requires this to be completed prior to commencement of development within the investigation area. This remains outstanding and the applicant will need to submit this report to fully discharge this condition prior to commencement of development. This is acceptable.

### **Airport Safeguarding**

- 21.7 The site falls within two airport safeguarding zone consultative areas for any structure greater than 45 metres and 90 metres above the ground level. Cambridge Airport and the Defence Infrastructure Organisation have raised no objection to the proposal from an airport safeguarding perspective. An informative is recommended to draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. The proposal does not conflict with CLP 2018 policy 37.

## **22.0 Third Party Representations**

- 22.1 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
<p>The proposed house on plot 076 is closer to the boundary than other similar plots and should be set further away from the boundary in line with other plots.</p>	<p>The proposed plot 076 forms part of a linked pair with plot 075. This is similar to other linked pairs including plots 077 – 078 and 079 - 080. The house at plot 076 extends approximately 1.3 metres closer to the boundary than plot 075 at ground floor level. However, at first floor level, the rear elevation is on the same line as plot 076. The ground floor remains approximately 9 metres from the site boundary. This is acceptable.</p>
<p>Amendments should be made to the proposed homes backing onto Howes Place properties: 1) Replacement of red bricks / clay tiles with buff bricks / slates on plots 185, 186 and 190-192; and 2) Replacement of 1200mm high post and rail timber fence with 1800mm high close board / larch lap timber fencing along the boundary maintaining all existing hedging along this boundary.</p>	<p>The red brick / clay tiles on plots 185 – 186 is appropriate as a marker building to hold the corner of the secondary street. These would be two storey buildings and would be to the rear of the long gardens of the properties on Howes Place. The materials are not considered to have an unacceptable impact on neighbouring properties. Plots 190 – 192 are proposed to be buff brick / slate.</p> <p>The boundary is proposed to be a 1.2 metre post-and-rail fence as required by <b>condition 9 – Perimeter Boundary Fencing</b>. This is appropriate to allow maintenance of the existing boundary hedge, which will be maintained to 3 metres in height to provide an appropriate screen to maintain privacy. This is acceptable.</p>
<p>Clarify what the access path will be used for? Has thought been given to the security risk to both the proposed homes and existing properties on Woodlark Road? The gates should be locked and sufficiently high to prevent access.</p>	<p>The path will provide access for maintenance only which will be controlled by a management company. The Cambridgeshire Constabulary has not raised concerns about this arrangement.</p>

Third Party Comment	Officer Response
<p>The proposed dwellings are at a distance from number 1 Hoadly Road that is less than one third the distance from all other properties on Windsor Road and Hoadly Road. A daylight and sunlight assessment of the proposed dwellings on number 1 Hoadly Road is required in accordance with Building Research Establishment's (BRE) guidance to assess the impact on amenity.</p>	<p>See paragraphs 17.24 – 17.31. This is acceptable.</p>
<p>The existing ditch and hedge along the boundary with Woodlark Road should be extended along the side of number 1 Hoadly Road to protect the privacy and amenity of the occupiers of the neighbouring property. A former ditch in this location was flattened out by the developer.</p>	<p>The applicant proposes to extend the boundary planting in the rear gardens of plots 070 – 072 alongside number 1 Hoadly Road. The ditch does not form part of the proposals in this location. This is acceptable.</p>
<p>Tree planting along the pathway from Huntingdon Road will result in increased shading in the summer months of rear terrace to number 162 Huntingdon Road. The existing hedge along the boundary with number 162 Huntingdon Road needs to be restocked to make good the gaps that appeared following the developer's initial clearance and site set up. Any planting along this boundary should be carried out with consultation particularly with regard to the shading, securing and future enjoyment of the neighbouring property.</p>	<p>The landscaping along the path from Huntingdon Road was approved under the infrastructure reserved matters application 14/0086/REM.</p> <p>There is currently no hedge along the rear or side boundary which is a close-boarded fence. No hedge is proposed on the landscaping plans. This is acceptable.</p>
<p>There must be security for the rear of the Woodlark Road properties and other adjacent properties during construction.</p>	<p>The construction site would be managed by the contractor. There is no reason that the site would be less secure than current situation during construction.</p>
<p>Discontinuity between the BDW2 tertiary street with the BDW3 tertiary street in the south east corner. Confirm the status of the roadway in the south east corner towards BDW3 and the regulations that will apply to this roadway and the meaning of the dotted lines (Design</p>	<p>This has been addressed in paragraph 13.7. This is acceptable.</p>

Third Party Comment	Officer Response
Changes Report p7). This route should not provide motor vehicle access which should be prevented in the future.	
Insufficient proposals on sustainability and decarbonisation which should be set to higher standards to address climate change. Installation of solar panels and thermal insulation to passiv-haus standards as a minimum.	See sections on Sustainability and Air Quality sections of this report. This is acceptable in the context of the outline consent and in some cases exceeds requirements of the outline consent.
The hedge should be maintained along the entire boundary with Woodlark Road specifically behind Grosvenor Court. The hedge should be mixed and 3 metres high and 1 metre wide for privacy, biodiversity and flood protection.	This has been addressed in the Landscape, Residential Amenity and Drainage sections of this report.
Confirm proposals for feature tree (p29 of the landscape design approach)	Feature trees are listed on the planting schedule as including Walnuts, Tulips, Cherries, Oaks, Tiliacs and Elms.
Uncertainty about proposed tree works. The hawthorn trees to the rear of Woodlark Road properties (specifically number 65 Woodlark Road) should not be removed to retain existing birds and other wildlife.	The proposed landscaping plans shows retention of existing hedges and hedge trees. The arboricultural implications assessment and tree protection measures have not been approved and therefore a further submission is required to discharge conditions 17 and 18 on the outline consent. See the section on Trees and Hedges of this report for more explanation.
There are currently surface water drainage flows from the site into the existing ditch to the rear of Woodlark Road properties. There will be surface water entering the existing ditch to the rear of Woodlark Road properties from the BDW2 gardens and the Woodlark Road gardens.	See the Drainage section of this report. This is acceptable.
Anglian Water have responsibilities in respect of the site drainage and have not commented on the application. Anglian Water own the storm drain between numbers 27 and 29 Woodlark Road and the	Anglian Water have responded to the consultation that they have no comments to make. The LLFA supports the proposal. <b>Condition 17 – Detailed drainage construction drawing</b> is



Third Party Comment	Officer Response
proposals include a new access change to the outfall. What is the new access chamber to outfall and how does that affect flood risk?	recommended to secure construction details for the headwall. The LLFA has raised no concerns about this in terms of the impact on flood risk. This advice is accepted.
The existing ditch to the rear of Woodlark Road properties should be cleared out before housebuilding commences to prevent flooding to Grosvenor Court and adjacent properties and retained clear of debris and with a suitable width during construction.	See paragraphs 19.6 - 19.10. This is acceptable.
The drainage work and ditch, the secure maintenance path and the hedge must be maintained at specified intervals by an identified responsible authority.	See paragraphs 19.6 - 19.10. This is acceptable.
Has consideration been given to surface water run-off into existing gardens along Huntingdon Road? It is incorrect that existing surface water run-off is from Huntingdon Road gardens into the site. Evidence of flooding in January – April 2018 has been provided to the Council and flooding also occurred in Christmas 2020 – February 2021.	The LLFA has raised no objection to the information provided by the applicant based on site levels demonstrating run off from the site. The proposed development has been designed to direct all run-off from the site to the strategic drainage network and not to existing properties.
There are no proposals for the existing pavilion and the future of this building is unpredictable. The existing pavilion building should be maintained in a good state of repair.	The pavilion does not form part of this application and is being brought forward separately. This is not material to the current application.

## 23.0 Planning Balance

- 23.1 The assessment of this application is limited to the reserved matters relating to layout, landscaping, appearance and scale. These are assessed in the context of the outline consent and the relevant development plan policies where applicable. The assessment in this report has concluded that the reserved matters proposals are generally compliant with the outline consent, as amended by the recent non-material amendment to the building heights parameter plan. The proposals have evolved the site layout from the Design Code, however these conform to the established principles and are supported by officers. This is a good quality scheme which will deliver important public open space including Pavilion Green and the allotments.

- 23.2 While the Council's policies around accessible homes and low carbon technologies cannot be applied to the reserved matters, the applicant has committed to achieving other benefits that exceed the requirements of the outline consent, which is welcomed by officers. This includes provision of active electric vehicle (EV) charging points and passive provision of infrastructures to support future provision; future-proofing infrastructure to facilitate the upgrade to efficient electric heating systems; and a commitment for over one third of homes to be built to the forthcoming Part L Building Regulations 2021 achieving a greater carbon reduction than the current standards. These would be secured via conditions and therefore weight can be given to these benefits in the planning balance. These benefits are strongly supported.
- 23.3 The proposal has fully addressed to the satisfaction of officers the four reasons for refusal of the previous application 19/1056/REM, namely 1) all dwellings now meet or exceed the Nationally Described Space Standards (NDSS) and the smallest gardens have been enlarged to provide an acceptable level of amenity; 2) the public open space exceeds the requirements of the outline consent, play areas have been provided in accordance with the outline requirements and the cycle parking strategy shows all dwellings would have appropriate cycle parking arrangements; 3) the distance between the nearest plot and Grosvenor Court has been increased and amendments to the road alignment has increased the distance of properties from Hoadley Road; and 4) clustering of affordable homes now complies with adopted guidance.
- 23.4 Third party comments have been addressed throughout this report. The applicant has responded to concerns raised on the previous application. In addition to the improvements on the impact on residential amenity, the applicant has also addressed concerns about the impact on the ditch to the rear of Woodlark Road properties by committing to clear the ditch prior to commencement of development and to install a bund to prevent flows during construction. The recommendation includes conditions to secure this. Technical officers have raised no objection to the drainage proposals and their advice is accepted and supported.
- 23.5 For these reasons, the proposals are supported by officers, and the recommendation is to approve the application subject to conditions, as per section 24 below. The recommendation includes the respective approval or refusal of details submitted to part discharge outline planning conditions as listed below. Any conditions that are not recommended to be discharged will need to be resubmitted by the applicant in line with the triggers applied to each specific condition or as otherwise agreed.
- 23.6 Issues relating to compliance with the approved Phasing Plan and obligations within the Section 106 Agreement will be resolved separate to the reserved matters application.

## **24.0 Recommendation**

24.1 **Approve planning permission of reserved matters application reference 21/04431/REM, subject to:**

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

24.2 **Approve / refuse partial discharge of the following outline planning conditions** (planning application reference 07/0003/OUT) in relation to the BDW2 parcel reserved matters **according to the recommendations for each condition set out in the table below:**

Conditions submitted	Recommendation
Condition 8 Design Code Compliance	Part discharge
Condition 10 Youth Facility and Children's Play Provision	Not approved
Condition 14 Soft and Hard Landscaping	Part discharge
Condition 17 Tree and Hedges Protection	Not approved
Condition 18 Tree Protection	Not approved
Condition 22 Allotment Strategy	Not approved
Condition 25 Affordable Housing	Part discharge
Condition 26 Accessible Dwellings	Part discharge
Condition 28 Renewable Energy	Part discharge
Condition 35 Detailed Surface Water Strategy	Part discharge
Condition 40 Ecological Conservation Management Plan Statement	Part discharge
Condition 49 Secure Parking of Bicycles	Not approved
Condition 52 Construction Management Plan	Part discharge
Condition 58 Noise Assessment for future residents	Part discharge
Condition 62 Domestic and Trade Waste	Not approved
Condition 63 Construction Waste Management	Part discharge
Condition 66 Lighting	Not approved

Condition 69 Public Art	Not approved
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## **25.0 Planning Conditions**

### **1. Plans Compliance**

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

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

### **Highways**

#### **2. Non-adopted roads**

Non-adopted roads shall be constructed and maintained in accordance with the Housing Estate Road Construction Specification 2018 produced by Cambridgeshire County Council (or its successor document at the time of construction), or in accordance with alternative details that have been submitted to and approved in writing by the local planning authority prior to the commencement of construction of the road to which those details relate.

Reason: To ensure non adopted roads are constructed and maintained to a standard suitable for refuse and maintenance vehicles in the interests of maintaining visual amenity and safety (Cambridge Local Plan 2018 policies 56, 59, 80, 81).

#### **3. Pedestrian visibility splays**

Two pedestrian visibility splays of 2m x 2m shall be provided each side of all motor vehicular accesses where they enter onto the adopted public highway. The splays shall be measured from and along the boundary of the adopted public highway and shall be within the curtilage of property served by the access. The splays shall be free from obstruction exceeding 0.6m above the level of the adopted public highway at all times and shall be maintained for the lifetime of the development.

Reason: In the interests of highway safety (Cambridge Local Plan 2018 policies 56, 59, 80, 81).

#### **4. Inter-visibility splays**

Motor vehicle accesses serving more than one dwelling onto the adopted public highway shall be provided with inter-vehicle visibility splays of 2.4m x 25m on each side of the access measured along the edge of the carriageway or shared surface. The splays shall be free from obstruction exceeding 0.6m above the level of the adopted public highway at all times and shall be maintained as such for the lifetime of the development.

Reason: In the interests of highway safety (Cambridge Local Plan 2018 policies 56, 59, 80, 81).

## **5. Driveway levels**

All driveways, parking spaces, pedestrian and cycle accesses and other hard paved exterior elements shall be constructed so that their falls and levels are such that no private water drains across or onto the adopted public highway, and shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Reason: For the safe and effective operation of the highway (Cambridge Local Plan 2018 policies 56, 59, 80, 81).

## **Landscape**

### **6. Landscape Management and Maintenance Plan**

The development hereby permitted shall be managed and maintained in accordance with the approved Detailed Open Space Landscape Management & Maintenance Plan version 5 updated 18.02.2022. For the avoidance of doubt, this shall include the management and maintenance of the ditch to the rear of the properties on Woodlark Road.

Reason: In the interests of the amenity of residents (Cambridge Local Plan 2018 policies 55 and 59).

### **7. Tree Protection Methodology implementation**

The tree protection methodology approved via the discharge of condition 17 and 18 on the outline consent 07/0003/OUT (insofar as it relates to this reserved matters consent) shall be implemented (including supervision as required) throughout the construction of the development hereby permitted until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with approved tree protection plans, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority via the discharge of condition 20 on the outline consent 07/0003/OUT.

Reason: To ensure that trees to be retained will not be damaged during any construction activity, in the interests of arboricultural amenity (Cambridge Local Plan 2018 policies 55, 59, 71).

### **8. Tree Replacement**

If any tree shown to be retained on the tree protection methodology approved via the discharge of condition 17 and 18 on the outline consent 07/0003/OUT (insofar as it relates to this reserved matters consent) is removed, uprooted, destroyed or dies within five years of project completion, another tree shall be

planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason: To ensure that remaining arboricultural amenity will be preserved (Cambridge Local Plan 2018 policies 55, 59, 71).

## **9. Perimeter Boundary Fencing**

Notwithstanding the approved plans, all boundary treatments erected adjacent to an existing hedge or ditch shall be a post-and-rail fence of 1.2 metres in height and shall be retained as such thereafter. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no alternative fences, gates, walls or other means of enclosure shall be erected without the granting of specific planning permission.

Reason: To ensure an appropriate boundary treatment is implemented to allow surveillance and or maintenance of the land beyond. (Cambridge Local Plan 2018 policies 55, 59)

## **Sustainability**

### **10. Electric Vehicle Infrastructure**

Prior to commencement of installation of electrical services, a scheme for the provision of dedicated electric vehicle charge points shall be submitted to and approved in writing by the local planning authority. The scheme shall include relevant plan(s) and specifications for electric vehicle charge points, appropriate ducting and associated infrastructure. The scheme shall provide:

- i. The provision of at least one active electric vehicle charge point for each dwelling with on-plot parking, which shall be designed and installed on-plot with a minimum power rating output of 7 kilowatts.
- ii. The provision of active electric vehicle charge points to least 50 per cent of car parking spaces within each area of communal/courtyard and on street parking spaces to private roads provision, which shall be designed and installed with a minimum power rating output of 7 kilowatts.
- iii. Additional passive electric vehicle charge provision of cabling to parking spaces for all remaining communal/courtyard car parking spaces and on street parking spaces to private roads to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required.
- iv. The scheme shall enable capacity in the connection to the local electricity distribution network and electricity distribution board, as well as the provision of cabling to parking spaces.

- v. The electric vehicle charge points shall be designed and installed in accordance with BS EN 61851 or any superseding standard or Building Regulations.

The electric vehicle charge point scheme, as approved, shall be installed and functioning prior to the occupation of the dwelling to which they relate and maintained and retained thereafter.

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

## **11. Carbon Reduction Strategy**

The carbon reduction strategy shall be carried out in accordance with the approved Energy Report (Environmental Economics 29/06/2021) and submission of details to discharge condition 29 on the outline consent 07/0003/OUT (insofar as it relates to this reserved matters) shall be as follows, or in accordance with alternative details that have been submitted to and approved in writing by the local planning authority:

- i. No more than 201 dwellings hereby approved shall be constructed to the Part L Building Regulations 2013 standard and assessed against Code for Sustainable Buildings Level 4. Certificates shall be submitted in accordance with condition 29 on the outline consent 07/0003/OUT;
- ii. No less than 122 dwellings hereby permitted shall be constructed to the forthcoming Part L Building Regulations 2021 standard or the Future Homes Standard. Post-construction assessments demonstrating compliance with the relevant standard shall be submitted to and approved in writing by the local planning authority prior to occupation of the dwelling to which the assessment relates.

Reason: In the interests of reducing carbon dioxide emissions and futureproofing the development for net zero carbon and ensuring that new buildings are constructed in a sustainable manner (Cambridge Local Plan 2018 policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

## **12. Futureproofing for low temperature heating**

The development hereby permitted shall be constructed to facilitate the upgrade of heating systems to efficient electric heating (such as heat pumps), including the following measures which shall be provided to all dwellings prior to each occupation:

- i. All radiators shall be sized and fitted to be capable of running at a maximum of 45 degrees Celsius flow temperature when switched to a heat pump system.



- ii. An appropriate space shall be identified for an external air source heat pump unit that is acceptable within permitted development requirements for noise, proximity to boundaries and physical size.
- iii. The primary pipework shall be provided between the external unit and the primary heating installations (heating pump and hot water tank) to enable the use of the heat pump system with minimum disruption upon gas boiler removal.
- iv. The hot water tank shall be heat pump ready and sized to enable incorporation of any additional requirements to the heat exchanger area and storage volume.

Reason: In the interests of reducing carbon dioxide emissions and futureproofing the development for net zero carbon and ensuring that new buildings are constructed in a sustainable manner and are easily adaptable (Cambridge Local Plan 2018, Policy 28 and policy 57 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

## **Urban design**

### **13. Design details and materials**

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; external features such as entrance doors, entrance screens, porch and canopies, cladding systems, horizontal sliding gates, windows, roof cladding, soffits, external metal work, balustrades, rainwater goods, and coping details. The details shall consist of a materials schedule, detailed elevations and sections (scaled 1:5, 1:10, 1:20) and/or 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, 56 and 57).

### **14. Sample panel**

No brickwork above ground level shall be laid until a sample panel at least 1.5 metres wide and 1.5 metres high has been constructed on site detailing the choice of cladding, brick, bond, coursing, special brick patterning (with the exception of the insert brick detail on the eastern elevations at first and second levels of plots 012 and 013), mortar mix, design and pointing technique and the details submitted to the local planning authority in an accompanying report, and until the sample panel and report have been approved in writing by the local

planning authority. The development shall be carried out in accordance with the approved details. The approved sample panel shall be retained on site for the duration of the works for comparative purposes.

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, 56 and 57).

#### **15. Brickwork detailing plots 012 and 013**

No brickwork on plots 012 and 013 shall be laid above ground floor level until a sample panel of the insert brick detail on the eastern elevations at first and second levels as shown on the approved plans has been erected on the site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. The sample panel shall be maintained on site for the duration of construction of plots 012 and 013 for comparative purposes.

Reason: To provide an appropriate detail to the rear elevation, in the interests of visual amenity and good design (Cambridge Local Plan 2018 policies 55, 56 and 57).

#### **16. Window details plots 031 and 032**

Notwithstanding the approved plans, no development above ground level shall take place on plots 031 and 032 until details of the first floor windows on the front and side elevations have been submitted to and approved in writing by the local planning authority. The details shall include elevations showing the position of the windows, and detailed drawings at a scale of no larger than 1:50 showing the design of the windows and the means of restricting views towards plots 033 and 034. The development shall be carried out in accordance with the approved details and retained as such thereafter.

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

### **Drainage**

#### **17. Detailed drainage construction drawing**

Prior to commencement of the development hereby approved, detailed construction drawings and cross sections for all sustainable drainage features in accordance with the approved Drainage Strategy Report and accompanying drawings shall be submitted to and approved in writing by the Local Planning authority. The details shall include catch pit chambers, pipe connections, attenuation crate structures, permeable paving, rain gardens/biorientation features, and other features as appropriate. The development shall be carried out in accordance with the approved details.

Reason: Reason: To ensure there is no risk of infiltration as a result of known high groundwater levels and that the risk of pollution to the wider catchment is reduced (Cambridge Local Plan 2018 policies 31 and 32).

## **18. Ditch maintenance**

Prior to commencement of the development hereby approved, the ditch to the rear of properties along Woodlark Road shall be cleared of debris and vegetation and repaired in accordance with the details specified in drawing 'B18290-SK285 P0 Ditch Detailed Sections', so as to remove any obstacles preventing free flow of water along the ditch. The ditch shall thereafter be maintained in accordance with details as specified in the approved 'Detailed Open Space Landscape Management and Maintenance Plan July 2019 version 5 – updated 18.02.2022'. and Management Report. The maintenance path and two points of access shall be provided in accordance with the approved plans and shall be retained safely and securely thereafter to prevent unauthorised access.

Reason: In the interests of good maintenance and to prevent overflow from the ditch causing flooding, and in the interests of safety and security (Cambridge Local Plan 2018 policies 31 and 32).

## **19. Bund construction detail**

Prior to commencement of the development hereby permitted, details of the bund to be erected to prevent flows from the construction entering the ditch to the rear of properties along Woodlark Road as specified in the approved 'Construction Method Statement February 2022 – Revision A' shall be submitted to and approved in writing by the local planning authority. These details shall include a plan showing the position, length and width of the bund, sections showing its height and profile, and details of the materials to be used. The bund shall be completed in accordance with the approved details prior to the commencement of development and shall be retained in accordance with the approved Construction Method Statement.

Reason: In the interests of good maintenance and to prevent overflow from the ditch causing flooding, and in the interests of safety and security (Cambridge Local Plan 2018 policies 31 and 32).

## **Residential amenity**

### **20. Removal of permitted development rights (windows)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no windows, doors or openings of any kind (other than those expressly authorised by this permission) shall be constructed in the elevations of the dwelling houses(s) on plots 012, 013, 029 – 040, 067 – 069, 070, 071, 072, 167, 168, 184, 243 – 249, 250 – 254, 261, 306, 307, 309 – 313, 318 above ground floor level without the granting of specific planning permission, unless i) all glazing is obscured meeting as a minimum Pilkington Standard level

3 or equivalent in obscurity, and ii) the openings are fixed shut or have restrictors to ensure that the openings cannot be opened more than 45 degrees beyond the plane of the adjacent wall.

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

## **21. Removal of Class A permitted development rights (extensions)**

Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no enlargement, improvement or other alteration of the dwelling house(s) shall be constructed on plots 070, 071, 072, 129, 130, 131, 132, 162 without the granting of specific planning permission.

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

## **22. Removal of Class B and C permitted development rights (alterations to roof)**

Notwithstanding the provisions of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no addition or alteration (including for the avoidance of doubt the insertion of roof lights or other openings in the roof slope) to the roof of the dwelling house(s) shall be constructed on plots 012, 013, 029 – 040, 067 – 069, 070 - 084, 124 – 135, 162, 167 – 197, 243 – 254, 261, 306, 307, 309 – 313, 318 without the granting of specific planning permission.

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

## **23. Opaque and fixed windows for all bathroom and ensuites**

Notwithstanding the approved drawings, no dwelling hereby permitted shall be occupied until all windows above ground floor level serving bathrooms and ensuites have been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity) and have been fixed shut or have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The windows shall be retained as such thereafter.

Reason: To prevent overlooking of the adjoining properties (Cambridge Local Plan 2018 policies 55, 56 and 57).

## **24. Curtilages**

No dwelling hereby permitted shall be occupied until the curtilage of that dwelling has been fully laid out and finished in accordance with the approved plans. The curtilage shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 55 and 56).

## **Informatives**

### **1. Discharge of conditions**

This decision includes the part-discharge of the following conditions on the outline consent 07/0003/OUT in relation to this reserved matters:

<b>Condition</b>	<b>Decision</b>
Condition 8 Design Code Compliance	Part discharged
Condition 10 Youth Facility and Children's Play Provision	Not approved
Condition 14 Soft and Hard Landscaping	Part discharged
Condition 17 Tree and Hedges Protection	Not approved
Condition 18 Tree Protection	Not approved
Condition 22 Allotment Strategy	Not approved
Condition 25 Affordable Housing	Part discharged
Condition 26 Accessible Dwellings	Part discharged
Condition 28 Renewable Energy	Part discharged
Condition 35 Detailed Surface Water Strategy	Part discharged
Condition 40 Ecological Conservation Management Plan Statement	Part discharged
Condition 49 Secure Parking of Bicycles	Not approved
Condition 52 Construction Management Plan	Part discharged
Condition 58 Noise Assessment for future residents	Part discharged
Condition 62 Domestic and Trade Waste	Not approved
Condition 63 Construction Waste Management	Part discharged
Condition 66 Lighting	Not approved
Condition 69 Public Art	Not approved

## **2. Remaining outline conditions**

The developer's attention is drawn to the conditions attached to outline application 07/0003/OUT that require the submission and approval of details, in particular those that require the approval of details before the development can commence. This includes conditions listed in informative 1 for which details have not been approved through this consent. It is the applicant's responsibility to ensure all conditions have been discharged.

## **3. Cambridgeshire Constabulary comments**

The applicant should review the detailed comments on the application file from the Cambridgeshire Constabulary in relation to crime prevention when preparing information to submit for the approval of details under conditions on the outline consent 07/0003/OUT, including condition 22 (allotment strategy), condition 49 (cycle parking) and condition 66 (lighting).

## **4. Section 38 Applications**

The applicant is advised that this decision notice does not give permission for the detailed road layout (such as drains, lighting and supporting structures), nor does it imply that the Cambridgeshire County Council as Highway Authority will adopt the new roads that are proposed as part of this development. A separate application will need to be made to the County Council under Section 38 of the Highways Act 1980 (as amended).

## **5. Ordinary Watercourse Consent**

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dike, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance:

<https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/watercourse-management/>. Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

## **6. Pollution Control**

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

**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.

- Application File 07/0003/OUT
- Application File S/0001/F
- Application File 19/1056/REM
- Application File 07/0003/NMA1