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| <b>Planning Committee Date</b>      | 6 <sup>th</sup> July 2022  |
| <b>Report to</b>                    | Cambridge City Council Planning Committee  |
| <b>Lead Officer</b>                 | Joint Director of Planning and Economic Development  |
| <b>Reference</b>                    | 21/01065/FUL   |
| <b>Site</b>                         | Land Adjacent to Sandy Lane<br>Cambridge<br>Cambridgeshire   |
| <b>Ward / Parish</b>                | West Chesterton  |
| <b>Proposal</b>                     | Construction of 26 new private homes   |
| <b>Applicant</b>                    | Sandy Lane 2021 Limited  |
| <b>Presenting Officer</b>           | Alice Young  |
| <b>Reason Reported to Committee</b> | Third party representations  |
| <b>Member Site Visit Date</b>       | N/A  |
| <b>Key Issues</b>                   | <ol style="list-style-type: none"><li>1. Affordable housing and housing mix</li><li>2. Public realm, open space and landscaping</li><li>3. Amenity for future occupiers</li><li>4. Car and cycle parking</li><li>5. Extant consent</li></ol> |
| <b>Recommendation</b>               | Members endorse officer position of minded to <b>REFUSE</b> in light of non-determination appeal   |

## **1.0 Executive Summary**

- 1.1 The application seeks planning permission for 26 dwellings with a mix of four 4-bed and twenty two 5-bed and an offer of 9 affordable housing units delivered on a site adjacent. The application has recently been appealed against non-determination and can no longer be determined by the local planning authority. Thus, this report from officers seeks members' endorsement of a minded-to position of refusal. Subject to members' endorsement, officers would then seek to submit a Statement of Case to the Planning Inspectorate recommending the application be dismissed on the grounds specified.
- 1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. The site has three extant consents – by virtue of implementation of an access road - which form a patchwork of 24 dwellings (C/03/0406 C/03/1241 and 06/0544/FUL). This is a material planning consideration.
- 1.3 In assessing how much weight to give these extant consents, officers have considered whether there is a realistic prospect of the extant consents being fully implemented. The prospect does not have to be probable or likely to be given weight, it can be just more than theoretical. The correct test to be applied in considering a fallback argument is whether there is a possibility that if planning permission was refused, use of the land, or a development which had been permitted, would take place, and whether such use or development would be less desirable than for which planning permission is sought.
- 1.4 Officers originally considered that there was only a theoretical prospect of the extant permissions (C/03/0406, C/03/1241 and 06/0544/FUL) being fully implemented as officers were uncertain whether the scheme was viable and given the substantial length of time since works started on site. However, the Council has commissioned a third-party Viability Assessment which demonstrates that both the extant and proposed schemes are financially viable. Officers consider that this has tilted the balance for the prospect of implementing the extant schemes to now be considered more than theoretical, despite the length of time since works commenced on site. Therefore, the extant consents are given moderate weight.
- 1.5 When assessed against the development plan, the proposed development conflicts with various local plan policies and aims because of the under delivery of affordable housing, lack of an adequate housing mix, poor outlook and light levels internally at lower ground floor, lack of adequate external amenity space, failure to provide a housing scheme which would create an inclusive and accessible environment and which has demonstrated it would be M4(2) compliant, over provision of car parking

and inconvenient and unsafe cycle parking. These individual conflicts with the development plan are given moderate weight.

- 1.6 As moderate weight was given to the extant consents, the merits and harm arising from the proposed scheme compared to the extant consents were considered. There are limited merits to the proposed scheme compared with the extant schemes and the proposed scheme creates additional harm over and above the extant scheme (such as the overprovision of car parking).
- 1.7 Notwithstanding the moderate weight attributed to the extant consents alongside the merits arising from the proposed scheme compared with the extant consents, the significance of the harm identified needs consideration. The proposal conflicts with the development plan on the following issues; affordable housing provision, amenity for future occupiers, including accessibility and external space, parking provision and modal shift to sustainable and active travel modes and lastly the poor public realm and open space provision. It is also a fact that adopted policy has changed significantly since the extant proposals were permitted which increases the weight attached to the policy conflict. In this time period, there has been two successive local plans and various supplementary planning documents adopted alongside significant changes in national policy. Advances have been made in policy to create more sustainable, inclusive, responsive and less car focused developments which respond to climate change and the changing needs of the population. Moreover, the extant consents cover approximately 2/3<sup>rd</sup>s of the site.
- 1.8 In weighing the substantial harm with the development plan, supplementary planning documents and national policy, against the extant consents and the merits of the scheme compared to the extant consents, officers conclude that the harm outweighs the benefits in this instance.
- 1.9 Therefore, officers recommend that the Planning Committee endorse a minded to **Refuse** position and that the local planning authority ask the Planning Inspectorate to dismiss the appeal for the reasons as set out in this report.

## 2.0 Site Description and Context

|   |   |                         |   |
|---|---|-------------------------|---|
| None-relevant   |   | Tree Preservation Order | x |
| Conservation Area<br><br>(site borders the conservation area to the south and west) | x | Local Nature Reserve    |   |
| Listed Building   |   | Flood Zone 1, 2, 3      |   |

|   |  |                         |   |
|---|--|-------------------------|---|
| Building of Local Interest              |  | Green Belt              |   |
| Historic Park and Garden                |  | Protected Open Space    |   |
| Scheduled Ancient Monument              |  | Controlled Parking Zone | x |
| Local Neighbourhood and District Centre |  | Article 4 Direction     |   |

2.1 The application site, 'land adjacent to Sandy Lane', is an area of now vacant land accessed via Sandy Lane to the west from De Freville Avenue and to the east from Elizabeth Way. The site itself is an unconventional angular shape skirting the rear of residential curtilages of De Freville Avenue to the west, Montague Road to the south and Elizabeth Way to the east. While the site has been vacant for many years, the site was formerly occupied by a collection of garage and workshop buildings as part of a builder's yard. Prior to this industrial use, the site was garden land associated with Elizabeth Way properties. The De Freville Conservation Area boundary skirts the application site following the rear boundary of residential properties to the west and south. The site therefore does not fall within the Conservation Area but does form its setting. The trees located in the western corner of the site are protected via individual tree preservation orders, a grouped tree preservation order and by benefit of being located in the Conservation Area. The site also falls within Controlled Parking Zone F. Parts of the site fall within areas which have an intermediate or less risk of flooding, however, areas of intermediate risk are minimal and contained to the east and south.

2.2 The site is predominately surrounded by residential properties. Bordering the site to the west and south are De Freville Avenue and Montague Road properties, two to two and a half storey semi-detached Victorian townhouses with long rear gardens which back onto the site. These all fall within the De Freville Conservation Area. To the east of the site are residential properties fronting Elizabeth Way which are typically two storey hipped roof detached dwellings. To the north of Sandy Lane are the rear gardens of Chesterton Road plots. These plots are predominately residential although there are also two guest houses (C2 use). Fronting Sandy Lane are several mews style annexes and dwellings alongside incidental garages. The site directly north of the application site between Acorn Guest House and 33 Sandy Lane is currently under construction for the erection of 46 serviced apartments.

### 3.0 The Proposal

3.1 The proposal seeks planning permission for the construction of 26 dwellings with a mix of 4 x 4-bed and 22 x 5-bed properties. The proposed townhouse dwellings, inspired by the Victorian townhouses to the west and south, would be laid out in short terraces orientated surrounding landscaped areas, with two dwellings fronting Sandy Lane adjacent to the far western boundary. The dwellings would be accessed from Sandy Lane which is approximately 5m in width accessible by De Freville Avenue to

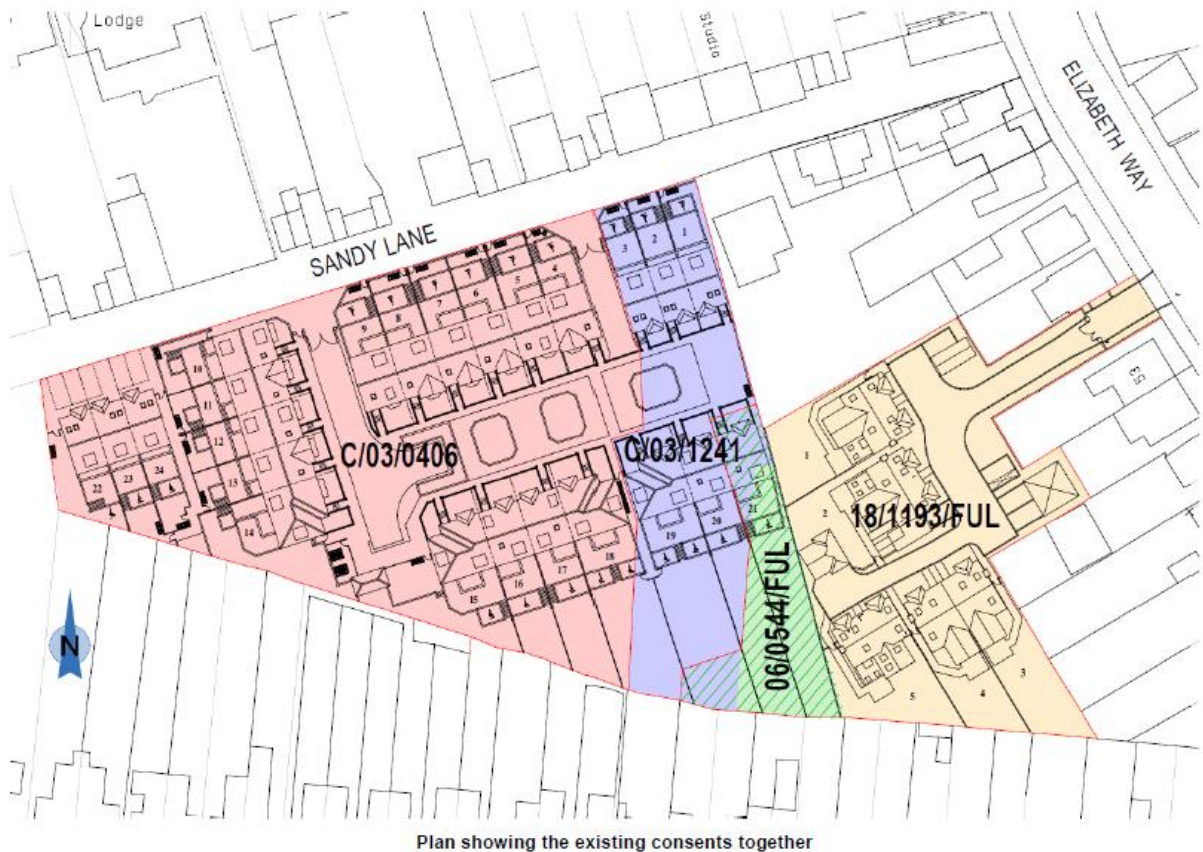
the west or Elizabeth Way to the east. Car and cycle parking would be provided at basement level accessed via a ramp within the site leading from Sandy Lane. Refuse collection would be located between plot 1 and 24 adjacent to the northern boundary with another refuse store sited south of plot 6.

- 3.2 The applicant also owns a site adjacent to the application site, 51-55 Elizabeth Way which was granted an outline consent for 9 x 1-bed apartments under 19/0819/OUT on the 11th of October 2019. The applicant proposes the Elizabeth Way site (19/0819/OUT) would form the affordable housing contribution for the appeal development (21/01065/FUL). A reserved matters application has been submitted under application reference 22/03584/REM for the remaining reserved matters of appearance and landscaping. This application was validated on 5<sup>th</sup> August 2022.

#### 4.0 Relevant Site History

| Reference   | Description  | Outcome        |
|-------------|--|----------------|
| 18/1193/FUL | Construction of five dwellings on land behind 43-59 Elizabeth Way following demolition of no. 57 Elizabeth Way | Permitted      |
| 06/0544/FUL | Erection of one 5-bedroom house.   | Permitted      |
| C/03/1241   | Erection of five dwelling houses following demolition of existing industrial buildings.                        | Permitted      |
| C/03/0859   | Demolition of existing workshops and erection of 22No. dwellings.  | Withdrawn      |
| C/03/0406   | Erection of 18No. 4 and 5 bedroom dwellings following demolition of existing workshops.                        | Appeal Allowed |

- 4.1 The proposal is similar to a patchwork of extant consents. This is illustrated by the figure below (extract from the submitted Planning Design and Access Statement):



- 4.2 The 2003-2006 consents (mentioned in paragraph 4.0 above) have all been partially implemented. In the Decision notice for the appealed application C/03/0406 the Inspector imposed a Grampian condition which secured the resurfacing, lighting and other improvements to Sandy Lane (condition 2). These works have been carried out which therefore means the development has been partially implemented and can go on to be fully implemented. This condition was subsequently imposed in both planning consents for C/03/1241 (condition 10) and 06/0544/FUL (condition 5). Therefore, any of these consents can be fully implemented.
- 4.3 Application 18/1193/FUL was approved on 4 Feb 2019 and no evidence of works commencing on site have been submitted with the application. No. 57 Elizabeth Way has not been demolished. The three pre-commencement conditions have been discharged. However, condition 7 which requires submission of a material management plan prior to the importation or reuse of material has not been discharged yet. Several other conditions which require submission of information for works above ground level have also not yet been discharged. Within the Housing Trajectory the agent states drainage works have been implemented causing a material start to the works. No evidence has been submitted to demonstrate this is the case. It is therefore unclear whether works have been carried out to trigger the implementation of this consent.

- 4.4 A copy of the Inspector's Decision letter in relation to the C/03/0406 appeal and the Decision notices for C/03/1241, 06/0544/FUL and 18/1193/FUL are attached at Appendix A. Also attached is the Decision notice for 19/0819/OUT (proposed under this application under 21/01065/FUL) plus the approved plans.

## **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)

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

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

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 5: Sustainable transport and infrastructure

Policy 8: Setting of the city

Policy 9: Review of the Local Plan

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 45: Affordable housing and dwelling mix

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 55: Responding to context  
Policy 56: Creating successful places  
Policy 57: Designing new buildings  
Policy 59: Designing landscape and the public realm  
Policy 61: Conservation and enhancement of historic environment  
Policy 70: Protection of priority species and habitats  
Policy 71: Trees  
Policy 80: Supporting sustainable access to development  
Policy 81: Mitigating the transport impact of development  
Policy 82: Parking management  
Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

### **5.3 Neighbourhood Plan**

N/A

### **5.4 Supplementary Planning Documents**

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

Draft Planning Obligations Strategy SPD 2014  
Draft Affordable Housing SPD 2014

### **5.5 Other Guidance**

The Greater Cambridge Housing Strategy 2019-2023  
De Freville Conservation Area

### **6.0 Consultations**

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

6.2 The proposed development will be gated and internal roads will not be adopted by the Highway Authority. The Highway Authority will not seek the adoption of Sandy Lane as it will serve no highway function.

#### **6.3 Recommended conditions:**

- Future management and maintenance plan for streets
- Traffic management plan
- Restricted access for larger construction vehicles
- Residents' parking informative



**6.4 Lead Local Flood Authority - Objection resolved, no objections.**

6.5 1<sup>st</sup> Comment: Objection. The applicant proposes to discharge surface water to a 300mm diameter sewer in Sandy Lane. An agreement in principle should be submitted with the application to demonstrate that this is a viable point of discharge from the site. Until permission to discharge to this sewer has been submitted, we are unable to support this application.

6.6 2<sup>nd</sup> Comment: Objection resolved following submission of a technical note (Response to LLFA Comments, MTC Engineering (Cambridge) Ltd, Ref: SEC/2589, Dated: 25 May 2021). The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving over the access and pedestrian areas, with surface water being attenuated within cellular storage, before discharge from the site to an Anglian Water surface water sewer at a rate of 1.5 l/s. Surface water which may end up in the basement area and from the sunken terraces will be pumped up to the subbase of the permeable paving for attenuation before discharge from the site. The roofed area of the basement will be planted with 200mm deep storage below the surface to provide suitable attenuation. Infiltration is possible in parts of the site, however due to the constraints from the proximity to buildings and use of basement parking, this is limited to a number of dwellings.

6.7 Recommended conditions:

- Surface water drainage scheme
- Surface water management during construction
- Pollution control informative

**6.8 Environment Agency – No objection.**

6.9 The site is underlain by a superficial secondary aquifer over bedrock unproductive strata. The site is not located within a groundwater source protection zone (SPZ) meaning that it does not lie within the catchment of a protected groundwater abstraction used for water supply. The current and former land uses (including as a builder's yard) are potentially contaminative and could present potential contaminant linkages to controlled waters. However, on the basis of the information provided, the site is not considered to present a high polluting potential. We concur with the MLM recommendation that investigation be undertaken in the eastern area of the site and note that our review of historical mapping presented in the Tier 1 report indicates that former uses in the south-eastern area may have included yard related activities.

6.10 Based on the information provided, we do not consider this proposal to be high priority and advise that you consult with your Environmental Health/Environmental Protection Department for advice on generic aspects of land contamination management.

**6.11 Anglian Water – No objection.**

6.12 There are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. Foul drainage is within the catchment of Cambridge Water Recycling Centre which does not have capacity, but Anglian Water are obligated to accept flows. The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Anglian Water has reviewed the submitted documents (Flood Risk Assessment and Drainage Strategy) and can confirm that these are acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted

6.13 Suggested conditions and informatives:

- Flood Risk Assessment and Drainage Strategy compliance condition
- Notification of connection informative
- Protection of existing assets informative
- Building near a public sewer informative
- Sewer adoption agreement informative

**6.14 Urban Design – Unsupportive.**

6.15 1<sup>st</sup> Comment: objection.

6.16 *Response to context and character.* The proposal consists of a large number of three storey (above ground) terraced blocks which have a larger urban grain, scale, massing and built form which is at odds as compared to its immediate surroundings. This would fail to respond positively to the existing character and therefore contrary to policy 55 of Cambridge Local Plan (2018).

6.17 *Layout and public realm.* The two semi-public spaces are fragmented, linked with a bottleneck and are not well integrated, overlooked and do not have attractive frontages. Spaces fronting plots 1-6 are compromised.

6.18 *Sandy Lane frontage.* Sandy Lane has a mews type of character. Yet, is the main access and address of this development. The proposal does not demonstrate how it will positively enhance the townscape where the development adjoins streets and public spaces.

6.19 *Private amenity.* Plots 1-5 & 20-24 have very limited private amenity space given their size which is also uncharacteristic of the area. Overshadowing to plots 20-26. Additional information is required to demonstrate that these areas are not overshadowed.

6.20 *Scale, height and massing.* Bigger scale than that approved. No visual representation showing the development within its context. Officers consider there to be a negative impact on the character. Plots 7-12 & 13-16 are closer to each other and existing properties, which because of the

proposed height would impact upon these spaces. Additional information required.

- 6.21 *Car parking and cycle stores.* Number of car parking per house is higher than extant consents and is contrary to policy particularly given the sites sustainable location. Layout of car parking and cycling parking is inadequate as there is not enough space to manoeuvre. Pedestrians would have to move through cycle parking to get to the stairs.
- 6.22 *Elevations, materials and details.* Architectural approach is acceptable. High quality materials required.
- 6.23 *Solutions.* Consolidating open space, aligning blocks parallel to rear of Montague Road properties away from the boundary/ trees. Smaller scale buildings. Relandscape and remove surface level access.
- 6.24 2<sup>nd</sup> Comment (after submission of Urban Design Appraisal): Objection.
- 6.25 Comprehensive redevelopment of the site, consolidating the layout, however the proposal creates additional issues beyond the extant consents.
- 6.26 *Access, connectivity and impact on Sandy Lane.* Segregating the pedestrian and vehicle access has resulted in locating two points of access into the development next to each other, negatively impacting the frontage/character of Sandy Lane which has few properties fronting it. The new access arrangement also compromises the layout and quality of the open space provided on the site. In our view, the current scheme is weaker than the extant schemes in this regard, contrary to policy 56 of Cambridge Local Plan (2018), as it fails to successfully integrate routes and spaces between buildings, allowing vehicular traffic to dominate and does not enhance the townscape on Sandy Lane. It should also be noted that the extant schemes frontage to Sandy Lane is unsuccessful and in compliance with other elements of policy 56 if assessed today. Whilst the principle of segregating pedestrians and vehicles maybe useful, it could be achieved in a similar manner to the extant schemes proposal thereby reducing the impact on Sandy Lane and providing an opportunity to improve the overall layout and quality of open space.
- 6.27 *Character.* Reorientating plots 13-16 has created more uniform rear gardens but has resulted in two issues. 1) It has created a back-to-side arrangement, bring buildings closer to the rear of houses within the conservation area which is not reflective of the urban grain. This impact is accentuated by the three storey scale which is not reflective of the surrounding character. 2) Extant schemes are stepped down to 2.5 storeys closer to the southern boundary, is sited further away and has a back-to-back relationship, which is more respectful of the surrounding pattern of development and character and increases residential amenity for future occupiers. Therefore, it is considered that the current proposal does not represent an improvement to the extant schemes in the character

terms and will fail to respond positively to its context. This is contrary to policy 50, 55-57 & 60 of Cambridge Local Plan (2018).

- 6.28 *Communal green space.* A comprehensive approach to the development of the site has the potential to provide a communal open space that can be accessible to all residents which is not the case with the extant schemes. However, the extant schemes benefits from one central green space running east-west and this space is well integrated into the development and adequately overlooked by the surrounding houses. However, the proposed open space is fragmented and partially compromised due to the access arrangement. Two open spaces: the northern one is highly engineered, dominated by the service yard and hard surfacing, resulting in small pockets of leftover green areas, limiting their use/function, and having poor natural surveillance; the eastern open space is not well integrated due to the shape of the site and layout of dwellings creating a bottleneck and lacks legibility. the open spaces within the proposed scheme would fail to provide a comprehensive approach that successfully integrates buildings, routes and open spaces, lacking natural surveillance in instances, resulting in an unsatisfactory layout limiting its use/function. This is contrary to policy 56 of Cambridge Local Plan (2018).
- 6.29 *Daylight, sunlight and shadowing.* The mature trees along the southern boundaries which have grown since the extant schemes were permitted would likely restrict daylight and sunlight to plots 20-26 and overshadow rear gardens. Further information required to demonstrate no harm here.
- 6.30 *Car and cycle parking.* Ratio of car parking per dwelling has increased from the extant schemes and no justification has been given for this increase despite the sustainable location.
- 6.31 *Conclusion.* Although we accept that the comprehensive development of the site has the potential of delivering a better outcome than each site developed separately, the proposals in the way they have been executed have created additional issues in terms of negative impact on the character of the conservation area, the design of the communal green space and the impact on Sandy Lane. The proposals would fail to represent an improvement to the extant schemes as they create new unresolved issues and would be contrary to Policy 50, 55-57 & 60 of Cambridge Local Plan (2018)
- 6.32 Conservation Officer – Objection.**
- 6.33 The site lies adjacent to the De Freville Conservation Area. Any development on this currently open site will impact on the setting of the rear of these houses and it needs to be assessed as to whether this amounts to a harmful impact.
- 6.34 In 2003 permission was granted for 18 houses on the western section of the site. This was allowed at appeal and featured houses of a similar scale and design as is now proposed but the houses close to the

boundary with Montague Road had longer gardens which allowed space between the built form and the conservation boundary.

- 6.35 In 2018 permission was granted for 5 houses on the eastern part of the site behind Elizabeth Way. Again the style of houses was very similar however the proposal was not supported by the conservation team due to both the impact of these houses on the setting of the adjacent conservation area and the layout not taking cues from the surrounding traditional streets. In this application the houses closest to the boundary along the rear of Montague Road had larger gardens.
- 6.36 The current proposal brings development much closer to the rear gardens of Montague Road than previous iterations. This is especially apparent to the south east of the site where plots 12 and 13 are now gable on to the rear gardens and much closer than those approved under the 2018 application. In addition, the separation provided in the 2003 application between plots 17-19 has also been reduced.
- 6.37 Overall, the scale and massing of these large three storey houses is now too close to the conservation boundary and will have an overbearing impact on the setting of the rear gardens in Montague Road within the conservation area. The layout and form of the development still does not reflect the surrounding traditional grid development of the De Freville conservation area which sees houses separated by back-to-back gardens.
- 6.38 Taking the above into account I consider that these proposals would neither preserve or enhance the character of the adjacent conservation area and would not comply with Local Plan Policy 61. In terms of the NPPF the proposals would amount to moderate less than substantial harm to the setting of the De Freville conservation area and para 196 would apply

**6.39 Senior Sustainability Officer – No objection.**

- 6.40 Given that some of the dwellings have west facing orientation, I would recommend consideration be given to whether these may require the use of solar control glazing, to reduce the risk of overheating. The energy strategy utilises air source heat pumps to provide both heating and domestic hot water, combined with the use of underfloor heating and radiators. The external unit for the heat pumps will be located in the private gardens. This approach is supported, although it is considered important that the proposed location of the heat pump units is shown on the site and ground floor plan (drawing number SL/068/20/02/Rev.2). The proposed approach, alongside fabric improvements, is predicted to reduce regulated emissions by 22% compared to a building regulations compliant scheme. When the updated carbon intensity figures from SAP10 are used, this emissions reduction increases to 62%. This reduction, which represents a significant improvement on the requirements of policy 28 is supported.

6.41 Recommended conditions:

- Water efficiency
- Carbon reduction implementation

**6.42 Landscape Officer – Not supportive.**

6.43 1<sup>st</sup> Comment: Not supportive, insufficient information.

6.44 *Context and character.* The character of Sandy Lane has changed since the first of the applications was put forward and improvements could be made. The development should address the lane with some frontage gardens and ensure that it is overlooked to improve the overall mews character and safety for the residents.

6.45 *Private amenity.* Unclear if the proposed amenity spaces are compliant with policy 50; there should be adequate space for table and chairs for the respective bedspaces and children's play space for dwellings of this scale. These private amenity spaces could also be overshadowed, a daylight sunlight assessment is required.

6.46 *Car and cycle parking.* Cycle parking should be located on each plot at ground level. Cycling into a shared use, two-way ramp is risky, should be avoided and semi-public stands are less convenient and safe. Access to cycle parking is a maze and difficult to manoeuvre. Stacked car parking is difficult to use on your own. Access to space 45 is cramped if all other spots are used. No space is available to say, load a child into a car seat etc. Convenience and ease of use is necessary to ensure rogue parking does not clutter surrounding streets, particularly Sandy Lane.

6.47 *Waste management.* Bin stores very far away from each unit, not convenient. Should be contained within each plot. It is unclear how waste collection would be carried out as Sandy Lane is unadopted, collections may occur within the site.

6.48 *Open space and play.* Open space provision within the scheme is mostly limited to hard landscaped walkways and visual landscapes with little opportunity for interaction or play. There could be scope to include a LAP and some grassed areas for informal recreation within the scheme, perhaps in place of one or both tree groves, or within one of the parterre spaces. There is a general concern that the public realm is very sterile and gentrified without much opportunity for recreation or play.

6.49 *Landscape and planting.* Not entirely convinced of the tree grove areas without evidential sections which clarify the amount of root volume and stability trees can achieve atop the podium. Buxus for hedging is not preferred as it suffers from box blight. A more resilient and robust landscape hedging is needed.

6.50 2<sup>nd</sup> Comment (after submission of Urban Design Appraisal): Current scheme is not of the same quality as other Cambridge developments and it is only the presence of an extant consents that has led to a scheme which, while a small betterment, is not of the quality expected from schemes in Cambridge. The comments provided below do not prejudice the scheme but seek to produce minor changes which can be considered under condition.

6.51 Recommended conditions:

- Hard and soft landscaping
- Play provision
- Cycle parking

**6.52 Ecology – No objection.**

6.53 Given the scale of the site, I would request a Preliminary Ecological Appraisal including a BNG baseline assessment and proposed BNG plan.

**6.54 Housing Team – Objection.**

6.55 To be Local Plan compliant and to help meet the considerable need for affordable housing in Cambridge we would expect 40% affordable housing to be delivered on the Sandy Lane site. Our Greater Cambridge Housing Strategy 2019-2023 prioritises the delivery of affordable housing in Cambridge, highlighting the importance of providing homes which are affordable to people on all incomes. It also recognises the importance of delivering mixed, balanced and inclusive communities.

6.56 We have been in discussion previously with the applicant to consider options for providing 9 affordable units on the adjacent site at 51-55 Elizabeth Way. Whilst we are supportive of affordable housing being delivered at Elizabeth Way it is also important to secure affordable housing on the Sandy Lane site.

6.57 In line with our Housing Strategy our starting point would be to expect any affordable housing brought forward to be 75% housing for rent and 25% aimed at the 'intermediate' middle-income market. Affordable housing should be delivered in line with our Clustering and Distribution of Affordable Housing policy and Affordable Rent homes should comply with our Affordable Rents policy, both annexes to the Greater Cambridge Housing Strategy. The size mix would also need to be agreed with the council to meet local needs.

**6.58 Environmental Health – No objection.**

6.59 Contaminated land: Happy with methodology, results, conclusions and proposals for remediation and verification. Eastern area of the site has not been subject to intrusive investigation however, given the history (former

garden land), the contaminated land investigation can progress as proposed.

- 6.60 Air Quality: The development site is located within the existing Air Quality Management Area (AQMA). However, on review of the proposed plans, when operational, the development is unlikely to have a detrimental impact on local air quality in terms of vehicle trip generation and subsequent vehicle emissions.
- 6.61 Demolition / Construction Noise and Vibration and Dust: The construction activities have the potential to cause significant disturbance and loss of amenity at nearby / adjoining premises. Therefore, conditions are recommended to minimise such impacts.
- 6.62 Recommended conditions:
- Construction hours
  - Collection during construction
  - Construction/demolition noise/vibration & piling
  - Dust condition
  - Contaminated land implementation of remediation
  - Contaminated Land Submission of Validation/Verification Report
  - Contaminated Land: Unexpected Contamination
  - Contaminated Land: Material Management Plan
  - Plant/machinery/equipment (ASHPs)
  - Electric Vehicle Charge Point Condition – New Dwellings. Privately Allocated
  - Electric Vehicle Charge Point Condition – Unallocated spaces
  - Artificial Lighting
  - plant noise insulation informative
  - Demolition / Construction Noise and Vibration
  - Dust Informative
  - LOWNOXI - Low NOx Boilers Informative
- 6.63 Police Architectural Liaison Officer – No objection**
- 6.64 The site is an area of low risk to the vulnerability to crime at present. The layout is acceptable providing reasonable levels of natural surveillance. Vehicle parking is secure as are the residential gardens. Would be good to see:
- An External lighting plan including calculations and lux levels when available including the car park lighting. Home security lights should be LED dusk to dawn bulkheads.
  - Boundary treatments
  - External bin and cycle store security.
- 6.65 S106 Officer – No objections.**



- 6.66 Given the scale of the proposed development on this site, and in line with the funding formula set out in the councils Planning Obligations Strategy 2010, the Council should request:
- £45,168 (plus indexation) towards the provision of and / or improvement of the facilities and /or equipment at Browns Field Community Centre, Green End Road, Cambridge
  - £25,824 (plus indexation) towards the provision of and/or improvement of, and/or upgrading of equipment and/or access to, indoor sports facilities to include improvements and upgrading of the sports hall, gym and changing rooms at Chesterton Sports Centre, Gilbert Road
  - £22,848 (plus indexation) towards the provision of and / or improvements to sports pitch facilities (including artificial pitches for football and cricket) at North Cambridge Academy, Arbury Rd
  - £23,232 (plus indexation) towards the provision of and / or improvements to the informal open space facilities (including fit kit, benches and a communal meeting point) at Chesterton Recreation Ground
  - £30,336 (plus indexation) towards the provision of and / or improvements to the play area equipment and facilities at Chesterton Recreation Ground play area

**6.67 Cambridgeshire County Council Education, Library and Strategic Waste S106 – No objection.**

|                 | Contribution | Project                                   | Indexation date | Trigger  |
|-----------------|--------------|---|-----------------|--|
| Early Years     | £82,852      | To be determined                          | 1Q2020          | 50% prior to first occupation AND 50% prior to 50% occupation of development |
| Primary         |              |   |                 |  |
| Secondary       | £192,104     | Expansion to Chesterton Community College | 1Q2020          |  |
| Libraries       | N/A          |   |                 | 100% prior to occupation of 50% of the development                           |
| Strategic Waste | N/A          |   |                 |  |

**7.0 Third Party Representations**

7.1 25 representations have been received.

7.2 Those in objection (18) have raised the following issues:

- Character, appearance and scale
- Gated community
- Proximity of proposed development to existing buildings
- Affordable housing provision is too low – should be 40%
- Affordable housing is segregated from the development, highlighting social inequalities of the development
- Affordable housing is in the area with the highest pollution
- Air pollution exceeds WHO limits
- No provision for sustainable/ renewable energy provision
- Tree impact
- Impact on biodiversity
- Residential amenity impact
  - Loss of light
  - Overbearing / visual intrusiveness
  - Overlooking
  - Construction impacts
- Lack of parking
- Too much parking
- Traffic pressure
- Inadequacy of Sandy Lane
- Sandy Lane should be adopted

7.3 Those in support (1) have raised cited the following reasons:

- High quality development
- Locally sourced materials
- Supports off street parking
- Supports EV Charging

7.4 Those who submitted neutral comments (5) have raised cited the following issues which have not been previously raised:

- Size and proximity of dwellings compared with existing is out of character
- Landscaping proposed on land not in ownership of developer
- Sandy lane not adequate for access
- Design is poor
- Supports provision of affordable housing
- Supports amount of parking
- Supports construction access from Elizabeth way
- Sandy lane is inadequate for site access
- Industrial weedkiller used on site by developers
- Gardens are too small for families, where will children play?

- Affordable housing provision is too low
- Traffic pressure
- Sandy lane should be adopted
- Has environmental study been submitted?
- Could swift bricks be used instead to provide increase breeding sites for birds, due to loss of biodiversity on site.

## **8.0 Member Representations**

8.1 Not applicable

## **9.0 Local Groups / Petition**

9.1 N/A

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

## **10.0 Assessment**

### **10.1 Background**

10.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and NPPF paragraph 47 states that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, given there are three extant consents (C/03/0406, C/03/1241 and 06/0544/FUL) these need to be borne in mind when reaching a view as to the merits of the proposal as part of the determination process. In order to ascertain how much weight is given to the extant consents, Officers are required to assess whether (i) there is a realistic prospect of these consents being fully implemented and (ii) what the benefits and disbenefits between the extant and proposed developments might be. These factors will together determine how much weight should be given to the fallback position.

10.3 As introduced in paragraphs 4.1-4.2, the site has three extant consents for a total of 24 dwellings because the Sandy Lane improvement works conditioned as part of them have been carried out, resulting in the three consents being partially implemented. Each are live and any application is capable of being built out. A fourth consent 18/1193/FUL for Elizabeth Way was permitted for the erection of 5 dwellings which is on land adjacent to the east of the land on which the other three consents subsist. However, there is uncertainty about whether this permission has lapsed. No evidence has been submitted to demonstrate works have started on site. Despite the uncertainty of 18/1193/FUL, Officers do not disagree that there is a fallback position for majority of the site: that is to say planning permissions which are capable of being built out to completion of the development in question.

- 10.4 In relation to the fallback principle and weight to be given to any extant consent, the courts have introduced and upheld the concept of 'real prospect'. When this is demonstrated, it allows a decision maker to attribute material weight to the 'real prospect' of implementation of a permission as a fall-back position. The basic principle is that for a prospect to be a real prospect, it does not have to be probable or likely: a possibility will suffice. Therefore, a realistic prospect of fully implementing a consent occurs where the chances of it occurring are considered more than theoretical, even if it is not probable or likely; the possibility of implementation will suffice.
- 10.5 The applicant states that there has been clear intent on delivering the residential development because planning permissions have been implemented on site. While it is noted the three original consents could be seen to indicate an intention to develop at the time the improvements were undertaken to Sandy Lane, these were actually carried out in 2007 - 15 years ago. The applicant states that the most recent consent (Elizabeth Way - 18/1193/FUL) indicates an intention to develop the site and that all four consents have progressed to RIBA stage 4 and are subject to earlier Building Regulations approval applications. The whole site is in single ownership. The applicant also states that the consents realise very significant Residual and Gross Development Values.
- 10.6 Officers had concerns regarding the development viability of the extant and proposed consents and therefore requested a Viability Assessment. The applicant provided a Viability Assessment in March 2022 on the extant consents only including 18/1193/FUL. This concluded that the patchwork scheme for 29 private dwellings is financially viable. On receiving the appeal, Officers also commissioned a viability consultant to independently assess the extant and proposed schemes.
- 10.7 The viability appraisal undertaken for the Council concludes that the extant schemes for 24 dwellings are deliverable and will generate a positive residual land value of £6,728,050 and are therefore viable. It also concludes that the proposed scheme would generate a significant RLV with a surplus of over £2.7 million and that the alterations to the design (additional car parking, revised layout and landscaping) could increase values between 5-10% on top of this. Given these values, the proposed scheme is considered viable.
- 10.8 It is the opinion of officers that it has been demonstrated that the three original extant consents do have a more than theoretical prospect of being implemented. Therefore, weight must be given (by the decision maker) to these permissions when assessing the proposed scheme before Members.

Structure of Assessment

- 10.9 After concluding there is a more than a theoretical prospect of the proposal being implemented, an assessment of the proposed development is required against the Cambridge Local Plan (2018) and other development plan policies. After this assessment identifying any conflict with the development plan, the assessment will continue by considering the benefits and disbenefits arising from the extant and proposed schemes to then weigh this in the planning balance.

#### **10.10 Principle of Development**

- 10.11 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need. The proposal seeks to redevelop a brownfield site, which is supported by NPPF guidance and contribute to housing supply and thus would be compliant with policy 3.
- 10.12 The principle of the development is therefore acceptable. The acceptability of the principle of developing brownfield land for housing in such a location must be given significant weight.

#### **10.13 Housing Provision**

- 10.14 Policy 45 of the Cambridge Local Plan 2018 requires residential development of 15 units or more to provide a minimum of 40% of affordable housing on site unless exceptional circumstances are demonstrated as to why this should not be the case. The policy only allows for a reduction in the level of affordable housing to be provided subject to robust evidence in the form of an independent viability appraisal being provided which justifies and supports any such reduction
- 10.15 The Local Plan (Appendix A) states that further details on the practical implementation of this policy would be set out in an up-to-date Affordable Housing SPD. The draft Affordable Housing SPD 2014 remains unadopted and therefore is of limited weight. Para. 3.34 of this draft SPD and para 11.1.8 of the draft Planning Obligations Strategy SPD 2014 advise that the full costs of an independent viability appraisal should be borne by the applicant. Whilst never progressed for adoption, neither draft SPD is a material consideration as set out at Appendix A of the Local Plan moreover both carry limited weight due to their unadopted status.
- 10.16 The applicants have not been willing to bear the costs of an independent viability appraisal despite having submitted their own Viability Assessment in March 2022. The applicant's position delayed the determination of the application by the Council. Officers maintain the view that the independent analysis of the applicant's own Viability Assessment was necessary to help inform the appropriate level of weight to the fallback

scenario which is an essential feature necessary for the decision maker to reach a planning judgement.

- 10.17 Policy 45 requires that developments should include a balanced mix of dwelling sizes, types, and tenures to meet projected future household needs within Cambridge. Whilst not being prescriptive, policy 45 requires dwelling mix and tenure types to have regard to the different needs for different unit sizes of affordable and market housing, which is further detailed in the draft Affordable Housing SPD (June 2014).
- 10.18 The Greater Cambridge Housing Strategy 2019-2023 Annex 10: Clustering and Distribution of Affordable Housing Policy sets out that clusters of affordable housing should include a mix of tenure and sizes to create tenure blind clusters and increase opportunities for different sized households to mix. Clusters should not exceed 12 units for blocks of flats. The proposed development comprises 4 x 4-bed and 22 x 5-bed dwellings. The mix of units is not in accordance with the aims of the policy – Annex 10 - , which means it fails to provide a balanced mix of dwelling sizes.
- 10.19 As part of the proposal, the applicant's agent has confirmed that the approved development neighbouring the Sandy Lane application site (51 - 55 Elizabeth Way 19/0815/OUT) which is in the ownership of the applicant could secure affordable housing for the Sandy Lane site via a section 106 Agreement. This would be regarded as off-site provision albeit that such provision is on land adjacent.
- 10.20 Para 3.23 of the draft Affordable Housing SPD sets out that 'in exceptional circumstances, if both the Council and the developer agree that it is not appropriate to provide affordable housing on a particular site, then an off-site provision or a financial contribution in lieu may be agreed. This will only be considered where there is certainty that such an arrangement will actually result in the provision of affordable housing.'
- 10.21 The development proposes, as stated above, what would be an off-site provision in the form of nine 1-bed units on an adjacent site. No justification for this approach has been submitted to the Council. The Local Plan's starting point is that affordable housing should be provided on site, as per paragraph 3.23 of the draft Affordable Housing SPD and policy 45. The Council has not agreed an on-site affordable housing provision is inappropriate in this case. The Council's Housing Team has stated that whilst they are supportive of affordable housing being delivered at Elizabeth Way under 19/0819/OUT, it is also important to secure affordable housing on the Sandy Lane site as a stand-alone development proposal to secure what the site should independently deliver for a policy compliant scheme when any development proposal comes forward. The applicant is now stating that if the Council prefers an affordable housing contribution could be made for 21/01065/FUL. However, to date no rationale or justification for an off-site provision has been offered.

- 10.22 The neighbouring site fronting Elizabeth Way under 19/0819/OUT has consent for 9 x 1-bed flats. A reserved matters application has been submitted to the Council for this site and is currently under consultation. This application will be assessed on its own merits. These 1-bed affordable dwellings, when combined with the proposed 26 dwellings, would not equal 40% affordable housing policy provision: it equates only to a 26% affordable housing provision. Moreover, all of these affordable dwellings would be clustered in one location accessed from Elizabeth Way (a noisy distributor road), would not benefit from any on-site amenity such as open space contrary to the aspirations of the draft Affordable Housing SPD. Moreover, the affordable housing provision is limited to 1-bedroom units which means the aspirations of policy 45 to provide a balanced mix of sizes, types and tenures would fall well short of being secured.
- 10.23 As set out in policy 45, the starting position for the provision of affordable housing for a scheme of this size is for a 40% on-site provision. The proposal does not include any on-site provision and the compensatory offered level of off-site affordable housing provision suggested for siting on the Elizabeth Way site falls well below the 40% requirement. Furthermore, given the lack of smaller private units and larger affordable units for which there is a need, Officers consider that the proposal does not result in a balanced mix of dwelling tenures.
- 10.24 The applicant has not raised a viability argument with the Council as an exceptional circumstance. The reasoning for a lower level of on-site provision and their alternative offer (to provide it off-site on Elizabeth Way) is premised on the basis that it is better than that secured under the extant consents which was for off-site affordable housing contributions secured via a S106 Agreement. The applicant is seeking to rely on the extant consents (C/03/0406 C/03/1241 and 06/0544/FUL) to determine the affordable housing provision on the appeal site (21/01065/FUL).
- 10.25 The independent Viability Appraisal which Officers have taken up at its own cost concludes that the proposed scheme is viable, generating a surplus of between £2.2 to £5 million. Given this, Officers can see no justification for any under provision of affordable housing. While the proposed scheme would result in the physical provision of off-site units as opposed to the financial contribution which was secured under the S106 Agreement of the extant consents, the quantum, mix and tenure is in direct conflict with policy.
- 10.26 Setting aside the S106 comparison, on its face Officers consider that the proposal fails to provide an appropriate amount and mix of on-site affordable housing to meet identified affordable housing needs and is thus contrary to (i) Policy 45, (ii) the Greater Cambridge Housing Strategy 2019-2023 and (iii) to both the 2014 Affordable Housing and Planning Obligation draft SPDs. Furthermore, the affordable housing provision on the Elizabeth Way site (19/0815/OUT) would not result in integration into the wider housing scheme (21/01065/FUL). The Elizabeth Way (affordable

units) would be accessed from the noisy and air polluted Elizabeth Way which is dominated by vehicular traffic, as opposed to Sandy Lane.

- 10.27 The precise S106 obligation mechanism to deliver the affordable housing units off-site offer would need to be worked out – given the outline consent – to understand what is to be delivered. With the lack of a reserved matters approval, there is uncertainty at this stage that the offer of the adjacent site within 19/0815/OUT on Elizabeth Way could be policy compliant and deliverable. It may well be the case that a financial contribution might be necessary as a contingency to be triggered in the case that a reserved matters scheme does not come forward. With this degree of uncertainty and with no justification for an off-site provision alongside the inappropriate amount and dwelling mix proposed, Officers consider that the applicant has failed to demonstrate the proposal would create a balanced mix of dwelling sizes, types, and tenures to meet projected future household needs within Cambridge envisaged by policy 45 in order to create a policy compliant scheme.
- 10.28 Taking the foregoing into account, the proposed development would be contrary to (i) policy 45 of the Cambridge Local Plan (2018) (ii) the aspirations of the draft Affordable Housing SPD (June 2014) and (iii) the Greater Cambridge Housing Strategy 2019-2023.

#### **10.29 Amenity for Future Occupiers**

- 10.30 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).
- 10.31 All houses meet the internal space standard for 4 or 5 bedroom three storey properties. However, on all dwellings aside from plots 25 and 26, the kitchen / breakfast rooms and dining rooms would be located at lower ground floor level. The distance between the rear habitable rooms and the lower ground floor garden wall ranges from 2m (plot 13) to 3m (plot 15 & 18) with walls enclosing this lower patio at a height of 4.1m from lower ground level. Given this, officers have concerns that the lower ground floor habitable rooms, particularly to plots 3, 5-13, 16-17, 19, 24, would be enclosed and lacking in daylight and sunlight.
- 10.32 The lower ground floor front facing habitable rooms would also experience an even poorer outlook (onto the wall enclosing the basement level car park, between 1.6m [plot 5] and 2.4m away [plot 11], at a height of 5.3m from lower ground level with the boundary wall) and light levels. Moreover plot 22 would only be 8.1m away from the flank wall of plot 1 (8.6m from lower ground level to plot 1's eaves). While these habitable rooms are served by bay windows, this would not mitigate against the impact. While it is acknowledged that there are alternative living areas at ground floor which would receive better outlooks and light levels, the kitchen dining areas should still require adequate light and outlooks to provide a good standard of living for future occupiers. Officers also have concerns



regarding the overshadowing impact arising from the mature trees along the southern and western site boundary particularly on the lower ground floor and ground floor habitable rooms of plot 20-26. No daylight and sunlight assessment study has been submitted to demonstrate that these rooms would receive sufficient light levels.

#### 10.33 Garden Size(s)

10.34 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers.

10.35 The rear gardens associated with the dwellings are split level, with a patio area at lower ground floor and steps leading up to a grassed garden at ground level. These vary in size depending on the plot. Officers consider that the layout of the gardens is contrived and not fully accessible to those with mobility difficulties. These are 4-5 bedroom houses which should be proportionate to the number of occupants and should provide a rear garden which enables space for children's play, socialising, drying washing and other family activities. Officers consider that some plots (particularly plot 3-5, 21-24, see table below) are of insufficient size to accommodate all of these activities and meet the day to day needs of the intended occupants (families). There is also no usable communal open space which could make up for this deficiency. Given the garden sizes, proximity to the mature trees along the southern and western boundaries and their maturity/ size, officers have concerns regarding these trees restricting daylight / sunlight to the rear gardens of plots 20-26, creating an overshadowed rear amenity area. Accessibility of the gardens is also poor but will be expanded upon in the following section.

| <b>Plot</b> | <b>Patio size</b>                    | <b>Garden size (grass)</b>                                 | <b>Total</b>     |
|-------------|--------------------------------------|--|------------------|
| 3           | 2.2m depth L shaped 19m <sup>2</sup> | 5.1m and 5.4m depth width 6m<br>Area 26m <sup>2</sup>      | 45m <sup>2</sup> |
| 4           | 2.2m depth L shaped 19m <sup>2</sup> | 3.4m decreasing to 3.1m depth<br>6m width 22m <sup>2</sup> | 41m <sup>2</sup> |
| 5           | 2.3m depth 14m <sup>2</sup>          | 5-5.1m in depth<br>32m <sup>2</sup>                        | 46m <sup>2</sup> |
| 21          | 2.2m L shaped<br>18m <sup>2</sup>    | 4.7m depth<br>23m <sup>2</sup>                             | 41m <sup>2</sup> |
| 22          | 2.8m depth<br>18m <sup>2</sup>       | 4.7m L shaped<br>23m <sup>2</sup>                          | 41m <sup>2</sup> |
| 23          | 2.8m depth 18m <sup>2</sup>          | 4.7 L shaped<br>23m <sup>2</sup>                           | 41m <sup>2</sup> |

|    |                               |                      |        |
|----|-------------------------------|----------------------|--------|
| 24 | Depth 1.9m L shaped<br>17.7m2 | 4.7 L shaped<br>24m2 | 41.7m2 |
|----|-------------------------------|----------------------|--------|

#### 10.36 Accessibility

10.37 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met with 5% of affordable housing in developments of 20 or more self-contained affordable homes meeting Building Regulations requirement part M4(3) wheelchair user dwellings.

10.38 Officers are concerned that the dwellings may not comply with Building Regulations M4(2) and that even if they technically passed, the access and levels arrangements across the site are so poor that future residents with disabilities would be prejudiced in not being allowed inclusive access across the development to meet their day-to-day needs (policy 56). The proposed dwellings do not have level access from their principal ground floor thresholds, rather every ground floor access to each plot aside from plots 25 and 26 would be via several steps. There are also steps up from the lower ground floor up to the rear garden. As a result, the dwellings would be inaccessible for those with mobility difficulties from this principal threshold level and would not be inclusive or create future proof properties. As 6.37 states '*an accessible home supports changing needs of residents from raising children through to mobility issues faced in old age or through disability*' so it is imperative that dwellings provide flexibility to adapt to the occupiers / visitor's needs. The accessibility of the wider site too is contrived with all open space being raised, inaccessible for play or socialising. The proposal provides disabled car parking spaces yet people who may use these spaces cannot access any areas of the site apart from the car park and ground level walkways. Officers consider that the layout and configuration prevents inclusive access and future proofing of the proposed dwellings and wider site.

10.39 Taking the factors into account, officers consider that the proposed development fails to provide a high quality, inclusive and accessible living environment for future occupiers, contrary to policies 50, 51 and 56 of the Cambridge Local Plan (2018).

#### 10.40 Cycle and Car Parking Provision

##### 10.41 Cycle Parking

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

three cycle spaces should be provided for a four bedroom dwelling and four spaces for a five bedroom dwelling as a minimum. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

- 10.43 The proposed cycle parking would be located within the basement level car park and would form 38 Sheffield stands and one singular cycle stand, resulting in a total provision of 77 cycle spaces. There are free standing cycle stores within certain plots which measure 2.2 x 2.35m approximately. According to the Council's Residential Cycle Parking Guidance, this would be of a size to accommodate three cycles per store, totalling 30 spaces. Given the dwelling mix is 4 x 4-beds and 22 x 5-beds, this equates to a minimum provision required by policy of 100 cycle parking spaces. The proposal provides sufficient levels of cycle parking. However, the layout and convenience of the cycle parking is poor.
- 10.44 The cycle parking is predominately located at basement level which should be avoided unless it can be shown to be convenient and easy to use. Any basement level cycle parking must also provide alternative parking at ground floor for less able users and those with non-standard cycles (Appendix L L.16). The cycle parking is accessed via a shared ramp (it is unclear what the gradient of this would be) with motor vehicles at a basement level. This ramp is 4m in width and the cycle parking provision is scattered around and, in some circumstances, located at the end of areas of car parking (e.g. spaces outside of unit 23, 12 and 19). Given the narrow shared ramp access, compact and overly complicated layout, the provision could lead to potential conflict between transport modes, particularly as cyclists travel to different areas to find a space. Moreover, the cycle parking at basement level is located further away from the respective dwellings than car parking, whereas cycle provision should be incorporated into each plot and as conveniently located if not more conveniently located than car parking to ensure sustainable modes are prioritised. The natural surveillance afforded to these cycle spaces is lacking also. Taking this into account, given the location and layout of the proposed cycle parking, the proposal fails to provide convenient cycle parking provision and prioritise active and sustainable transport modes.
- 10.45 Car parking
- 10.46 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. The application site falls within the Controlled Parking Zone. Inside the Controlled Parking Zone the maximum standard is no more than one space per dwelling for any dwelling size. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls. The

Council strongly supports contributions to and provision for car clubs at new developments to help reduce the need for private car parking.

- 10.47 The car parking provided would too be at basement level, an undesirable form with no natural surveillance from dwellings. The proposal provides 48 basement level car parking spaces and 4 at ground level, which equates to two car parking spaces per dwelling and exceeds the maximum stated in Appendix L. The application site falls within a highly sustainable location, 300 metres from the closest District Centre of Mitchams Corner (6 min walk, 3min cycle), 200 metres from the closest Neighbourhood Centre on Hawthorn Way and approximately 1.1 miles to the city centre (21 min walk, 5min cycle). Moreover, there are several bus stops along Chesterton Road, 200 metres from the site, which go to the city centre, both rail stations and elsewhere in the city and the wider area. The frequency of these buses is between every 15-30 minutes. Therefore, regardless of the dwelling size, there is no justification for the over provision of car parking as services that meet day to day needs are so easily accessible. The proposal exceeds the maximum car parking standards, which would be excessive in this sustainable location and would not support the Council's aim for the prioritisation of access by walking, cycling and public transport, over the private motor car. Accordingly, the proposal would encourage and increase unsustainable transport modes, against the desired modal shift to active and sustainable modes, contributing to traffic and pollution levels. Officers do not consider that a decrease in car parking would result in a significant spill over to surrounding streets because of the Controlled Parking Zone which is in place on surrounding streets.
- 10.48 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging at one slow charge point for each dwelling with allocated parking, one slow charge point for every two dwellings with communal parking (at least half of all non-allocated parking spaces) and passive provision for all the remaining car parking spaces to provide capability for increasing provision in the future.
- 10.49 EV charging would be provided at a ratio of one point per dwelling which meets the standard for slow charge. While passive provision to the rest of the site is not proposed, this could be secured via condition. EV charging however does not offset the harm arising from the overprovision of car parking and provision within the basement.

#### Overall

- 10.50 The proposal would not provide accessible, safe or convenient cycle parking for all proposed dwellings which would, alongside the overprovision of car parking, not align with the Councils move towards prioritisation of sustainable and active transport modes. By failing to comply with the cycle parking design requirements and the maximum standards of car parking detailed Appendix L, the proposal would be contrary to policies 80 and 82 of the Cambridge Local Plan (2018).

## **10.51 Public Realm, Open Space, Accessibility and Landscaping**

- 10.52 Policy 56 and 59 seek to create public realm, open space and landscaped areas that respond to their context and development as a whole and are designed as an integral part of the scheme. These spaces should be clearly defined, inclusive, usable, safe and enjoyable. Policy 68 requires all residential development to contribute to open space provision and recreation sites/facilities on-site.
- 10.53 The open space within the site is limited to four raised landscaped areas; one to the north of plot 18 and 19; one to the north of plot 16; a raised parterre between plots 14-16 and 7-10 and another raised landscaped area between plot 13 and 11-12. These areas are raised with no access via steps or ramp so landscaped areas are purely visual landscaping. The impact of this on the patterns of movements through the site means the public areas within the site are transient spaces to get from A to B, not areas where people stop and congregate, play or socialise. While the proposed spaces provide visual landscaping to soften the built form, these spaces are not usable, functional or inclusive. The Landscape Officer has described these spaces as very sterile and gentrified without much opportunity for recreation or play. This limits social interaction and integration. No Local Area of Play has been provided on site which should be provided for this quantum of development at a minimum of 75m<sup>2</sup>. Therefore, the proposal underprovides play space for children of the development, harming amenity for future occupiers. No off-site contributions to open space are recommended by the Developer Contributions Unit.
- 10.54 The legibility of the proposed site layout is poor, with the main entrances from parked vehicles being at lower ground / basement level. Car and cycle parking is predominately located at basement level therefore a large proportion of the movement within the site would be at basement level. The patterns of movement and activity would indicate that the basement level entrance to the dwellings would be a main entrance, limiting visual activity at ground level and the legibility of the site. Moreover, there is a visual and physical pinch point between plot 16 and the north-eastern site boundary which limits visual and physical routes through the site to aid wayfinding.
- 10.55 The site is a gated development, and by default is not an inclusive site. This limited accessibility is extended to the landscaping, layout and physical design of the proposed dwellings. As highlighted in previous paragraphs, landscaping is on raised platforms, inaccessible for use, and several sets of steps prevent ease of access to dwellings and one of the refuse stores (west). The accessibility of the site is poor, excluding those who have mobility difficulties which is directly in conflict with policy 56, 57 and 59.

- 10.56 The proposal, by failing to be accessible for all users, providing good quality usable, accessible and enjoyable open space and creating a legible public realm, is contrary to policies 56, 57, 59 and 68 of the Cambridge Local Plan (2018).

### **10.57 Refuse Arrangements**

- 10.58 Policy 57 requires refuse and recycling to be successfully integrated into proposals. The proposed development has communal refuse arrangements, aside from separate bin stores for plot 25 and 26. The communal facilities comprise two refuse buildings, one east of plot 24 (referred to as the western bin store) and another south of plot 6 (referred as the eastern bin store). The bin stores are located at either end of the development within a cluster of terraced dwellings. However, this arrangement is not convenient for the occupants of the dwellings in terms of having to travel, in some cases, over 50m to empty the bins (distance from plot 12 to the eastern bin store for example). Furthermore, the western bin store has stepped access, not being accessible for all users. At the time of writing, no details have been submitted detailing refuse collection arrangements, but officers assume that this would take place from Sandy Lane or within the site. Yet these details could be secured via condition, if the proposal were approved.
- 10.59 The proposal would not provide convenient bin storage for future occupiers. By failing to adequately provide for the functional needs of future occupiers, the proposal would be contrary to policy 57 of the Cambridge Local Plan (2018).

### **Other Matters**

### **10.60 Design, Layout, and Scale**

- 10.61 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 10.62 The Urban Design Team have been consulted on the application and raised concerns regarding specifically the impact on the character of the area and on Sandy Lane.
- 10.63 The proposed development comprises discrete blocks of two and a half storey terraces (with basements) which are designed to appear as Victorian villas. The Urban Design has raised concerns regarding the pattern of development not reflecting existing development to the south and west. The proposed layout, whilst not mirroring the grid formulaic pattern of development present to the south and west, provides groups of terraces arranged around areas of public realm and allows for the odd shape of the site. The shorter terraces allow for larger gaps within the streetscape, breaking up the large proportions of the dwellings and

allowing views through the site to the mature trees along the southern boundary and to properties within the conservation area to the south.

- 10.64 Whilst dwellings are orientated inwards, with the rear gardens fronting Sandy Lane, not having active frontages onto Sandy Lane, this arrangement has been considered acceptable within the extant consents (C/03/0406 C/03/1241 and 06/0544/FUL). The two accesses from Sandy Lane sited directly adjacent one another with the surface level turning head is not desirable, creating a large area of hard landscaping and built form visible from Sandy Lane. This was a concern of the Urban Design Officer. However, given the appearance of the lower ramped access building, its similarity to other structures along Sandy Lane and the character of Sandy Lane (subsidiary route, no footpaths or soft landscaping other than in the residential gardens behind built form), officers consider that the two accesses together would not be detrimental to this character of Sandy Lane.
- 10.65 The architectural appearance of the dwellings is similar to the character and appearance of the De Freville Conservation Area, responding to the character of the dwellings to the south and west of the site, the character in which the site is most closely related, and has been considered acceptable previously. The scale of the dwellings is comparable to the surrounding residential dwellings and too is similar to the extant consents. As a result of the visual appearance of the dwellings and their scale, officers consider that the proposed development adequately responds to the character of the surrounding area.
- 10.66 By virtue of the sub-ground level car and cycle parking, these matters are not visible at ground level, minimising the visual clutter throughout the site. This has created space within the layout for some areas of open space and planting to the front of dwellings.
- 10.67 Overall, the proposed development is considered a design that would be compatible with its surroundings. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57 and 59.

#### **10.68 Heritage Assets**

- 10.69 The application site does not fall within the De Freville Conservation Area, but the southern boundary of the site runs along the boundary of the Conservation Area to the rear of the houses on Montague Road and part of De Freville Avenue.
- 10.70 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest and in particular Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

- 10.71 Para. 199 of the NPPF informs local planning authorities that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Para 200 informs that any harm to, or loss of, the significance of a heritage asset should require clear and convincing justification.
- 10.72 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area.
- 10.73 The Conservation Officer objects to the application advising that the proposal would not preserve or enhance the conservation area and would lead to moderate less than substantial harm. This is as a result of the built form of the development being located within close proximity to the conservation area boundary (most notably the gable ends of plot 12 and 13) and causes an overbearing impact to the setting of the conservation area. The Conservation Officer also notes that the layout and form of the development does not reflect the grid pattern of the De Freville Conservation Area.
- 10.74 While Officers note that the pattern of development has brought development closer to the conservation area boundary, Officers consider that this proposal would not result in significant harm. The proposed development is and would still be separated from the conservation area by a line of mature trees along the southern and western boundary. This boundary treatment contributes to the character and appearance of the conservation area and its setting, providing a green backdrop to the Victorian villas on Montague Road and De Freville Avenue. These trees will remain as part of the development and the development would provide sufficient space between the built form and trees for visual and physical separation to respect this characterful tree line and the health of the trees (ranging from 5.2m – 8.6m for plots 12 and 13).
- 10.75 Visually the proposed dwellings have been designed to be of a similar character to the properties to the south and west within the conservation area. Officers consider that for these reasons, from views within the conservation area, the development would not look at odds with the character and appearance of the conservation area which is characterised by large Victorian villas interspaced with large mature boundary treatments. From views looking into the conservation area, these trees will still be visible providing a backdrop to the proposed development, in a similar way to those properties within the conservation area.
- 10.76 While it is acknowledged that the development does not follow the grid pattern of development within the conservation area, this allows for the mature tree boundary to be seen at regular intervals given the gaps in the proposed terraces. Obstruction of views of the conservation area from within the site and the surrounding area would be minimised so far as



possible. Although it is acknowledged by officers that an increase in the separation between the southern boundary and the proposed dwellings would lessen the impact on the setting of the conservation area, officers consider that there are other benefits arising from this pattern of development, namely increased views through the site to the conservation area, that would outweigh this harm arising from the closeness of the built form. Therefore, weighing the harm against the benefits, officers consider that the proposed development would have a neutral impact to the conservation area.

- 10.77 The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy 61.

#### **10.78 Trees**

- 10.79 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.

- 10.80 The application is accompanied by an Arboricultural Impact Assessment (AMS).

- 10.81 While the Tree Officer has not commented on the application, the AMS states that with the mitigation measures recommended, the impact of the proposed development is considered low. There are 35 individual trees and 2 groups of trees which are significant within the context of the development proposal. Only one of these is proposed to be removed, several would be pruned and/ or subjected to root protection area incursions and several to be protected through special measures. Officers consider that the loss of T28 is unfortunate, particularly as it is part of a tree protection grouping (05/2003). However, this loss of a tree would not impact upon the overall visual character of the area as this tree falls within a large grouping and is not the most mature in this grouping. Moreover, the extant schemes would have resulted in a greater impact upon these protected trees given its proximity to the trees root protection zone. Accordingly, Officers are satisfied that the mitigation measures detailed in the AMS can be conditioned to prevent any harm on the trees.

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

#### **10.83 Carbon Reduction and Sustainable Design**

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

- 10.85 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day and a 44% on site reduction of regulated carbon emissions.
- 10.86 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 10.87 The application is supported by a Planning and Design and Access Statement and Energy Statement which outlines the approach to sustainable design and construction.
- 10.88 The submitted energy statement sets out the hierarchical approach to reducing emissions. The energy strategy utilises air source heat pumps to provide both heating and domestic hot water, combined with the use of underfloor heating and radiators. The external unit for the heat pumps will be located in the private gardens. Through these and other measures, the proposed approach, alongside fabric improvements, is predicted to reduce regulated emissions by 22% compared to a building regulations compliant scheme. When the updated carbon intensity figures from SAP10 are used, this emissions reduction increases to 62%. No information has been submitted as to the water efficiency of the proposed dwellings.
- 10.89 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal subject to conditions requiring details of the water efficiency to be submitted and approved by the Local Planning Authority and requiring the scheme to comply with the carbon reduction approach has been implemented. The Sustainability Officer has requested a ground floor plan / site plan detailing the locations of the heat pumps which officers consider could be secured by condition.
- 10.90 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

#### **10.91 Biodiversity**

- 10.92 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb

populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

- 10.93 The Ecology Officer has not objected to the application but has requested that a Preliminary Ecological Assessment which includes biodiversity net gain calculations should be submitted to the Council. Officers consider that this should have been submitted prior to determination of the application, however, officers consider that these details can be submitted prior to commencement of development if the Council finds the proposal acceptable. This will prevent works starting before a detailed assessment of the impact on species and habitat and proposed mitigations is submitted and approved by the Council. No biodiversity enhancements have been proposed, however, officers are satisfied that enhancements can be secured via conditions.
- 10.94 Subject to an appropriate condition, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and achieve a biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

#### **10.95 Water Management and Flood Risk**

- 10.96 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 10.97 The site falls outside the Flood Zone and is therefore considered at low risk of flooding.
- 10.98 The applicants have submitted a Flood Risk Assessment and Sustainable Drainage Strategy and a subsequent technical note.
- 10.99 The surface water will be managed through permeable paving over the access and pedestrian areas, with surface water being attenuated within cellular storage, before discharge from the site to an Anglian Water surface water sewer at a rate of 1.5 l/s. Excess surface water (e.g. that which may end up in the basement or lower ground patios) will be pumped up to the subbase of the permeable paving for attenuation before discharge from the site. The roofed area of the basement will be planted with 200mm deep storage below the surface to provide suitable attenuation.
- 10.100 The Local Lead Flood Authority (LLFA) has, upon submission of the technical note, no objection to the application subject to conditions relating to surface water drainage scheme, its management during construction and a pollution control informative.

- 10.101 Anglian Water also has no objection and recommends a condition to secure compliance with the flood risk assessment and drainage strategy and several informatives.
- 10.102 Technical consultees are satisfied that the proposal would result in adequate drainage of the site, therefore, officers consider that the applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

### **10.103 Highway Safety and Transport Impacts**

- 10.104 Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 10.105 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.106 The application is supported by a Highway Access and Parking Statement.
- 10.107 Access to the site would via Sandy Lane an un-adopted road. The extant consents secured improvements to Sandy Lane proportionate to the quantum of development previously proposed which have already been carried out.
- 10.108 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority who have no objections to the proposed development subject to conditions relating to the future management and maintenance of the streets, traffic management, restricted access for larger construction vehicles and a residents' parking informative. The Highway Authority note that as the proposed development will be gated and thus un-adoptable by the Highway Authority, the Highway Authority will not seek the adoption of Sandy Lane as it will serve no highway function.
- 10.109 Taking the above into account, officers consider that the proposed development would not have a significant highway safety impact. Therefore, subject to conditions, the proposal accords with the objectives of policy 81 of the Local Plan and is compliant with NPPF advice.
- 10.110 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

### **10.111 Amenity of Neighbouring Properties**

- 10.112 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance,

overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

- 10.113 The application site borders the side garden of 3 Montague Road to the west. Plot 26 is set off the boundary with this neighbour by approximately 8m. Given the length of this rear garden and the built form being sited off the common boundary, officers consider that overshadowing and overbearing here would not significantly impact upon the amenity of no. 3.
- 10.114 To the south of the side are the rear gardens of 5-55 Montague Road, these property's rear gardens decrease in length from 39m at no. 5 to 16m at no. 55. Given the proposed layout alongside the length of the rear gardens, the most impacted by the development would be 25, 37, 39, 49, 51 and 53 Montague Road.
- 10.115 Plot 19 is orientated south-east sited at an angle 4.7m away from the southern boundary, increasing to 8.8m, with the terrace increasing to 16m away from the boundary. The rear of no. 25 would therefore be 29m away from the rear of plot 19. While the plot 19 is two and a half storeys from ground level, given this separation distance and ridge sloping away from the boundary, officers consider that limited overbearing and overshadowing would arise. The proposal would be visible however officers do not consider that it would appear visually dominant. This impact would be lesser to 27-31 Montague Road.
- 10.116 Plot 13 faces north-east so is orientated at an angle to the southern boundary resulting in the gable end being oriented south-east. The separation distance between plot 13 and the southern boundary is approximately 5.7m, increasing to 8.6m. Plot 13 would be 22.4m from the rear of no. 37. BRE guidance states that if development transects the 25 degree plane from the lowest habitable room window directly opposite the development, it could have an impact on light levels received to this room. The proposal would not break this 25 degree plane, therefore, officers are satisfied that no significant overshadowing impact would arise here. Similarly, officers consider that, by virtue of the separation distance alongside the hipped roof form proposed, that plot 13 would not unduly dominate no. 37's outlook. Given the increased separation distance between plot 13 and no. 39, this impact would also not be significant. It is noted that the impact to the primary outside space (patio) too would not be significant for the same reasons.
- 10.117 Plot 12 is situated 5.2m, increasing to 8.3m from the southern boundary given the angled orientation. No. 51 would be located 20.4m away from the corner of plot 12, and no. 53 would be 23.6m. Taking a 25-degree BRE plane from these rear rooms, the proposal would not break this line and therefore indicates that these rooms would not be significantly overshadowed. Here due to the significant separation distance, officers consider that overbearing / impact on outlook would also not be significant particularly as additional planting is proposed along this boundary.

- 10.118 The impact of plots 7-10 to properties along Elizabeth Way would not be significant by virtue of the separation distance, scale and massing of the proposal and hipped roof proposed. Properties would be a range of 24m – 26m away from this terrace, therefore sufficient distance to mitigate against a significant overbearing or overshadowing impact.
- 10.119 2 Sandy Lane lies to the north-east of the site. Plot 6 would be set off the common boundary with no.2 by between 2m-2.3m given the angled siting of plot 6. This would mean that no. 2 would be located between 3.6-3.9m away. Plot 6 would not project beyond no. 2 aside from the projecting bay window sited further west. Officers consider that the proposal would not significantly impact upon the habitable rooms of 2 Sandy lane, given the internal arrangements of no.2 and the scale massing and relative siting of the plot 6.
- 10.120 Overlooking to surrounding properties, given the respective separation distance, would not be significant and limited to the rearmost points of gardens.
- 10.121 By virtue of the scale, massing and siting of the proposed dwellings in relation to the surrounding residential occupiers, the proposed development is considered not to have a significantly harmful impact on amenity. By respecting the amenity of surrounding occupiers, the proposal would be compliant with 56 and 57 of the Cambridge Local Plan (2018).
- 10.122 Construction and Environmental Impacts
- 10.123 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions were recommended by the Council's Environmental Health team and are considered reasonable and necessary to impose. Environmental Health also recommended conditions relating to the control of dust, submission of a noise assessment prior to installation of plant, machinery or equipment and submission of an external lighting scheme. These too are considered reasonable and necessary to impose to preserve amenity.
- 10.124 A Contamination Assessment was submitted in support of the application which has been subject to consultation with the Environmental Health Team. Environmental Health are satisfied with the methodology, results, conclusions and proposals for remediation and verification. While the eastern area of the site has not been subject to intrusive investigation, given the history (former garden land), the contaminated land investigation can progress as proposed. Environmental Health have recommended conditions relating to implementation of the Remediation Strategy an Verification Plan, submission of a verification/ validation report demonstrating compliance, the cessation of works if unexpected contamination is encountered and a material management plan to be

submitted. These conditions are considered to pass all six of the tests set out in guidance and would ensure safe handling of potentially contaminated land.

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

#### **10.126 Third Party Representations**

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

| <b>Third Party Comment</b>  | <b>Officer Response</b>  |
|---|--|
| Air pollution exceeds WHO limits  | The Environmental Health Officer has no objections to the proposal and has stated that the is unlikely to have a detrimental impact on local air quality in terms of vehicle trip generation and subsequent vehicle emissions.         |
| No provision for sustainable/ renewable energy provision  | The proposed development seeks to reduce carbon emissions by 62% through the use of fabric improvements and air source heat pumps (a sustainable energy generator).  |
| Inadequacy of Sandy Lane  | Sandy Lane has been improved to an acceptable level to accommodate the proposed development.   |
| Sandy Lane should be adopted  | The Highway Authority have stated that they will not adopt Sandy Lane.   |
| Landscaping proposed on land not in ownership of developer  | No conclusive evidence has been put to the Council to demonstrate that the applicant does not own all the land within the application site. The applicant(s) have confirmed that the correct certificate of ownership has been served. |
| Could swift bricks be used instead to provide increase breeding sites for birds, due to loss of biodiversity on site. | The development could utilise these types of biodiversity enhancement measures on site and these would be detailed in the biodiversity enhancement report conditioned, if the proposal is deemed acceptable.                           |

#### **10.128 Planning Obligations (S106)**

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

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

10.130 The applicant has indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Council's Local Plan and the NPPF.

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

10.132 Heads of Terms

10.133 The Heads of Terms (HoT's) as identified are to be secured within the S106 and are set out in the summary below:

| <b>Obligation</b>   | <b>Contribution / Term</b>   | <b>Trigger</b>   |
|---|--|--|
| Education:  |  |  |
| <i>Pre-school</i>   | £82, 852   | 50% prior to first occupation and 50% prior to 50% occupation of the development |
| <i>Primary</i>  | N/A  |  |
| <i>Secondary</i>  | £192, 104  | 50% prior to first occupation and 50% prior to 50% occupation of the development |
|   |  |  |
| Open Space:<br>-Provision<br>-Management<br>-Access<br>-Sports pitches<br>-Allotments<br>-Drainage management | £23,232 (plus indexation) towards the provision of and / or improvements to the informal open space facilities (including fit kit, benches and a communal meeting point) at Chesterton Recreation Ground<br><br>£30,336 (plus indexation) towards the provision of and / or improvements to the play area equipment and facilities at Chesterton Recreation Ground play area | TBC  |



|                             |   |                      |
|-----------------------------|---|----------------------|
| Indoor community facilities | £45,168 (plus indexation) towards the provision of and / or improvement of the facilities and /or equipment at Browns Field Community Centre, Green End Road, Cambridge   | TBC                  |
| Community facilities        | £25,824 (plus indexation) towards the provision of and/or improvement of, and/or upgrading of equipment and/or access to, indoor sports facilities to include improvements and upgrading of the sports hall, gym and changing rooms at Chesterton Sports Centre, Gilbert Road | TBC                  |
| Outdoor sports              | £22,848 (plus indexation) towards the provision of and / or improvements to sports pitch facilities (including artificial pitches for football and cricket) at North Cambridge Academy, Arbury Rd   | TBC                  |
| Affordable Housing          | 19/0815/OUT as affordable units (9 1-bed units) – subject to agreement [or alternative affordable housing provision]  | Subject to agreement |

10.134 The contributions sought for early years and secondary education were recommended by Cambridgeshire County Council Education, Library and Strategic Waste S106 Team and contributions sought for community and sports facilities were recommended by the Council's Developer Contributions Monitoring Unit. These contributions are considered reasonable and proportionate to the scale of the application.

**10.135** The planning obligations are necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010 in are in accordance with policy 85 of the Cambridge Local Plan (2018).

**10.136 Planning Balance**

- 10.137 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004; and NPPF Paragraph 47). Members are reminded that the correct approach to be applied in considering a fallback argument is whether there is a possibility that if planning permission was refused, use of the land, or a development which had been permitted, would take place, and whether such use or development would be less desirable than for which planning permission is sought.
- 10.138 In relation to the fallback position officers have concluded there is a more than a theoretical prospect of implementing the three extant consents (C/03/0406, C/03/1241 and 06/0544/FUL). Members are reminded these have been partially implemented. The question for Members, as the decision maker is how much weight should be attached to the three extant consent(s). Officers recommend that the weight to be attached to the extant consents is moderate.
- 10.139 In comparing the extant three schemes for 24 dwellings (C/03/0406 C/03/1241 and 06/0544/FUL) and the proposed scheme for 26 dwellings, whilst there are similarities, there are several differences. The most prominent is that the proposed scheme incorporates more land to the east in the red line boundary. The siting / layout of the dwellings has changed. The proposed consent has broken the southern terrace into two shorter terraces and sited the eastern terrace facing east which has resulted in the gardens of plots 16-13 being smaller in size with the orientation changing from south facing to west facing. Moreover, the height of the proposed dwellings has increased from between 0.8-1m in height. Together, these gardens have therefore less sunlight and are smaller. Notably too the makeup of these gardens has changed: there are larger patios at lower ground floor with less garden space, leading to a more departmentalised garden area. The public realm has also been broken up as a result of the proposed layout changes. The footprint and house types have also been enlarged. In terms of affordable housing, the extant consents secured £1,095,050 off-site financial contributions. The proposed scheme seeks to deliver an off-site provision of nine 1 x bed units through 18/0891/OUT. These are not minor changes and give rise to different impacts.

*Merits of the scheme compared to extant consents (C/03/0406, C/03/1241 and 06/0544/FUL)*

- 10.140 The proposed scheme, instead of providing affordable housing contributions such as the extant consent, offers up for affordable housing a site adjacent to the application site and outside the red line application site boundary. This site has an outline consent for nine residential 1-bed flats with private outside space for each flat. The delivery of these units, whilst being below the 40% required by current policy, would result in a larger public benefit than the affordable housing contribution (totalling

£1,095,050) given that the expense of delivering the units would likely be greater than the financial contribution and would result in affordable housing being delivered nearby as opposed to a financial contribution for the future delivery of units. It is noted that these units are all 1-bed units and do not result in the required 40% being provided so does not provide a balanced mix or a sufficient percentage. However, the provision of affordable housing units off-site is a benefit of the proposed scheme over and above the provision afforded by the extant consents. This is therefore given moderate weight.

10.141 Urban Design Officers consider that the proposal, through amalgamating the site area, has led to a more comprehensive, less piecemeal pattern of development. However, planning Officers do not share this opinion given the shape of the site. The extant consents have a more cohesive layout, given the more uniform orientation of the extant terraces. It is noted that the proposed layout would allow more views of the conservation area through the site however, the extant schemes would create a better relationship between conservation area boundary and the proposed built form. These counter impacts are considered to result in a neutral impact when weighed together.

10.142 By virtue of the changes in the siting of the (proposed) plots 25 and 26 closer to Sandy Lane and associated car parking, both plots in the proposed scheme would have larger rear gardens. The shared car parking would be sited to the west of the semi-detached pair which, alongside the built form being closer to the street, has increased the rear garden size and moved built form further away from the mature TPOs along the western site boundary. While it is noted this would improve amenity for the future occupiers of these plots compared to the extant consents, this merit is given limited weight.

10.143 It is not doubted the proposal would result in significant carbon emissions reductions (of 62%) in terms of sustainable design and construction which exceeds the policy requirements detailed in policy 28. This is given limited weight. It is unclear whether changes in Building Regulations would account for carbon reductions equally between the extant and proposed schemes based upon which stage the applicants have reached with Building Control approval.

10.144 The applicant states that the proposed development also provides lift access from the basement car and cycle parking to ground level. While this is the case, the overall accessibility of the site is poor with stepped access to the properties at ground floor level to the front and to the rear garden from the rear of the properties. This is given very limited weight.

*10.145 Harm of the scheme compared to the extant consents*

10.146 By combining the extant sites with permission to create a new layout, there has been unintended consequences. The proposed development will create a disjointed public realm. The extant schemes created one central

green space running east-west which is well integrated into the development and adequately overlooked by the surrounding houses. on the other hand, the open space on the proposed scheme is fragmented and partially compromised due to the access arrangements. There are two open spaces with the northern one being highly engineered, dominated by the service yard and hard surfacing. As a result, the leftover greenspaces are minimal limiting their usability and function They would have poor natural surveillance. Given the shape of the site and the layout of the dwellings, the eastern open space is compromised, not well integrated and lacks legibility. The open spaces and legibility of the proposed scheme would fail to provide a comprehensive approach which successfully integrates buildings, routes and open spaces, lacks natural surveillance in instances resulting in an unsatisfactory layout limiting its use/function. This is given moderate weight.

10.147 The proposed scheme, given the revised layout, results in a reduction in the quality of the rear garden spaces for some units. As the terrace has been split and the one part of which is orientated west, as opposed to south, the proposed scheme would lead to smaller rear gardens for these units (most notably for plots 14-16) and given the orientation and the built form to the west, would receive less sunlight and to a more enclosed outlook. The composition of the rear gardens has also been altered to have larger patios at lower ground floor level, leading to departmentalising of the garden and a less rational and usable rear garden for family use.

10.148 Officers also note the increase in car parking per dwelling from the provision as part of the extant consents. Provision for the extant 24 dwelling scheme was 33 car parking spaces totalling 1.375 per dwelling, whereas the proposed scheme provides 52, 2 spaces per dwelling. The site is in a highly sustainable location within both a District and Neighbourhood centre very close by and the City centre within easy walk, cycle or bus journey away. While the site is within the Controlled Parking Zone, Officers consider there is no justification for exceeding the maximum standards stipulated in policy and do not consider there would be a spill over impact on surrounding streets if car parking were reduced to an acceptable level. By an over provision of car parking spaces, the proposal promotes unsustainable transport patterns and disincentivises sustainable and active travel modes. This would not support the Council's aim for the prioritisation of access by walking, cycling and public transport, over the private motor car, designed to create a modal shift to active and sustainable modes, resulting in the proposals contributing to traffic and pollution levels.

10.149 In weighing the merits of the scheme against the harm arising from the scheme compared to the extant consents, Officers consider that taken as a whole the harm created by the proposed scheme would outweigh the benefits. Nonetheless, consideration of the scale of the harm is required.

10.150 *Scale of the harm resulting from the proposed scheme*

- 10.151 As identified throughout paragraphs 10.13-10.56, the proposed development directly conflicts with the Cambridge Local Plan and the NPPF in a number of areas of policy.
- 10.152 The proposal has failed to justify the off-site approach taken to the provision of affordable housing and also fails to provide 40% affordable housing or of an appropriate mix of housing sizes, mix and tenure. By failing to create a balanced and responsive housing development, the proposed development would therefore be contrary to (i) policy 45 of the Cambridge Local Plan (2018), (ii) the Greater Cambridge Housing Strategy 2019-2023, (iii) the Cambridge City Council Affordable Housing draft SPD (2014) and (iv) the NPPF paragraph 62-63.
- 10.153 The proposed development would fail to create a high-quality living environment which meets the needs of the intended occupiers. Internally, given the basement design, height of external boundary walls and dwellings, the internal configuration, all lower ground floor habitable rooms would have poor outlooks and light levels which would lead to dark and enclosed habitable spaces to the detriment of the occupiers' amenity (particularly for plots 3, 5-13, 16-17, 19, 24). Externally, rear gardens would have a contrived, disjointed layout of insufficient in size to cater for family needs such as socialising, drying of clothes and play space for children concurrently. These outdoor spaces, particularly for plot 22 would be overshadowed and enclosed. Given the stepped accesses into the dwellings and out onto the rear gardens, as well as the bin stores, both internally and externally, the proposed development would not be accessible, inclusive or future proofed, failing to demonstrate that it would meet the requirements of Building Regulations Part M4(2) and more generally and significantly provide an inclusive layout. The proposal therefore would not create a high quality, inclusive and accessible living environment for future occupiers and would be contrary to policies 50, 51 and 57 of the Cambridge Local Plan (2018) and NPPF paragraphs 92 and 130.
- 10.154 The proposed development would significantly exceed the maximum car parking requirements, providing 2 spaces per dwelling. The site is within a highly sustainable location within short walking distances to district and local centres, an easy cycle distance to the City centre and in very close proximity to bus stops along Chesterton Road. Furthermore, the proposal fails to provide accessible, safe or convenient cycle parking for all the proposed dwellings. These factors combined would not align with the Council's move towards the prioritisation of sustainable and active transport modes and would likely lead to an increase in traffic and pollution. The development would therefore be contrary to policy 80 and 82 of the Cambridge Local Plan (2018) and NPPF paragraph 110.
- 10.155 The proposal, given the site layout, basement level and landscape design, would create a poor public realm. The site is not easily legible, with the main entrances being at basement level and the pinch-point between plot 16 and the north-eastern site boundary. The proposal would also under

provide public open space with the open space which is provided being poor quality being limited to raised landscaped areas only. These raised areas are not usable or accessible, providing visual landscaping which are not conducive to recreation or social activities taking place. The proposal would therefore fails to create a high-quality public realm and open space and would therefore be contrary to policy 56, 57, 59 and 68 of the Cambridge Local Plan (2018) and NPPF 92 and 130.

- 10.156 Taking this harm together, Officers consider that the scale of harm arising from the proposed scheme would be considerable. Since 2004 when the extant schemes (C/03/0406, C/03/1241 and 06/0544/FUL) were permitted, national planning guidance and local plan policy has substantially changed. The extant consents were assessed against the 1996 Cambridge Local Plan; the Cambridgeshire and Peterborough Structure Plan 2003; various SPDs and documents dating from 1999-2002; and the Planning Policy Statement 2003. Since this policy, the structure of the planning system has changed with the introduction of the NPPF 2012 (and its successor versions) Policy now demands a greater focus on health, wellbeing, inclusivity, community resilience and cohesion, sustainable development. Transport has new policy aims and objectives; adaption to and mitigation for climate change are policy priorities as is accessibility brought about and positively supported by the introduction of lifetime homes now reflected in Building Regulations Part M4(2).
- 10.157 Furthermore, through the adoption of various national and local policy (most recently the NPPF 2021), there is more emphasis and demands on local planning authorities o delivering high-quality design and green spaces. The importance of these objectives and the strength of policy wording on these objectives has increased since 2004. Policy now emphasises how these objectives can be delivered in housing developments through the inclusion of good quality open spaces to increase community resilience; health and wellbeing; reduced car parking provision and higher quantity and quality cycle provision alongside contributions to transport infrastructure projects to encourage and prioritise sustainable access to goods and services as well as decreasing the stress on the existing road network; provision of higher levels and enhanced mixes of affordable housing to better respond to changing housing needs; responsive design principles to create accessible, inclusive and distinctive places.
- 10.158 Gated developments with limited and poor open space provision, an under provision and poor mix of affordable housing; an over provision of car parking spaces and substandard cycle parking provision; and poor amenity for future occupiers do not align with the current policy aims and objectives. It is for these reasons that considerable weight is given to the change in policy since the granting of the first extant consent.
- 10.159 The extant consents contribute to the Council's joint five-year housing land supply by providing 35 dwellings (see table below). This is a brownfield site redeveloping disused land. This is given weight, however, the amount

of weight attributed to this is reduced for several reasons. The Council has a healthy five-year housing land supply (6.5 years). The site is not a strategic site but rather a small windfall site. Its contribution to the five-year housing supply is limited to 35 units and its loss would not be significant as to cause undue concern. Moreover, the extant consents can still be implemented so the decision to refuse planning permission for the proposed scheme would not prejudice the five-year housing land supply particularly as the extant schemes are deemed viable and deliverable.

## Conclusion

- 10.160 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. Officers have considered the extant consents relative to the fallback principle and conclude there is a more than theoretical prospect of them being fully implemented and that they are a material consideration to take into account when assessing and determining the proposed scheme in front of Members today.
- 10.161 As discussed throughout section 10.13-10.56 of this report, Officers have identified harm arising from the proposed scheme when assessed and measured against the development plan and national planning policy. That harm includes:
- The under provision of affordable housing
  - No justification for an off-site provision in respect of affordable housing as opposed to the policy specific requirement for on-site provision
  - Inappropriate mix of housing sizes, mix and tenure
  - Poor outlooks and light levels to the lower ground floor habitable spaces
  - Poor external garden space provision which is insufficient to meet the needs of a family, the intended occupiers
  - Poorly accessible dwellings which fail to create inclusive and future proof houses and gardens capable of easy adaptation to the changing needs of potential occupiers
  - Over provision of car parking spaces in what is a highly sustainable location, alongside poor cycle parking provision thereby not aligning with the prioritisation of sustainable and active travel modes
  - Poor legibility given the site layout and predominately activity taking place at basement level
  - An under provision of open space and poor open space that has been provided, not useable for socialising or play
- 10.162 The level of harm arising from the proposed scheme would be substantial and would generate greater harm than building out the extant consents combined. The conflict with both the current adopted development plan and national planning policy is considered as substantial contrasting significantly with the policy framework in place at the time the three extant consents were permitted. Indeed, it is worthy to note the current local plan was adopted in 2018. The preparations are now well advanced for consultation on the new draft Joint Local Plan for both Cambridge City and

South Cambridgeshire District Councils – but very little weight can be given to it in the determination of the proposed scheme. Since the extant consents were permitted (C/03/0406 C/03/1241 and 06/0544/FUL), there has been two successive local plans (1996 and 2006) with various supplementary planning documents adopted alongside significant changes in national policy. Advances have been made in policy and practice to create more sustainable, accessible, inclusive, responsive and less car focused developments which adequately respond to climate change. These policy advances at both national and local levels should not be disregarded and should be given considerable weight.

- 10.163 Having taken into account the provisions of the Cambridge Local Plan 2018, the NPPF and NPPG, the statutory requirements of sections 66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for refusal.

#### **10.164 Recommendation**

- 10.165 **(A) That Members endorse a minded to REFUSE** position for the purposes of defending the appeal against non-determination for the following reasons:
1. The proposed development, which comprises four 4-bed and twenty two 5-bed dwellings, would only provide 9 affordable units on a site adjacent to the application site and would be 1-bedroom flats accessed via Elizabeth Way. Therefore, the proposal would fail to provide 40% affordable housing on site and have not justified off-site provision to help meet housing need. Moreover, the proposal fails to be of an appropriate mix of housing sizes, mix and tenure. By failing to create a balanced and responsive housing development, the proposal is contrary to Policy 45 of the Local Plan, the Greater Cambridge Housing Strategy 2019-2023 and the Cambridge City Council Affordable Housing Draft SPD (2014).
  2. The proposed development would create substandard accommodation which would not adequately meet the needs of the intended occupiers. Internally, given the basement design, height of external boundary walls and internal configuration, all lower ground floor habitable rooms would have poor outlooks and light levels which would lead to dark and enclosed habitable spaces to the detriment of the occupiers' amenity. No information has been submitted to demonstrate otherwise. Externally, rear gardens would have a contrived layout and be insufficient in size to cater for family needs such as socialising, drying of clothes and play space for children. Both internally and externally, the proposed development would not be easily accessible, appropriately inclusive or future proofed and neither has it been demonstrated that it would meet the requirements of Building Regulations Part M4(2). By failing to provide a high quality, inclusive and accessible living environment for future occupiers, the



proposed development is contrary to policies 50, 51, 56 and 57 of the Cambridge Local Plan (2018).

3. The proposal would not provide accessible, safe or convenient cycle parking for all proposed dwellings and would lead to a significant overprovision of car parking spaces at two per dwelling, exceeding the maximum parking car parking standards outlined in Appendix L in a highly sustainable location. As a result, the proposal would not align with the Councils move towards prioritisation of sustainable and active transport modes. In highly sustainable locations such as this, developments should seek to maximise the use of sustainable and active forms of transport. By failing to comply with the cycle parking design requirements and the maximum standards of car parking detailed Appendix L, the proposal would be contrary to policy 80 and 82 of the Cambridge Local Plan (2018).
4. The proposed development, by virtue of the site layout and design, would create a poor public realm where there is an under provision of public open space, the open space provided is poor quality and the site is not easily legible. Open space is limited to raised landscaped areas, only providing visual landscaping, preventing recreational and social activities taking place. These spaces would not be usable, functional or inclusive. Given the visual and physical pinch-point between plot 16 and the north-eastern site boundary and that the main entrances would be via the lower ground level, the visual and physical permeability of the site layout at ground level has resulted in a less legible site layout. By failing to be accessible for all users, providing good quality usable, accessible and enjoyable open space and creating a legible public realm, the proposal is contrary to policy 56, 57, 59 and 68 of the Cambridge Local Plan (2018).

10.166 In the event that the application recommendation is endorsed by Members, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development.

#### Background Papers:

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs

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#### Appendices

1. Viability report
2. C/03/0406 Inspector's Decision letter for the erection of 18No. 4 and 5 bedroom dwellings following demolition of existing workshops.
3. C/03/0406 S106 agreement

4. C/03/1241 Decision notice for the erection of five dwelling houses following demolition of existing industrial buildings.
5. C/03/1241/ S106 agreement
6. 06/0544/FUL Decision notice for the erection of one 5-bedroom house
7. 18/1193/FUL Decision notice for the construction of five dwellings on land behind 43-59 Elizabeth Way following demolition of no. 57 Elizabeth Way.
8. 19/0819/OUT Decision notice plus the associated approved plans for the demolition of 51-55 Elizabeth Way and construction of a new two & a half storey block of flats comprising nine apartments, associated amenity space and cycle parking provision (outline application -layout, scale and access not reserved)