



Planning Committee Date	6 December 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/00064/FUL
Site	Church Hall, 6A Chapel Street, Cambridge
Ward / Parish	East Chesterton
Proposal	Refurbishment, reconfiguration and extension of the existing chapel building to create a multi-functional early years meeting space and 13 residential apartments (following the demolition of the existing rear two storey building and alterations of building of local interest comprising the demolition of existing rear lean-to, rear (southwest) elevation and roof), together with associated landscaping and infrastructure.
Applicant	SNAP! 4 Kids
Presenting Officer	Michael Hammond
Reason Reported to Committee	Third party representations Councillor Call In
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Principle of Development2. Impact on Heritage Assets3. Character/ Design3. Residential Amenity for future occupiers/ Noise4. Bin Storage and Cycle Parking
Recommendation	APPROVE subject to conditions & Section 106 Agreement

1.0 Executive Summary

1.1 This application seeks planning permission for the refurbishment, reconfiguration and extension of the existing chapel building to create a multi-functional early years meeting space and 13 residential apartments (following part demolition), together with associated landscaping and infrastructure.

1.2 The application follows a previous planning application on the site (21/01625/FUL) which was refused at Planning Committee on 2 March 2022 for the erection of 13 residential apartments. The previous application was refused for the following reasons:

1. The scale of the proposed building conversions and extensions overwhelms and out competes the original building and would sit uncomfortably against the prevailing scale and massing of existing properties on Chapel Street and Church Street. The height, and continual flat roof of the proposed extension, is excessively larger in bulk and mass than the front section of the retained building and is much larger than the surrounding fine grain context of the area. For the above reasons, the proposal would therefore adversely affect the character, special interest and the setting of the Building of Local Interest (BLI) Chapel building, harm the setting of the adjacent listed buildings including the Grade I Listed Chesterton Towers and harm the character and appearance of the Chesterton Conservation Area. The level of harm would be moderate, less than substantial. The public benefits arising from the scheme, which would include investment in the repair of the BLI and in helping to secure the retention of a viable nursery use on the site, do not outweigh the level of harm to the heritage assets identified. The proposal is therefore contrary to policies 55, 56, 58, 61 and 62 of the Cambridge Local Plan 2018 and paragraphs 199, 202 and 203 of the NPPF 2021.
2. 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. Units 4, 5, 8, 9, 12 & 13 which are accessed from the extension do not have direct access to an area of private external amenity space. Units 1, 2 & 3 would have a poor quality enclosed private external amenity space. The proposal therefore fails to provide direct access to a private amenity space for units 4, 5, 8, 9, 12 & 13 and fails to provide an acceptable private amenity space for units 1, 2 & 3 contrary to Policy 50 of the Cambridge Local Plan 2018.
3. Units 4, 5, 8, 9, 12 & 13 are accessed purely from the extension and it has not been demonstrated that it would be impracticable or unviable for the scheme to meet with the requirements of Part M4 (2) of the Building Regulations. As such, the proposal fails to provide accessible units contrary to Policies 50 and 51 of the Cambridge Local Plan 2018.
4. As the proposal fails to respect the surrounding heritage assets, provides poor future residential amenity standards for residents and would result in

access issues for future residents, it is considered the proposal constitutes an overdevelopment of the site contrary to policies 55, 57 and 58 of the Cambridge Local Plan 2018.

- 1.3 The proposal has been amended since the previously refused application.
- 1.4 The simplification of the form of the building and lowering of the scale and massing is considered to overcome the previous reason for refusal in terms of harm to heritage assets and only cause a low level of less than substantial harm to designated and non-designated heritage assets. This harm is judged to be outweighed by the public benefits that would accrue from the development, specifically the securement of the long-term conservation of the facades of the Building of Local Interest, the re-use of brownfield land, improved sustainability performance of the building, and financial contributions towards both infrastructure and affordable housing. This is considered to overcome former reason for refusal no.1.
- 1.5 The floorplans have been reconfigured to ensure that all units would have access to private amenity space. The spaces provided are considered to provide an acceptable living environment for future occupiers. Therefore, reason for refusal no.2 is considered to be addressed.
- 1.6 The proposal has been amended to include lift access with space for wheelchair turning. Reason for refusal no.3 has therefore been addressed.
- 1.7 In terms of reason for refusal no.4, it is considered that the addressing of reason nos.1-3 demonstrates that the development proposed would not constitute an overdevelopment of the site and is therefore acceptable.
- 1.8 Overall, the proposed development is considered to overcome the four previous reasons for refusal.
- 1.9 Officers have identified additional harm in the form of undesirable cycle parking arrangements for both the residential and non-residential elements of the proposed development. However, in consideration of the viability challenges of the scheme, the existing arrangements and the site context, it is considered that, on balance, this lack of strict conformity to Policy 82 of the Local Plan is acceptable in this instance.
- 1.10 When balancing the less than substantial harm to heritage assets and the lack of conformity to the cycle parking standards against other material planning considerations and public benefits that the scheme would deliver, it is considered that the proposal is acceptable. Other than Policy 82, it complies with relevant national and local planning policies.
- 1.11 Officers recommend that the Planning Committee approve the application subject to completion of a Section 106 Agreement and conditions as recommended.

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The site is no. 6A Chapel Street, a former Victorian Baptist Chapel (1842) situated on the western side of Chapel Street. It is a Building of Local Interest (BLI) and located within the Chesterton Conservation Area. Adjacent to the site, to the south, is Chesterton Tower which is a grade I Listed Building and a Scheduled Monument. The site to the north, 6 Chapel Street (Rose Cottage), is also a BLI and to the north east of Church Hall is 1 Chapel Street which is a grade II Listed Building as is 5 Chapel Street to the south east. The building has its main entrance from Chapel Street, but there are clear views of the side elevation from both that road, the High Street and the grounds of Chesterton Tower which contains a row of garages along the shared boundary with the site.

3.0 The Proposal

- 3.1 This application seeks planning permission for the refurbishment, reconfiguration and extension of the existing chapel building to create a multi-functional early years meeting space and 13 residential apartments (following part demolition), together with associated landscaping and infrastructure.
- 3.2 The proposal would retain the front-most section of the original building and then extend out to the rear at four-storeys. The extension would accommodate 13no. residential units and a multi-functional community space would be provided at ground-floor level at the front (east) of the building.
- 3.3 Cycle parking and bin storage for the residential units would be provided internally in the centre of the building and accessed from a gated entrance on Chapel Street. Bin and cycle storage for the multi-functional community space would be situated to the south of the multi-functional community space, also with direct access out to Chapel Street.

3.4 The application follows a previous planning application on the site (21/01625/FUL) which was refused at Planning Committee on 2 March 2022 for the erection of 13no. residential apartments.

4.0 Relevant Site History

Reference	Description	Outcome
21/01625/FUL	Refurbishment, reconfiguration and extension of the existing chapel building to create an improved day nursery facility with external play area and 13 residential apartments (following part demolition), together with associated landscaping and infrastructure	Refused 2 March 2022

5.0 Policy

5.1 National

National Planning Policy Framework 2023
National Planning Practice Guidance
Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)
Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development
Policy 3: Spatial strategy for the location of residential development
Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use
Policy 29: Renewable and low carbon energy generation
Policy 31: Integrated water management and the water cycle
Policy 32: Flood Risk
Policy 33: Contaminated land
Policy 34: Light Pollution Control
Policy 35: Protection of human health from noise and vibration
Policy 36: Air quality, odour and dust
Policy 50: Residential space standards
Policy 51: Accessible Homes
Policy 53: Flat Conversions
Policy 55: Responding to context
Policy 56: Creating successful places
Policy 58: Altering and extending existing buildings
Policy 59: Designing landscape and the public realm
Policy 61: Conservation and enhancement of Cambridge's historic environment
Policy 62: Local Heritage Assets

- Policy 70: Protection of priority species and habitats
- Policy 73: Community, sports and leisure facilities
- Policy 74: Education Facilities
- Policy 80: Supporting sustainable access to development
- Policy 81: Mitigating the transport impact of development
- Policy 82: Parking management
- Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

5.3 **Supplementary Planning Documents**

Cambridgeshire and Peterborough Flood and Water – Adopted 2018
 Greater Cambridge Biodiversity – Adopted February 2022

5.4 **Other Guidance**

Chesterton and Ferry Lane Conservation Area Appraisal (2022)
 Greater Cambridge Sustainable Design and Construction SPD (2020)
 Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste
 Cambridgeshire Design Guide For Streets and Public Realm (2007)
 Cycle Parking Guide for New Residential Developments (2010)

6.0 **Consultations**

6.1 **Anglian Water – No objection**

6.2 No objection subject to surface water management strategy condition.

6.3 **Cambridgeshire County Council (Highways Development Control) – No objection**

6.4 No objection subject to Traffic Management Plan and HGV hours conditions. Traffic management plan informative recommended.

6.5 **Cambridgeshire County Council (Historic Environment Team) - Objection**

6.6 We support the objections of the Conservation Team and Historic England regarding the harm to heritage assets. In the event of approval, an archaeology condition is recommended.

6.7 **Cambridgeshire County Council (Planning and Sustainable Growth Service) – No Objection**

6.8 It is confirmed that there is enough capacity in the local schools and library to accommodate the children and population arising from the development and therefore no contributions towards education or library infrastructure are required.

6.9 Cambridgeshire Constabulary Designing out Crime Officer – Objection

6.10 The bin store should be separate from the cycle storage. They should never be placed together as it will only increase the risk of theft. Other comments raised in relation to:

- Apartment communal entrances front/ rear audio visual visitor entry system;
- Cycle store details;
- Boundary treatment gates;
- Bin storage details;
- Lift and stair cores;
- External lighting;
- CCTV;
- Secure mail delivery; and
- Landscaping.

6.11 Cambridgeshire Fire & Rescue Service – No Objection

6.12 No objection subject to fire hydrant condition or Section 106 wording.

6.13 Conservation Team - Objection

6.14 The scale of the proposed building conversions and extensions overwhelms and dominates the original building and would sit uncomfortably against the prevailing scale and massing of existing properties on Chapel Street and Church Street. The height, and continual roof of the proposed extension, including the substantial dormers, is excessively larger in bulk and mass than the front section of the retained building and is much larger than the surrounding fine grain context of the area.

6.15 For the above reasons, the proposal would therefore harm the significance of the Building of Local Interest (BLI) Chapel building, harm the setting and significance of the adjacent listed buildings including the Grade I Listed Chesterton Towers and harm the character and appearance of the Chesterton Conservation Area. The proposal is therefore contrary to policies 55, 56, 58, 61 and 62 of the Cambridge Local Plan 2018 and paragraphs 199, 202 and 203 of the NPPF 2021.

6.16 Ecology Team – No objection

Original Comments (20 February 2023)

6.17 Confirmation that the further nocturnal surveys in 2022 have been undertaken sought as set out in the preliminary ecological appraisal. No objection subject to biodiversity net gain, landscaping and bird and bat box conditions.

Comments on Additional Information (26/10/2023)

6.18 It is best practice for all protected species surveys to be undertaken and submitted to the LPA prior to determination, in case any subsequently discovered constraints and mitigation requirements make the approved application undeliverable. However, given the previous 2020 dawn and dusk surveys established that no bat roost were present and the 2022 internal and external inspection recorded no evidence of roosting bats, I accept the risk for a new roost to have established is low.

6.19 Therefore I would be content with conditioning the dawn / dusk surveys, in line with Bat Conservation Trust best practice survey season, prior to any demolition, refurbishment or construction works. I would suggest the LPA see written confirmation of the survey to discharge this condition.

6.20 **Environmental Health Team – No Objection**

6.21 Following the submission of additional information there is no objection. Conditions recommended as follows:

- Construction/ demolition hours;
- Construction/ demolition collections/ deliveries;
- Dust;
- External lighting;
- Noise insulation scheme compliance condition;
- Noise insulation scheme post construction completion, commissioning and testing report;
- Music/ limiter control scheme;
- Ventilation condition; and
- SPD informative.

6.22 **Housing Strategy Team – No Objection**

6.23 The RLV is -£154,002 meaning that this amount would need to be recovered before any surplus takes effect (and again at that point any surplus is shared). Practically this means that either sales would need to improve, or costs reduce, by £174,002 (£13k per unit) to achieve a commuted sum of £10k and this is not likely. Therefore, it is recommended that the £10,000 fee is sought.

6.24 **Historic England – Objection**

6.25 Historic England consider that the proposed development would result in harm to the significance of the 'Chesterton Abbey' scheduled monument / grade I listed building through adverse impact on its setting. The scale, design and materials of the proposed development would be overbearing and would visually compete with the scheduled monument / grade I listed building. This would further erode the setting of this designated heritage asset and adversely affect the way in which it can be appreciated. We consider that the level of harm to the scheduled monument arising from the proposed development would be a medium level of 'less than substantial harm' in NPPF terms. We do not consider that there is sufficient justification for this level of

harm or that it can be weighed against any public benefits of the proposals as required by NPPF paragraphs 200 and 202.

6.26 Landscape Team – Objection

6.27 Request the following further information prior to determination:

- Access and level gradients and widths;
- External private amenity space schedule;
- Cycle parking strategy and revising proposal to separate bin store and cycle parking rooms;
- Bin store and refuse strategy;
- A townscape and visual impact assessment (TVIA) may help inform the proposals;
- Survey and protection measures of existing boundary treatments and vegetation.

6.28 In the event of approval a hard and soft landscaping condition should be applied.

6.29 Lead Local Flood Authority – No objection

6.30 No objection subject to surface water drainage and construction run off conditions.

6.31 Section 106 Team – No Objection

Original Comments (24 January 2023)

6.32 Recommended the following contributions:

- £16,328 (plus indexation) requested towards the provision of and / or improvement of the facilities and / or equipment at Browns Field Community Centre, Green End Road, Cambridge;
- £6,052.50 (plus indexation) requested 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;
- £5,335 (plus indexation) requested towards the provision of and / or improvements to sports pitch facilities (including artificial pitches for football and cricket) at North Cambridge Academy, Arbury Rd;
- £5,445 (plus indexation) towards the provision of and / or improvements to the informal open space facilities at Scotland Road Recreation Ground;
- £3,7926 (plus indexation) towards the provision of and / or improvements to the play area equipment and facilities at Scotland Road Recreation Ground play area; and

- £2,200 towards the monitoring and administration of the section 106 agreement plus a further additional fee of £500 for each instance where the Council is required to provide written confirmation of an obligation.

Comments on additional viability information (15 August 2023)

- 6.33 BNP Paribas have been commissioned by the Greater Cambridge Shared Planning Service to assess the viability of the application.
- 6.34 The Cambridge Local Plan requires developments of between 11 and 14 dwellings to provide 25% of the units as affordable housing (Policy 45). The supporting text states “Where a developer considers that meeting the affordable housing target percentage will be unviable, robust evidence of this must be provided in the form of an independent viability appraisal. Negotiations between the Council and the developer will need to take place to ensure clarity about the particular circumstances which have given rise to the development’s reduced viability or non-viability, either on an open book valuation or involving an independently commissioned assessment using the Homes and Communities Agency’s Development Appraisal Tool or other equivalent tools agreed with the Council in advance of assessment”.
- 6.35 An application for a similar scheme (ref 21/01625/FUL) comprising an improved day nursery facility with external play area and 13 residential apartment was refused by the City Council in March 2022. In response to that application the City Council (through the Shared Planning Service) obtained development viability advice from BNP Paribas Real Estate (BNPPRE) who concluded that (without any other section 106 contributions) the affordable housing commuted sum should be £34,225. In April 2023, the City Council commissioned BNPPRE to assess the viability of the latest redevelopment proposals.
- 6.36 BNPPRE have used Argus (a commercially available development appraisal cash-flow model) to appraise the development proposals. There are effectively two components to development viability assessments. Firstly, the gross development value (GDV) of the completed development is assessed having regard to sales values and rent. Secondly, the development costs are calculated, including profit margin and section 106 requirements. The difference between the total development value and total costs equates to the residual land value (RLV).
- 6.37 In order to assess whether a development scheme can be regarded as being economically viable it is necessary to compare the RLV that is produced with a benchmark land value. Benchmark land value should be based on EUV plus a site-specific premium or an Alternative Use Value, in line with the requirements of the Planning Practice Guidance. If the Development generates a RLV that is higher than the benchmark it can be regarded as being economically viable and therefore capable of providing additional affordable housing. However, if the Development generates a RLV that is lower than the benchmark it should be deemed economically unviable and the

quantum of affordable housing should be reduced until viability is achieved. The applicant and BNPPRE have agreed that the viability benchmark should be set at £0.

- 6.38 A section 106 contribution of £39,172.50 (comprising £5,355 for outdoor sports, £6,052.50 for indoor sports, £3,792 for children and teenage play, £5,445 for informal open space, £16,328 for community facilities and £2,200 for monitoring) has been included as a development cost.
- 6.39 BNPPRE have concluded that the proposed development comprising 100% private housing generates a RLV of - £154,002 providing a deficit of - £154,002 against the viability benchmark. They further advise that the profit against the gross development value would need to be 14.28% to return a positive RLV. BNPPRE recommend that the Council include both early and late stage review mechanisms within the Section 106 Agreement assessing changes in the GDV for both the dwellings and the associated multi-functional early years meeting space. Alternatively, the applicant may wish to consider offering a guaranteed affordable housing commuted sum payment to negate the need for a post development review.
- 6.40 **Sustainability Team – No objection**
- 6.41 No objection subject to details of the external roller blind proposed as part of the overheating mitigation strategy in the Energy and Sustainability Statement being provided. Conditions relating to carbon reduction and water efficiency recommended.
- 6.42 **Sustainable Drainage Officer – No Objection**
- 6.43 No objection subject to surface water and foul water drainage conditions.
- 6.44 **Urban Design Team – Objection**
- 6.45 The proposals introduce a bulky form within a finer grain context, and the proposed scale and massing is not supported in design terms. The proposals introduce a large, continual form with a footprint that spans approximately 40m at a height of four storeys (approximately 11m) and is excessively larger in bulk and mass than the surrounding fine grain context of the area.
- 6.46 The horizontal boxed dormers proposed along the roofline are substantial in size, and introduce a large element of flat roof, that overwhelms the pitched roof form, and outcompetes the front section of the retained building. A well-considered contemporary form could provide an acceptable extension to the building. Whilst there are elements that are successful around the materials palette and pitched element of the roof form, the concern around the proposed volume on the site remains.

- 6.47 A scheme that retains the prominence of the existing building frontage and reads as secondary to the original chapel would be considered acceptable in Urban Design terms. It is likely that a reduction in units is needed to achieve this. A review of the proposed unit typologies may also be a mechanism for addressing this. The proposal is therefore contrary to policies 55, 56 and 57 of the Cambridge Local Plan (2018).
- 6.48 In addition, functional design requirements of the scheme including refuse and cycle storage have not been adequately resolved and cannot be supported in design terms. The proposal is therefore contrary to Policies 56, 57 and 82 of the Cambridge Local Plan (2018) in this respect.

7.0 Third Party Representations

7.1 13no. representations have been received. 10no. object to the proposals and 3no. have been submitted as neutral representations.

7.2 The representations can be summarised as follows:

- The proposal is overbearing, intrusive and dominates the local skyline.
- Harm to character and appearance of area.
- Density of development too high.
- The existing building is quaint whereas the proposal is a block and has a massive panopticon-like character reinforced by a row of brooding balconies.
- The area has a rich heritage interest in terms of heritage assets.
- No car parking proposed and this will cause additional parking pressure in the area.
- A minimum of 26 people accessing via the extremely narrow passage will hinder free movement.
- Inability for emergency access.
- Not compliant with NPPF Paragraph 110 which requires 'safe and suitable access'.
- Highway safety concerns from additional deliveries and resident movements. Will also cause congestion on roads locally.
- The nearby church/ community hall and the newly refurbished Working Mens Club on the High Street already offers excellent and popular community facilities.
- Question need for early years centre given there are other facilities within close proximity.
- No application can be allowed on the basis of supposed commercial returns and a more modest development would still return sufficiently handsome profits.
- Proposal indicates that business will be open all day on a Saturday which is a more intensive use than existing.
- Insufficient cycle parking and no space for child carriers or disability bikes.
- Proposal does not meet the Cycle Parking Guide for New Residential Development specifications.
- Insufficient refuse space.

- Noise from heat pumps.
- Inaccuracies in the transport plan. Parking is worse than indicated in this document, particularly in terms of impact on Chapel Street because of businesses nearby.
- Disruption during construction process.
- Noise level from the neighbouring pub was monitored during lockdown when the pub wasn't at its usual capacity. Would pose a risk to operation of pub when in use due to additional noise complaints. Contrary to 'Agent of Change' principle set out in Paragraph 182 of the NPPF. A deed of easement permitting the pub to continue emitting noise at its present level should be set out as mitigation.
- The council needs to encourage more affordable housing.

7.3 There is also an objection from Camcycle. The objection raises the following points:

- The application does not meet the requirements of Appendix L of the 2018 Local Plan;
- Whilst the application talks of providing 24 spaces, in excess of the minimum requirement, the space allocated is not sufficient. Section L24 states "Cycle parking should accord with the Council's Cycle Parking Guide for New Residential Developments".
- As this is effectively a new development (other than basically the façade) Sheffield stands are required. This is not a "non-residential or large student development" under section L.19 and therefore the use of high-low or two-tier racks cannot be permitted under this policy. This is also not a change of use or refurbishment in the historic city core (L.18).
- 24 spaces would require two lines of 6 stands. These must be 1000mm apart and must be 600mm from the end walls. Therefore this requires 6200mm. The space shown on the drawing is 4200mm by 3800mm. The stands are shown against the walls and 225mm apart (300mm between centres, but the racks have width themselves). To put a single bike on each rack would mean putting one in the 120mm gap between rack and end wall. Most bicycles are more than 300mm across the width of the pedals, and have handlebars from approximately 400mm to 700mm wide. If bicycles were somehow wrestled into the spaces at the far end from the entrance, they would impede access to the electrical equipment room. Furthermore, the doors on the route to the cycle store are well below the minimum widths set out in the design guide. A total redesign will therefore be required.
- Going through the communal bin store to access the cycle store is also unpleasant.

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

8.0 Assessment

8.1 Principle of Development

- 8.2 The site contains the existing Chapel building and is classed as previously developed (brownfield) land. Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focused in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally.
- 8.3 The proposal would seek to reduce the amount of the existing early years education floorspace on the site. At present, the building provides 365sqm of floorspace. The proposed development would reduce this down to 83sqm, a net loss of 282sqm compared to the existing arrangement.
- 8.4 Policy 73 of the Local Plan states that the loss of a facility or site that was last in use as a community facility will only be permitted if it is demonstrated that:
- i) the facility/site can be replaced within the new development or relocated to at least its existing scale, range, quality and accessibility for its users. For leisure uses, it should satisfy peak period need; or
 - j) the facility/ site is no longer needed.
- 8.5 The site was last operated from by 'SNAP! 4 kids' (herein referred to as 'SNAP') who operated the site for just over 20 years from 2002 before closing the premises at Chapel Street in August 2022. A letter from the applicant has explained that this was due to challenges with the condition of the building and the unprecedented costs of heating such an energy inefficient space making the business untenable and not fit for purpose.
- 8.6 The applicant has also explained that in the final year of operation, the childcare provision had an average of 18 children attending morning sessions and 14 attending afternoon sessions. When the setting closed SNAP extended their other provision serving Cambridge city in Hauxton by 12 spaces (relocated a number of spaces) and, working closely with the Cambridgeshire County Council Early Years sufficiency team, found ample local childcare provision to support all the children who attended into alternative care. The applicant claims that this demonstrates that the Chesterton area did not have a childcare sufficiency challenge.
- 8.7 In response to this, officers have reached out to the Early Years and Childcare Team at Cambridge County Council to further understand what the need for early years facilities are in the Chesterton area. The Early Years and Childcare Team have corroborated the information provided by the applicant and have stated that there is not a need for this type of facility at the present time.
- 8.8 The applicant has stated that when the building is complete, they could make an application to register as an Ofsted Nursery for around 25 – 30 children if needed. This would be dependent on the demand and environment at the time of completion. The applicant is however of the view that it may be the

case that a more flexible multi-functional early years meeting space may be more appropriate than a traditional nursery. The applicant has pointed towards other creative cultural learning opportunities with companies such as a Cambridge version 'Chickenshed' based in the space.

8.9 Taking the above into consideration, whilst the proposal does result in a sizeable reduction in the quantum of early years education floorspace, it has been evidenced that there is not a demand for the original size of floorspace and that the consolidated and reconfigured arrangement would meet local need for this type of community facility. The principle of the multi-functional community space is therefore acceptable and accords with Local Plan (2018) policies 73 and 74.

8.10 **Character and Appearance and Heritage Impacts**

Policy background

- 8.11 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay special regard to the desirability of preserving or enhancing the character or appearance of that area.
- 8.12 Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses.
- 8.13 Policy 61 of the Local Plan sets out support for development proposals when they preserve or enhance the significance of heritage assets, including their settings and the wider townscape, including views into, within and out of conservation areas as appropriate to their significance and in accordance with the NPPF. In addition, it requires proposals to be of an appropriate scale, form, height, massing, alignment and detailed design which will contribute to local distinctiveness, complement the built form and scale of heritage assets and respect the character, appearance and setting of the locality.
- 8.14 Policy 62 of the Local Plan explains that where permission is required, proposals that impact local heritage assets (Buildings of Local Interest (BLIs)) will be permitted where they retain the significance, appearance, character or setting of a local heritage asset. The policy also reiterates the advice of Paragraph 203 of the NPPF (see below) where harm is identified.
- 8.15 Paragraph 199 of the NPPF (2023) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 8.16 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.17 Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 8.18 Policies 55, 56, 58 and 59 of the Local Plan 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.

Consultation Responses

- 8.19 As set out in chapter 6 of this officer report, objections have been received from Historic England and the Conservation Team in terms of heritage impacts.
- 8.20 Historic England consider that the scale, design and materials of the proposed development would be overbearing and would visually compete with the scheduled monument / grade I listed building (Chesterton Towers). They consider this would further erode the setting of this designated heritage asset and adversely affect the way in which it can be appreciated. Historic England consider that this harm amounts to a moderate level of less than substantial harm.
- 8.21 For the same reasons as set out above, the Conservation Team is also of the view that the proposal would harm the setting and significance of the Grade I listed building adjacent. Furthermore, they also consider that the proposal would harm the significance of the Grade II Listed buildings of nos.1 and 5 Chapel Street nearby, the BLI Chapel building itself and harm the character and appearance of the Chesterton Conservation Area. The Conservation Team have assessed this level of less than substantial harm as being moderate.
- 8.22 The Urban Design Team have also objected to the proposal on the grounds of impact to the general character and appearance of the area as the proposals introduce a bulky form within a finer grain context and the proposed scale and massing is not supported in design terms. The Landscape Team have also requested further information regarding the landscaping arrangements proposed.

Officer Assessment of Harm

- 8.23 The concerns raised by Historic England, the Conservation Team and the Urban Design Team are acknowledged. These concerns are principally concerned with the overall scale and massing of the proposal and the subsequent impact that the proposal would have on the non-designated heritage asset of the BLI itself, nearby heritage assets and the character and appearance of the area generally.
- 8.24 The existing building is of a simple two-storey pitched roof form with the tallest section of the building being the frontage element (eastern end) onto Chapel Street before it then transitions down in height from east to west. The building construction is of yellow bricks with a traditional slate roof. The main architectural features of note are concentrated in the eastern façade of the building through its symmetrical evangelical appearance with long arched windows and doors set within layers of recessed brick and a round headed ornated window at the first-floor level. Along the side elevations are a series of further recessed arches although the pattern and order of these elevations is less coherent than the front due to certain modern interventions.
- 8.25 The proposal seeks to reincorporate the front façade and parts of the side elevations where they are capable of being restored. In their detailed comments, the Conservation Team has described the amount of demolition of the BLI as “regrettable” and that it is considered harmful to its significance. However, it is considered by officers that the features of highest importance and value of the original BLI would be successfully reincorporated into the proposed development and that in terms of demolition, the significance of the BLI would be retained and no harm in this regard would be caused to non-designated or designated heritage assets. The small one-and-a-half storey outbuilding to the rear that would be demolished is not considered to hold any heritage significance and its demolition therefore acceptable.
- 8.26 The Landscape Team have requested further information regarding boundary treatments along the site periphery but this can be dealt with by way of a soft and hard landscaping condition. This will also ensure that any soft and hard landscaping within the scheme is of a high quality.
- 8.27 The scale and massing of the proposed development would consist of a continuous three-and-a-half storey pitched roof extension to the rear of the facade which follows the existing ridge line, measuring circa 11.2m to the ridge and the overall building footprint extending out to approximately 41m, the entire length of the site plot. It is therefore clear the proposal would introduce a considerable level of additional scale and massing into the area compared to existing.
- 8.28 Whilst the proposal does introduce a long continuous mass into the area, it does include a degree of relief through the proposed façade treatment and

architectural language of the proposed extension. For example, the proposed use of standing seam zinc cladding and a zinc clad roof provides a break from the traditional brick façade. Furthermore, the intervention of the modern rectangular dormers and window design of the extension provides an interesting delineation between the original elements of the building and the new. Also, the proposed extension would be set back from the southern and northern side building lines to provide outdoor balcony space for future occupants at second-floor level which, again, helps to break up this massing.

8.29 Taking the above into consideration, it is clear that whilst parts of the original building are to be retained, the proposed development is purposefully designed to read as a modern intervention through its use of contemporary materials and untraditional dormer and window design. It is considered that this contrast is broadly successful and that the subsequent harm to the nearby heritage assets of the Scheduled Monument, Grade I Listed Building, Grade II Listed Buildings, Conservation Area, the BLI and general character and appearance of the area is less significant than consultees have stated. Overall, the officer opinion is that the proposal would cause less than substantial harm to designated and non-designated heritage assets but that this impact is on the lower end of this spectrum. Furthermore, the impact on the character and appearance of the area generally is considered to be limited.

8.30 In accordance with local and national policies, namely Paragraphs 202 and 203 of the NPPF (2023), this low level of less than substantial harm needs to be weighed against any public benefits that are considered to accrue from the proposal.

Public Benefits

8.31 Chapter 6 of the applicant's Planning Statement sets out what they consider the public benefits of the development to be, namely:

- Securing the future of the non-designated heritage asset and securing its optimum viable use;
- Reversing ad hoc alterations to the building that have impact on the appearance of the non-designated heritage asset and the conservation area;
- Enabling a community use to operate albeit in a reduced capacity but enabling the necessary investment in the building to be made by self-financing means. The existing building is unfit for purpose;
- Enhancement of the environmental/ sustainability performance of the building;
- NPPF support for encouraging mixed use schemes;
- Reuse of brownfield land for housing; and
- Supporting the overall development strategy of Cambridge by focussing new development in and around the urban area.

- 8.32 Officers have visited the site and it is clear that the existing building internally and externally is in a poor condition and in need of substantial refurbishment to be brought back into a viable use. This is supported by a Structural Survey Report (GAWN Associates) which also explains that the property is not fit for use as a nursery in terms of CQC requirements. Without significant investment it is clear that there is a risk of the non-designated heritage asset falling into a state of disrepair and this having a negative impact on both the non-designated heritage asset itself, and nearby heritage assets through the building's deterioration. As set out above, the proposal would retain what are considered to be the facades of greatest significance of the BLI and help secure its long-term conservation. The Planning Practice Guidance (Paragraph: 020 Reference ID: 18a-020-20190723) is clear that this is a heritage benefit. As such, this is considered to be afforded a high level of public benefit.
- 8.33 The reuse of brownfield land for a residential led mixed use redevelopment is also a public benefit of the scheme given that it aligns strongly with both the Local Plan spatial strategy (policy 3) and the aims and objectives of the NPPF. As such this is considered to be afforded moderate levels of public benefit. As no meaningful affordable housing contribution is provided at this stage (see affordable housing section of this report), this can only be afforded moderate weight.
- 8.34 The poor and outdated condition of the existing building has a poor sustainability performance. The Sustainability Officer has assessed the Energy and Sustainability Strategy and explained that the proposals "significantly exceeds" the requirements of Local Plan Policy 28 in terms of target emission rates. In addition, the Early Years element represents an "exemplary energy performance in a refurbishment". Water usage would also be just under 100 litres/person/day which is supported. Given the existing relatively poor sustainability performance of the building, the proposed redevelopment and improvement of this should be afforded moderate public benefit given the Local Plan and wider Council aims to address climate change and environmental performance.
- 8.35 An additional public benefit of financial contributions amounting to £39,172.50 towards outdoor sports, indoors sports, children and teenage play, informal open space, community facilities and monitoring would accrue if this development were to go ahead. Furthermore, a commuted sum of £10,000 towards affordable housing provision in Cambridge would arise too. These are discussed in the 'Affordable Housing, Section 106 and Viability' section of this report later. These would provide low to moderate levels of public benefits.
- 8.36 Whilst the other public benefits claimed by the applicant are noted, officers consider that only the above three outcomes identified by the applicant, and the additional financial public benefits identified by officers, are considered to amount to public benefits. Collectively, these are judged to amount to substantial levels of public benefit.

Conclusion

- 8.37 In applying the tests set out in paragraphs 202 and 203 of the NPPF, the public benefits identified above are considered to be substantial and outweigh the less than substantial harm to designated and non-designated heritage assets.
- 8.38 As less than substantial harm is identified to the Grade I Listed and Schedule Monument of Chesterton Towers, the Chapel BLI (non-designated), Chesterton Conservation Area and the Grade II Listed buildings of nos.1 and 5 Chapel Street nearby, the proposal would conflict with policies 61 and 62 of the Local Plan which requires new development to preserve and enhance the significance of heritage assets. However, in applying the NPPF tests in relation to less than substantial harm identified, the public benefits are considered to outweigh the harm identified. Similarly, the low level of harm to the character and appearance of the area generally will need to be weighed against the material planning considerations which is done later in the 'Planning Balance' chapter of this report.
- 8.39 **Amenity**
- 8.40 Policy 35, 50 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.
- 8.41 Impact on amenity of neighbouring occupiers
- 8.42 The properties most affected by the development will be the occupiers of the Chesterton Towers flats to the south and 50a-50d and 52 High Street to the south-west and west. The buildings and spaces situated immediately to the north and north-west serve a surgery and public house respectively and therefore there will not be a residential amenity impact on these adjoining users.
- 8.43 Chesterton Towers flats
- 8.44 The flats of Chesterton Towers are situated to the south of the site. The proposed development would be located approximately 18m to the north of these neighbouring properties. Given this separation distance and the orientation of the development to the north of these neighbours, the proposal is not considered to result in significant harm to amenity in regard to overbearing impact and loss of light.
- 8.45 In regard to privacy, the proposal would have windows and balconies sited on the side (south) elevation at the upper-floor levels that face partly towards this neighboring site. However, these views would be limited and at 18m it is not

considered that the views would be such that they harmfully infringe upon the privacy of these neighbours.

8.46 50a – 50d High Street

8.47 The neighbouring properties at nos.50a-50d High Street consist of a series of 4no. 1-bedroom duplex dwellings situated approximately 11.5m to the south-west of the proposed development. The proposal would introduce a three and a half storey mass nearer to this neighbour boundary. However, at 11.5m away and orientated to the north-east of these neighbouring properties, it is not considered that the presence of this new development would adversely impact upon these neighbours in terms of loss of light or visual enclosure. There are no windows proposed on the side (south-west) gable end elevation of the proposed development and therefore the privacy of these neighbours would not be affected by the proposal.

8.48 52 High Street

8.49 The proposal will introduce a three and a half storey form adjacent to the side (east) boundary of this neighbour's garden. This proposed massing would however be sited at the very rear end of this neighbour's garden and therefore it is considered that while it would be visible, it would not result in a harmful enclosure or loss of light being experienced in this adjacent outdoor amenity space. The rear windows of this neighbour are circa 18m away from the north-west facing upper-floor windows of the proposed development. The garden of this neighbour would also be only obliquely visible from the upper-floor windows of the proposed development and it is therefore considered the privacy of these neighbours would be retained.

8.50 Noise and Disturbance

8.51 Concerns have been raised regarding construction impacts on existing residents. Conditions regarding construction hours, collection/ delivery hours and dust shall be added to any consent granted in accordance with advice from the Environmental Health Team.

8.52 It is noted that concerns have also been raised in relation to the potential noise from the air source heat pumps proposed. The Environmental Health Team also requested further information regarding the noise associated with this equipment. Following the submission of a revised noise impact assessment, it was clarified that the noise levels from this plant equipment would be below background levels (<33dB LAeq,T) at a distance of approximately 12m. The Environmental Health Team is now satisfied that the proposed plant equipment would not have an adverse impact on the amenity of nearby residential properties. They have recommended a condition that the plant is installed in accordance with the details set out in the noise impact assessment and this would be applied accordingly.

- 8.53 Limited information has been provided in terms of the operation of the multi-functional early years space. The Environmental Health Team has recommended a condition for a noise control scheme to be submitted and approved prior to first use of this space. The application form states that the hours of use would be 08:00 – 18:30 Monday to Friday and 09:00 – 17:00 on Saturdays with no operating on Sundays or Bank Holidays. These hours are considered reasonable given the existing established use of the site. However, as no end user has been identified, it is considered necessary and reasonable to require a management plan to be submitted prior to first use of the multi functional early years space by way of condition. This would ensure that the use is compatible with on-site and adjacent residential dwellings in terms of noise and disturbance.
- 8.54 The proposal adequately respects the residential amenity of its neighbours and the constraints of the site and subject to conditions is compliant with Cambridge Local Plan (2018) policies 56, 58 and 35.
- 8.55 Future Occupants
- 8.56 The residential amenity of the prospective occupiers must also be considered in terms of the quality of the living environment and provision of adequate amenity space.
- 8.57 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). All of the proposed the units meet the space standards. In this regard, the units would provide a high quality internal living environment for the future occupants. The floor space of the proposed units is presented in the table below against the requirements of policy 50.
- 8.58 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	1	1	1	39	40	+1
2	1	1	1	37*	38	+1
3	1	1	1	37*	38	+1
4	1	1	1	39	42	+3
5	1	1	1	37*	38	+1
6	1	1	1	37*	38	+1
7	1	1	1	39	47	+8

8	2	3	1	61	66	+5
9	2	3	1	61	75	+14
10	2	3	1	61	67	+6
11	2	3	1	61	67	+6
12	2	3	1	61	71	+10
13	2	4	1	70	99	+29

*shower only

8.59 Size of external amenity space

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

8.61 The previously refused cited the lack of private external amenity space for some of the proposed units as a reason for refusal. It also referenced that Units 1, 2 and 3's private amenity space would be poor quality and enclosed.

8.62 In response to this reason for refusal, the proposed dwellings under this new application would each have direct access to south facing balconies at the upper-floor levels. The ground-floor spaces for the ground-floor units would be marginally larger than the spaces shown under the previous refusal. It is considered that cumulatively, this is sufficient to overcome the previous reason for refusal and provide acceptable external amenity areas for future occupants.

8.63 The proposal provides an adequate level of residential amenity for future occupiers and is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56.

8.64 Accessible Homes

8.65 The development would comply with the requirements of Part M4(2) of the Building Regulations and would therefore comply with Policy 51 of the Cambridgeshire Local Plan 2018.

8.66 Noise levels within dwellings

8.67 The noise assessment submitted demonstrates that future occupants would not be subject to adverse levels of noise from the proposed air source heat pumps serving the development. This would be achieved by way of fixed shut glazing on the north-west elevation and mechanical ventilation. A condition is recommended to ensure compliance with these measures accordingly.

8.68 Objections have been raised in relation to the potential impact that the proposed future occupants could have on the operating of the Haymakers Public House to the north. This is known as the 'Agent of Change' principle which was introduced into national planning policy through the 2018 NPPF and subsequent revisions. Paragraph 187 of the NPPF (2023) states that:

“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

8.69 The Noise Assessment submitted demonstrates that using the scenario where all pub patrons are in pairs and one person per pair is speaking at once at a level between normal and raised (65dBA), the noise level at the nearest façade of the development would be approximately 53-55dB LAeq,T, as shown in the modelling results. An allowance for noise levels to be 3dB higher than those predicted from the noise modelling results has been incorporated, hence noise levels are predicted to be up to 58dB LAeq,T. The Noise Assessment calculates that with the north-west façade windows fixed-shut, noise levels from the public house garden would fall below the British Standard BS8233 recommended internal noise levels in the habitable rooms. Again, this will be secured by way of condition.

8.70 The proposal adequately respects the amenity of its neighbours, would not undermine the continued operation of the public house and provides an acceptable living environment for future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 52, 53, 56 and 58 and NPPF (2023) Paragraph 187.

8.71 **Affordable Housing, Section 106 Obligations and Viability**

8.72 Affordable Housing

8.73 The proposal seeks planning permission for 13no. dwellings. Policy 45 of the Cambridge Local Plan (2018) states that residential developments of 11 – 14no. dwellings will need to be provided a minimum of 25% affordable housing. This would equate to 3no. dwellings in this case.

8.74 The supporting text to this Local Plan policy states at paragraph 6.4 that:

“Where a developer considers that meeting the affordable housing target percentage will be unviable, robust evidence of this must be provided in the form of an independent viability appraisal. Negotiations between the Council

and the developer will need to take place to ensure clarity about the particular circumstances which have given rise to the development's reduced viability or non-viability, either on an open book valuation or involving an independently commissioned assessment using the Homes and Communities Agency's Development Appraisal Tool or other equivalent tools agreed with the Council in advance of assessment."

8.75 Paragraph 58 of the NPPF (2023) states that:

"Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available."

8.76 The application as submitted was supported by a Financial Viability Statement (Savills, January 2023). The Council then commissioned BNP Paribas to undertake a review of this viability statement in April 2023. This review found that with 100% private housing and a developers profit of 20% of gross development value (GDV) the proposed development generates a deficit of -£44,895. However, with a developers profit of 10.88%, a surplus of £257,855 would be generated. These results all include Section 106 contributions as expected development costs. BNP Paribas have set out that for a scheme of this risk, a profit level of 17.5% of GDV for the residential element and 15% of GDV for the commercial element is reasonable.

8.77 In response to this the BNP Paribas review, the applicant then prepared a rebuttal (Savills, June 2023) to some of the inputs used by BNP Paribas in their review. These related to a lower GDV of the early years space, higher construction costs and profit levels.

8.78 BNP Paribas then considered the three points of rebuttal from the applicant. In response to this, BNP Paribas findings were updated (July 2023) and subsequently concluded that the viability position was worse than originally reviewed. The proposed development with 100% private housing and 20% developers profit generates a deficit of -£154,002 against the viability benchmark. However, with a developers profit of 10.88%, a surplus of £157,067 would be generated. In order to return a positive Residual Land Value (RLV) and provide a viable scheme, a developers profit of 14.28% would need to be set.

8.79 The above outcomes demonstrate that the proposed development would not be viable if it were to include affordable housing. This is not disputed by the

Affordable Housing Team nor the Section 106 Officer based on the advice provided by BNP Paribas. BNP Paribas did however recommend that the Council include both early and late stage review mechanisms within the Section 106 Agreement assessing changes in the GDV for both the dwellings and the associated multi-functional early years meeting space.

8.80 In the alternative of a review mechanism, the applicant has offered to commit to a £10,000 commuted sum towards affordable housing provided that the review mechanism is not included in any Section 106 Agreement. Officers have consulted with the Affordable Housing Team who have expressed a preference for the guaranteed £10,000 sum given the findings of the BNP Paribas review and the uncertainties surrounding market returns and build costs in the future associated with the proposed development.

8.81 In terms of affordable housing, it is considered that the applicant has adequately demonstrated that the scheme is not capable of delivering the required levels of affordable housing and is compliant with Local Plan (2018) Policy 45 and paragraph 57 of the NPPF (2023) subject to securing a commuted sum of £10,000 towards affordable housing through a Section 106 Agreement.

8.82 Section 106 Obligations

8.83 Section 106 contributions amounting to £39,172.50 have been sought by the Section 106 Team. These contributions sought consist of:

- £5,355 (plus indexation for outdoor sports is requested towards the provision of and / or improvements to sports pitch facilities (including artificial pitches for football and cricket) at North Cambridge Academy, Arbury Road;
- £6,052.50 (plus indexation) for indoor sports is requested 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;
- £3,792 (plus indexation) for children and teenage play is requested towards the provision of and / or improvements to the play area equipment and facilities at Scotland Road Recreation Ground play area.
- £5,445 (plus indexation) for informal open space is requested towards the provision of and / or improvements to the informal open space facilities at Scotland Road Recreation Ground
- £16,328 for community facilities (plus indexation) is requested towards the provision of and / or improvement of the facilities and / or equipment at Browns Field Community Centre, Green End Road; and
- £2,200 for monitoring and administration of the Section 106 Agreement.

- 8.84 As stated earlier, these contributions have been factored into the viability assessment and reviews as development costs. The inclusion of these as a policy requirement is therefore not disputed.
- 8.85 Subject to the prior completion of a Section 106 Agreement to secure these contributions, it is considered that the proposal accords with Cambridge Local Plan (2018) Policy 85 and the Planning Obligation Strategy 2010. Delegated powers are sought to deal with the details of the S106 agreement.
- 8.86 It is considered that 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 Obligations passes the tests set by the Community Infrastructure Levy Regulations 2010.
- 8.87 Carbon Reduction and Sustainable Design**
- 8.88 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.
- 8.89 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day and a 44% on site reduction of regulated carbon emissions and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.
- 8.90 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 8.91 The proposal details an all electric approach, the use of air source heat pumps and a low temperature ambient loop system to heat the building as a whole. This is anticipated to result in a carbon reduction of between 54.9% and 63.% in dwellings emission rates over target emission rates depending on the Unit. Water efficiency of no more than 100 litres per person per day is also targeted. Deployable external shades (roller blinds integrated into the window detail) are proposed to reduce overheating risk.
- 8.92 The application has been subject to formal consultation with the Council's Sustainability Officer who commented on proposal and raised no objections subject to recommended conditions in regard to carbon reduction and water efficiency.

- 8.93 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.
- 8.94 **Biodiversity**
- 8.95 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 8.96 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a Preliminary Ecological Appraisal.
- 8.97 The application has been subject to formal consultation with the Council's Ecology Officer who commented that the submitted appraisal is acceptable. The surveys demonstrate that there is no evidence of roosting bats in the building. The Ecology Officer is content that the site biodiversity net gain baseline is set at 0 due to the sealed, artificial surfaces and built form. Therefore, any landscaping will automatically result in a 100% gain for the site. It is recommended that the limited levels of landscaping are of native, pollinator friendly species to maximise biodiversity value and the Ecology Officer has suggested this is incorporated into the standard landscaping condition. The provision of bird and bat boxes is also supported by the Ecology Officer and a condition is recommended to secure this.
- 8.98 The Ecology Officer had sought confirmation that the 2022 bat roost surveys had been undertaken. This has been raised with the agent who has explained that the survey dates prescribed in the ecology report were based on a view of when the application was likely to be submitted and when a consent may reasonably have been expected, and work on the building commenced. However, the application was not submitted until January 2023 and it has taken longer than anticipated to be determined and they will not now be in a position to commence works until May 2024.
- 8.99 In response to the above, the Ecology Officer has explained that it is best practice for all protected species surveys to be undertaken and submitted to the LPA prior to determination, in case any subsequently discovered constraints and mitigation requirements make the approved application undeliverable. However, given the previous 2020 dawn and dusk surveys established that no bat roost were present and the 2022 internal and external inspection recorded

no evidence of roosting bats, it is accepted the risk for a new roost to have established is low. Therefore the Ecology Officer would be content with conditioning the dawn / dusk surveys, in line with Bat Conservation Trust best practice survey season, prior to any demolition, refurbishment or construction works. This condition has been recommended accordingly.

8.100 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, subject to conditions, the proposal is compliant with Policies 69 and 70 of the Cambridge Local Plan (2018).

8.101 **Water Management and Flood Risk**

8.102 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.

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

8.104 The Council's Sustainable Drainage Engineer and the Lead Local Flood Authority have recommended conditions in regard to surface water scheme, the long term maintenance arrangements for surface water drainage, foul water drainage details and mitigation measures against the risk of flooding from all sources.

8.105 It is considered that subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

8.106 **Highway Safety and Transport Impacts**

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

8.108 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.

8.109 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority who have commented on the proposal and raise no objections on highway safety grounds. Conditions regarding the management of the demolition and construction process by way of delivery hours and a traffic management plan have been recommended.

8.110 The proposal accords with the objectives of Policies 80 and 81 of the Local Plan (2018) and is compliant with NPPF advice.

8.111 Cycle and Car Parking Provision

8.112 Cycle Parking

8.113 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

8.114 The proposal would provide 8 no. Sheffield stands within an internal store and 3no. wall mounted Sheffield bars under a glazed canopy over the external corridor on the north-western side of the building for the 13no. residential apartments. Collectively this would provide 19no. spaces, equating to 1no. space for each bedroom which accords with the amounts sought under the Council's Cycle Parking Guide for New Residential Developments SPD (2010).

8.115 It is acknowledged that concerns have been raised by Cam Cycle and the Council's Urban Design Team regarding the arrangement of having to go through the residential bin store to access the cycle parking spaces. While it is agreed that this is not a desirable arrangement, functionally, the internal floorplans demonstrate that the cycles can be accessed without undermining the functionality of the bin store and vice versa. In addition, the Urban Design Team have highlighted that no provision for 'off-gauge' and non-standard bikes has been made, neither is it feasible due to the limited floorspace available. Paragraph 1.9 of the Cycle Parking Guide for New Residential Developments SPD states that; *"in circumstances where cycle parking is to be provided as the consequence of the re-development of an existing building, for example conversion of a large house into separate flats, discretion may be exercised by this authority."* Given the constraints of the site, it is considered in this case that the less than desirable route to the cycle store and absence of dedicated non-standard cycle storage is, on balance, acceptable.

8.116 The Urban Design Team have also questioned the provision of cycle parking for the non-residential element. The proposal includes 2no. Sheffield stands within the site adjacent to the southern boundary which appear capable of accommodating 4no. spaces. The standards within Appendix L of the Local Plan (2018) state that for a nursery/ creche type of use there should be 2 spaces for every 5 members of staff, 1 visitor space per 5 children and an area to be provided for the parking of cargo bicycles/ trailers. Although an end user has not been identified at this stage, the application information indicates that the proposal is anticipated to generate 2 members of staff and up to 25 –

30 children. Therefore, whilst the proposal would cater fully for staff, it would be noticeably short of the standards required for visitor spaces and cargo bicycles/ trailers as there is no space for this element.

- 8.117 Although the proposal does not meet the cycle parking standards in Policy 82 of the Local Plan (2018), there are other factors that need to be borne into consideration. As set out in the preceding paragraphs of this report, the applicant has demonstrated that the proposed development is marginally unviable. In order to accommodate the necessary cycle parking spaces to meet the standards set out above, a considerable amount of ground-floor space of the development would need to be repurposed for cycle storage. This would inevitably exacerbate the unviability of the scheme due to the loss of rental yield from any nursery and/or the loss of value from the likely loss of one of the ground-floor residential apartments. In addition, it also needs to be acknowledged that the existing nursery, which is over four times as large as the proposed multi-functional community space, does not have any dedicated cycle parking other than informal parking along the external boundary walls.
- 8.118 Notwithstanding the above, the applicant has expressed in their Transport Statement that they would be willing to contribute towards the provision of public cycle parking on the public highway if agreeable by the Local Highway Authority. This would likely take the form of approximately 2 – 3no. Sheffield stands although the precise details at this stage have not been agreed. The applicant has not objected to the inclusion of a Grampian condition, requiring it to be demonstrated that public cycle parking provision off-site on Chapel Street will be made prior to occupation of the multi-functional community space. This condition would partly address the issue and is considered reasonable.
- 8.119 Taking the above into consideration, whilst the proposed cycle parking arrangements for the non-residential element do not conform to the cycle parking standards of the Local Plan and are not ideal, it is considered that, in this site context, the viability deficit of the scheme, and the agreement to a Grampian condition for off-site public cycle parking, this arrangement is acceptable. A cycle parking condition will also be applied to demonstrate that the cycle spaces on-site can be accessed effectively and that the stands are of a high quality.
- 8.120 Car parking
- 8.121 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms. 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.

8.122 The proposal would provide no car parking on site. Neighbouring properties have raised concern about the lack of car parking for the proposed development noting it is a mixed use development. The site and the streets in the immediate vicinity of the site predominantly fall outside the controlled parking zone. Members should note that the nursery is an existing business on the site. The applicant has submitted a Transport Statement which states a parking beat survey was carried out. This showed that there were 68 spaces out of 112 available. The site is in a highly sustainable location within Chesterton. Therefore, it is officer's view that the proposal would not increase parking pressures on nearby streets to an unacceptable degree and would not therefore be detrimental to the amenity of nearby residents.

8.123 The proposal is compliant with Cambridge Local Plan (2018) Policy 82 and the Greater Cambridge Sustainable Design and Construction SPD.

8.124 **Archaeology**

8.125 The site lies in an area of archaeological potential, namely due to its close physical relationship to the Scheduled Monument of Chesterton Tower to the south.

8.126 The application has been subject to formal consultation with the Cambridgeshire County Council Archaeology Officer who comments that they are supportive of the consultee objections from Historic England and the Council's Conservation Team in terms of impact to heritage assets nearby. These matters are addressed above in the report and the reading of the Archaeology Officer's comments indicates that there is not an objection in terms of disturbance to below ground assets. In the event of approval, they have recommended an archaeological condition and informative.

8.127 The proposal would accord with Policy 62 of the Cambridge Local Plan 2018 subject to condition.

8.128 **Waste**

8.129 Bin storage provision is to be provided within an internal store accessed from the north-western elevation walkway with bins then wheeled out onto Chapel Street for collection. A smaller store is provided for the non-residential element on the south-eastern boundary with the same arrangement out onto Chapel Street. The proposals appear to show that bins are capable of being dragged out to the public highway for collection and work functionally but a condition has been recommended to ensure this.

8.130 The proposals would be in accordance with the RECAP waste guidelines and would be compliant with the Cambridge Local Plan 2018 policy 58 subject to condition.

8.131 **Response to Third Party Representations**

8.132 The relevant sections of the officer assessment have addressed many of the third party representations raised. Those not addressed in other sections of this assessment are addressed below.

8.133 In terms of the movement of 26 people via the passageway, it is not considered this would hinder the free movement of people on the public highway. The Local Highway Authority have raised no objection.

8.134 It is noted there are other churches and community halls in the surrounding area. There is no in principle objection to the retention of some form of community use on this site and the principle of development complies with Local Plan policy. The site is in use as a nursery use and the potential re-provision of this site is required by Local Plan policy.

8.135 The concern regarding the Saturday use of the community facility are noted and any management plan would need to ensure that the hours of use respect the amenities of on-site and nearby residential properties.

8.136 Disruption during the construction process would be controlled and managed by way of the Traffic Management Plan recommended by the Local Highway Authority and the construction/ demolition conditions recommended by Environmental Health.

8.137 It is noted that a concern has been raised regarding emergency access to the site. Cambridgeshire Fire and Rescue Service have been consulted and raised no objection subject to a fire hydrant condition which has been recommended accordingly. The building is not a 'relevant building' for the purposes of the Health and Safety Executive's standing advice and therefore a fire strategy is not required for this application.

8.138 The Designing Out Crime Officer has made several recommendations with regards to the detailed design of the building and access arrangements. These have been brought to the applicant's attention by way of an informative.

8.139 **Planning Balance**

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

- 8.141 The principle of the development of the redevelopment of the site to a mixed-use residential development of 13no. flats and multi-functional early years meeting space use is acceptable in policy terms.
- 8.142 The proposed development has been identified as causing less than substantial harm to designated and non-designated heritage assets both on and off the site. This harm is considered to be on the lower level of the less than substantial harm spectrum. In addition to harm to heritage assets, the proposed cycle parking arrangement is considered to not be policy compliant and a degree of conflict arises from this element.
- 8.143 The harm identified above is judged to be outweighed by the public benefits that would accrue from the development, specifically the securement of the long-term conservation of the facades of the Building of Local Interest, the re-use of brownfield land, improved sustainability performance of the building, and financial contributions towards infrastructure and towards affordable housing.
- 8.144 The proposal would provide an acceptable living environment for future occupiers whilst no significant neighbour amenity or highway safety harm has been identified. The applicant has demonstrated that the scheme is not viable with affordable housing provision and this has been verified by the Council's appointed viability consultant.
- 8.145 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

9.0 Recommendation

9.1 Approve subject to:

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

- Completion of a Section 106 Agreement with drafting and terms delegated to officers.

10.0 Planning Conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.
Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No demolition/development (apart from internal stripping out, and site investigation) shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological historic building recording that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2023).

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

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

5. No development including any demolition shall commence until dawn and dusk bat roost surveys have been submitted to and approved in writing by the local planning authority. The bat roost surveys shall be carried out in accordance with the Bat Conservation Trust 'Bat Surveys for Professional Ecologists: Good Practice Guidelines: 4th Edition (2023). In the event of evidence of bat roosting being recorded as a result of the bat roost surveys, a mitigation strategy shall be submitted to and approved in writing by the local planning authority.

Reason: To prevent injury or death to bats which may roost on the site in accordance with Policy 70 of the Cambridge Local Plan 2018.

6. The multi-functional community space shall be fully finished and capable of use by a future occupier and the local planning authority notified of such prior to the occupation of the 7th dwelling unless a phasing plan for its provision is otherwise submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the occupation trigger or approved phasing plan trigger as applicable.

Reason: To ensure that the development provides an acceptable replacement community facility in accordance with Cambridge Local Plan (2018) Policies 73 and 74.

7. Prior to the commencement of works above ground level, details of an alternative ventilation scheme for the habitable rooms with windows on the northern elevation to negate / replace the need to open windows, in order to protect future occupiers from external noise shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall achieve at least 2 air changes per hour. Full details are also required of the operating noise level of the alternative ventilation system. The scheme shall be installed before the use of identified flats for such a scheme hereby permitted is commenced and shall be fully retained thereafter.

Reason: To ensure that the proposal provides an acceptable living environment for future occupiers in accordance with Cambridge Local Plan (2018) Policies 35, 56 and 58.

8. No above ground works shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the agreed Proposed Drainage Scheme prepared by Gawn Associates (ref: 220/0059/02) dated July 2021 and shall also include (unless suitable alternative restrictions are otherwise agreed in writing):
- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
 - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements; and
 - c) Full details of the maintenance/adoption of the surface water drainage system;

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

Reason: To ensure surface water is managed appropriately during the lifetime of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself in accordance with Cambridge Local Plan (2018) Policies 31 and 32.

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

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area, preserves or enhances the character, appearance and special interest of designated and non-designated heritage assets. (Cambridge Local Plan 2018 policies 55, 58, 61 and 62)

10. No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) proposed finished levels, pedestrian access and circulation areas; hard surfacing materials; structures (e.g. refuse or other storage units, signs, lighting, and CCTV installations); proposed (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); and proposals for restoration, where relevant;

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

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

c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.

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

All hard and soft landscape works shall be carried out and maintained in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the Local Planning

Authority gives its written consent to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity. (Cambridge Local Plan 2018 policies 55, 58, 59 and 69).

11. No development above ground level shall commence until a scheme for the provision of swift and bat nest boxes has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of box numbers, specification and their location. No dwelling shall be occupied until nest boxes have been provided for that property in accordance with the approved scheme.

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

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

Reason: To ensure an adequate water supply is available for emergency use (Cambridge Local Plan (2018) Policy 85).

13. Prior to first occupation, details shall be submitted in writing for approval by the Local Planning Authority of the noise limiting control / device within the multi-functional community space set to the satisfaction of the Local Planning Authority in order to minimise the level of noise emanating from the premises. The noise control scheme as approved shall be fully constructed and implemented before the use hereby permitted is commenced and shall be fully retained thereafter.

Reason: To ensure that the amenity of future occupiers and neighbours are not harmed and that the functioning of the multi-functional early years meeting space is not jeopardised in terms of noise emanating from it. (Cambridge Local Plan 2018 Policies 35 and 56 and National Planning Policy Framework 2023 Paragraph 187)

14. Before the use hereby permitted is commenced a post construction completion, commissioning and testing report for the noise insulation scheme, to include the acoustic performance testing, shall be submitted to and approved in writing by the local planning authority. The post construction completion, commissioning and testing report shall demonstrate compliance with the Noise Insulation Scheme (as approved by condition no.22 of this permission) and shall include; airborne and structural acoustic / sound insulation and attenuation performance certification / reports for the various elements of the scheme, the consideration and inspection of the standards of workmanship (including quality control) and detailing of the sound insulation scheme and any other noise control measures

as approved. Details of the full noise insulation scheme sound performance testing certification to the satisfaction of the LPA will be required.

Reason: To ensure that the amenity of future occupiers and neighbours are not harmed and that the functioning of the adjacent public house is not jeopardised in terms of noise emanating from the public house. (Cambridge Local Plan 2018 Policies 35 and 56 and National Planning Policy Framework 2023 Paragraph 187)

15. No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development (Cambridge Local Plan (2018) Policies 31 and 32).

16. The development shall not be occupied or the permitted use commenced, until details of facilities for the covered, secure parking of cycles for use in connection with the development have been provided in full in accordance with the approved details and retained as such thereafter.

Reason: To ensure appropriate provision for the secure storage of bicycles (Cambridge Local Plan 2018 policy 82).

17. No dwelling shall be occupied until the approved carbon reduction strategy for that dwelling as set out in the document titled '6a Chapel Street, Cambridge, Energy and Sustainability Statement, Joel Gustafson Consulting, 1 November 2022, Revision E' has been implemented in full. Any associated renewable and / or low carbon technologies shall thereafter be retained and remain fully operational in accordance with the approved details. Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised approach to meeting the required reduction in carbon emissions shall be submitted to and approved in writing by the local planning authority. The approved revised approach shall be fully implemented and thereafter maintained in accordance with the approved details prior to occupation of any dwelling.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2018, Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

18. Prior to first occupation, each dwelling shall be fitted with a means for future occupiers to monitor / measure all of their own energy consumption (electric / water / gas) including the extent of the contribution made to energy consumption from on-site renewable energy sources. The fitted device(s) shall be retained and maintained thereafter.

Reason: In the interest of promoting sustainable development (Cambridge Local Plan 2018 policy 28).

19. The multi-functional community space hereby permitted, shall not be occupied, nor the use commenced, until a management plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include provisions relating to:

- a) travel arrangements for staff and visitors including pick up and drop off;
- b) numbers of staff and visitors;
- c) hours of use;
- d) details of amplified noise (if any);
- e) details of intended use;
- d) the management of deliveries;
- e) waste management; and
- f) the external display of contact information for on-site management and emergencies.

The development shall thereafter be managed in accordance with the approved management plan.

Reason: In order to ensure the occupation of the site is well managed and does not give rise to significant amenity issues for nearby residents (Cambridge Local Plan 2018 policies 35 and 56).

20. The multi-functional community space hereby permitted, shall not be occupied, nor the use commenced, until details have been submitted to and approved in writing by the Local Planning Authority to confirm that additional public cycle parking provision on Chapel Street has been provided, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate provision for the secure storage of bicycles (Cambridge Local Plan 2018 policy 82).

21. No external lighting shall be provided or installed other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried as approved and shall be retained as such.

Reason: To minimise the effects of light pollution on the surrounding area (Cambridge Local Plan 2018 policy 34).

22. The noise insulation scheme, glazing performance, plant and associated equipment as stated within the Cass Allen “noise impact assessment” report dated 23rd May 2023 (rev 7 – report ref: RP01-20135) shall be fully implemented, maintained and not altered.

Reason: To ensure that the amenity of future occupiers and neighbours are not harmed and that the functioning of the adjacent public house is not jeopardised in terms of noise emanating from the public house. (Cambridge Local Plan 2018 Policies 35 and 56 and National Planning Policy Framework 2023 Paragraph 187)

23. Water efficiency measures for the scheme shall be implemented in accordance with the optional requirement as set out in Part G of the Building Regulations and the water efficiency specification set out in the 6a Chapel Street, Cambridge, Energy and Sustainability Statement, Joel Gustafson Consulting, 1 November 2022, Revision E, which sets out the proposals to achieve a design standard of water use of below 110 litres/person/day.

Reason: In the interests of reducing carbon dioxide emissions and to make efficient use of water (Cambridge Local Plan 2018, Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

24. Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall service site only between the hours of 09.30hrs -15.30hrs, seven days a week.

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

25. No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

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

26. There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays unless otherwise previously agreed in writing with the Local Planning Authority.

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

27. All individual letter boxes for the proposed residential unit(s) shall be located and externally accessible from the street unless otherwise agreed in writing by the Local Planning Authority due to individual building layout constraints.

Reason: In the interests of good design and security (Cambridge Local Plan 2018 policy 55)

28. The ground-floor of the development hereby permitted, as labelled 'multi-functional community space' on drawing no.2574-20-110 Rev D, shall be strictly limited to uses defined in the Town and County Planning Use Classes Order 1987 (as amended) as Use Classes E(f), F1 and F2 only.

Reason: To ensure that a community and/or educational use on the site is retained in accordance with Cambridge Local Plan (2018) Policies 73 and 74.

Informatives:

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

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

3. Designing Out Crime Recommendations:

Apartment communal entrances (front/rear) Audio visual visitor entry system – It would be good to see what access control and visitor entry systems are being considered for the residents – our recommendation is audio/visual visitor entry to allow the residents to see and speak to visitors prior to allowing access. There should be no trade buttons or other electronic release mechanisms. Access control and compartmentalisation on each level should also be considered.

Cycle Storage - Our recommendations are that Sheffield stands are provided and fixed into a concrete subbase and security rated door set LPS1175 SR2 with a self-closer and thumb turn or push button for easy egress and access controlled for residents only and well lit. Please note: There should be no windows to allow people to see inside.

The bin store – Our recommendation is that this is separate from the cycle storage, they should never be placed together as it will only increase the risk of theft.

Boundary Treatments (gates) – (Residents only) The side gates for resident access should be dual access controlled and keypad for refuse collection (unless the bins are removed from the bin store prior to collection – see following comment). The same is required for the community Centre.

Bin Storage (Apartments / Community Centre) – Our recommendation is that it should be dual access controlled, fob for residents and keypad for refuse collection. Can you confirm if the community centre has their own bin storage location? Will there be a management plan where the bins are moved on collection day/s?

Lift and Stair cores – Our recommendation is that the lifts have audio/visual and be restricted to the desired floor only, and each stair core would need to be access controlled to prevent free flow through the whole apartment block

External lighting - There should be LED dusk to dawn wall mounted lights above each entrance/exit doors. Please note: Bollard lighting should be used as wayfinding

only and not as a main source of lighting. A qualified lighting engineer will be able to produce a lighting plan appropriate for the safety and security of the users..

CCTV - Apartments / Community Centre - While it is not a universal solution to security problems, it can help deter vandalism or burglary and assist with the identification of culprits once a crime has been committed. The provision and effective use of CCTV fits well within the overall framework of security management and is most effective when it forms part of an overall security plan. CCTV should meet BS EN 50132-7: 2012+A1:2013 CCTV surveillance systems for use in security applications. CCTV Signs should conform to the Information Commissioners Office regulations and placed in relevant areas around the building line, apartment lobby area and community centre.

Secure Mail delivery – there are increasing crime problems associated with letter plate apertures, such as identity theft, arson, hate crime, lock manipulation and ‘fishing’ for personal items (which may include post, vehicle and house keys, credit cards, etc). To address such problems SBD strongly recommends, where possible, mail delivery via a secure external letter box meeting the requirements of the Door and Hardware Federation standard Technical Standard 009 (TS 009 with restrictor) or delivery ‘through the wall’ into a secure area of the dwelling.

Landscaping - It is important to ensure that there is a management plan in place to ensure tree crowns are maintained and raised above 2m in height and ground planting and hedging is kept to a minimum of 1 – 1.2m in height, this will allow for ongoing natural surveillance across the development, open spaces, and footpaths and to reduce possible conflict with lighting.

4. TMP Informative: When writing a Traffic Management Plan (TMP) the applicant should consider the following elements and provide the information as requested. This will make discharging the condition much simpler, faster and more efficient. As will be seen from the details below a TMP need not be a lengthy document however, clarity is key.

1. Site Plan

- i. The applicant should provide a site plan at a true scale of 1:200 for smaller sites and 1:500 for larger sites showing the following areas with written dimensions:

- a. Proposed material storage area;
- b. Proposed site offices;
- c. Proposed car parking area;
- d. Proposed manoeuvring space;
- e. Proposed access location;
- f. Proposed location of any gates;
- g. Proposed location of any wheel washing facility or similar;
- h. If the site is to be multi-phased then a plan for each phase should be provided.

2. Movement and control of muck away and delivery vehicles

- i. The proposed manoeuvring area for delivery/muck away vehicles, this should include a swept path analysis for the largest vehicle to deliver to the site to demonstrate that this can enter and leave in a forward gear;
- ii. If it is not possible to deliver on site or turn within the same, then details of how such deliveries will be controlled will need to be included, for example if delivering to

the site while parked on the adopted public highway how will pedestrian, cycle and motor vehicle traffic be controlled?;

iii. Delivery times. If the site is served off a main route though the county (and this does not necessarily need to be a A or B class road), or other areas of particular traffic sensitivity (a list of traffic sensitive streets can be requested from the Street Works Team at Streetworks@Cambridgeshire.gov.uk) then delivery and muck away times will need to be restricted to 09.30-16.00hrs Monday to Friday.

iv. If the site is in the vicinity of a school then the applicant should ascertain from the school when their opening/closing times are and tailor the delivery/muck away movements to avoid these. The Highway Authority would suggest that allowing at least 30 minutes either side of the open/closing times will generally ensure that the conflicts between school traffic and site traffic are kept to the minimum;

v. The Highway Authority would seek that any access used by vehicles associated with the site be paved with a bound material (for at least 15m for larger sites) into the site from the boundary of the adopted public highway (please note this is not generally the edge of carriageway), to reduce the likelihood of debris entering the public highway;

vi. Any temporary gates used for site security must be set back at least 15m from the boundary of the adopted public highway to enable a delivery/muck away vehicle to wait wholly off the adopted public highway while the gates are opened and closed, or they must remain open throughout the entire working day;

vii. Normally access to the site should be 5m in width for smaller sites and 6.5m for larger sites, though it is recognised that this may not be practical for small scale developments of one or two units.

3. Contractor parking:

i. If possible all parking associated with the proposed development should be off the adopted public highway.

ii. Within the area designated for contractor/staff parking each individual bay must be at least 2.5m x 5m, with a 6m reversing space. However, given the nature of the construction industry i.e. that staff tend to arrive and leave site at approximately the same time spaces may be doubled up, i.e. 10m in length, 2.5 wide with a reversing space. A list of number of operatives, staff and trades that will be on site at any one time should be provided to ascertain if the number of spaces being proposed will be acceptable.

iii. If the site has no potential to provided off street car parking and or only limited numbers the applicant must provide details of how on street parking will be controlled.

iv. If contractor parking is to be on street the applicant must maintain a daily register of contractor (and sub-contractor vehicles) that are parked on street, so if any such vehicle does create a problem, it can quickly be removed by the owner/controller. At a minimum the register should contain the following:

- a. The name of the driver
- b. The registration number of the vehicle
- c. Make of vehicle
- d. Arrival time
- e. Departure time

4. Control of dust, mud and debris, in relationship to the operation of the adopted public highway

- i. If it is likely that debris may be dragged on to the adopted public highway the applicant should provide details of how this will be prevented. If a wheel wash or similar is proposed, the details of how the slurry generated by this will be dealt with must be provided, please note it will not be acceptable to drain such slurry onto or over the adopted public highway.
- ii. The Highway Authority would seek that the developer include the following words in any submitted document: The adopted public highway within the vicinity of the site will be swept within an agreed time frame as and when reasonably requested by any officer of the Highway Authority.
- iii. It is recognised that construction traffic occasionally damage the adopted public highway and the developer should include a note stating that such damage will be repaired in a timely manner at no expense to the Highway Authority. The Traffic Management Plan must relate solely to how the operation of the site will affect the adopted public highway, other information for example noise levels is not a highway matter and should not be included within the plan.

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