



23/04935/FUL – Land North of Newmarket Road, Cambridge

Application details

Report to: Joint Development Control Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward: Abbey

Proposal: Construction of a community garden and storage building with associated landscape and boundary treatments including pedestrian and cycle connection between the Marleigh development and Jack Warren Green.

Applicant: Hill Marshall (Phase 3) LLP

Presenting Officer: Laurence Moore

Reason presented to Committee: The application is within the JDCC administrative area and comprises non-residential development on a site having an area of 1 hectare or more.

Member site visit date: 05 November 2024

Key issues: 1. Principle of development

2. Design, layout, scale and landscaping.

3. Open space and recreation.

Recommendation:

A. Approve this full planning application 23/04935/FUL subject to:

- (i) The planning conditions and informatives as detailed in Section 27 of this report, with delegated authority to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary).
- (ii) The prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL and 13/1837/OUT, to release those obligations no longer required as a consequence of the approval of this proposal, and to the new planning obligations specified in this report, with delegated authority to officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

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1. Introduction and Executive summary

- 1.1 The Joint Development Control Committee (JDCC) has for determination today a number of planning applications which officers have grouped together, describing them as the Marleigh Phase 3 'suite of applications'.
- 1.2 The suite of applications together form the final residential phase of Marleigh, proposing a total of 423 homes, of which 91 homes are above the residential cap of 1300 homes set by the outline planning permission. It comprises five separate planning applications which take the form of full applications, reserved matters applications and a Section 73 application. There are elements of interdependence. The suite comprises:
- A. **23/04930/REM** Reserved matters application detailing, appearance, landscaping, layout and scale for the construction of 332 new homes and commercial space with associated infrastructure, internal roads, open space as part of phase 3 pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016. Part discharge of Conditions 13, 17, 18, 19, 20, 21, 23, 24, 25, 28, 30, 34, 40 of outline planning permission reference number S/2682/13/OL.
 - B. **23/04935/FUL** Construction of a community garden and store room with associated landscape features, street furniture, planters and boundary treatments including pedestrian and cycle connection between the Marleigh development and Jack Warren Green.
 - C. **24/03837/S73** S73 to vary conditions 1 (Approved drawings) and 28 (Visitor car parking) and additional condition 30 (pitch flexibility) of planning permission 23/01939/S73 (S73 to vary condition 1 (Approved plans) of reserved matters application 20/02569/REM (Reserved matters

application as part of Phase 1B pursuant to condition 5 (Reserved Matters) of outline planning permission S/2682/13/OL dated 30 November 2016 (EIA Development) for detailed access, appearance, landscaping, layout and scale for the creation of 308 new homes, non-residential floor space, laying out of playing fields, open space, allotments, associated infrastructure and internal roads) to replace six two-storey houses (C2 and C3) within phase 1b with three-storey houses and to replace five carports with garages (D4)) to increase the number of visitor car parking spaces that are available to the users of the Plains recreational field.

D. **23/04931/REM** Reserved matters application detailing, appearance, landscaping, layout and scale for junior football pitches and tennis courts with associated infrastructure and drainage pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016.

E. **23/04936/FUL** Full planning application for the construction of 91 new homes with associated infrastructure, internal roads, open space as part of phase 3 within the Marleigh development as a modification to outline permission S/2682/13/OL to increase the overall unit numbers across the site to 1,391 homes.

1.3 When the outline planning permissions for Marleigh were approved in November 2016 under reference numbers S/2682/13/OL (District Council) and 13/1837/OUT (City Council), those outline permissions were supported by a Section 106 Agreement dated 30 November 2016 (the 2016 Agreement).

1.4 The suite of applications individually, if approved, will give rise to modifications to some of the planning obligations created by the 2016 Agreement. These modifications will take the form of new and/or replacement planning obligations. The details of the modifications have not yet been fully worked up into an agreed set of heads of terms. Once these are established, they will be the subject of an application under Section 106A but limited to the specifics of what the applications (where approved) demand to implement any of the approved applications. These limitations will be constrained to matters affecting open space; the removal of an allotment provision with a community garden in substitution; sports facilities – tennis

courts, football pitches, parking arrangements and any consequential modification provisions.

- 1.5 The S106A will fall to officers to determine. Given the detail of the modification elements of the 2016 Agreement are yet to be finalised at the time of writing this report, and there are exceptional circumstances which this suite of applications brings in terms of S106 planning obligations – historical and new – officers recommend that determination in consultation with Chair and Vice Chair of the JDCC.
- 1.6 This application seeks full planning permission for the construction of a community garden with a storage building, associated landscape and boundary treatments including a pedestrian and cycle connection between the Marleigh development and Jack Warren Green.
- 1.7 The site lies fully within the administrative boundary of Cambridge City Council and as such the application has been assessed against the Cambridge Local Plan (2018), and the associated Appendices including the Open Space and Recreation Standards.
- 1.8 Due to the site falling within the wider Marleigh development, the approved Design Code for Marleigh (Wing Masterplan Design Code, Hill/Marshall/PTE, July 2018) is also relevant to the consideration and assessment of the application's proposals.
- 1.9 Use of this land (which sits on the western side of the Marleigh development) has previously been secured for the provision of tennis courts and allotments under the outline consent reference 13/1837/OUT. As part of the collaborative pre-application process for bringing the final phase of the Marleigh development forward, a review of the proposed uses of the site was undertaken. The application proposals respond to the issues identified through that review by providing uses which would allow for the better use of space and the integration of existing and new communities.
- 1.10 Policy 68 of the Cambridge Local Plan 2018 outlines expectations for the provision of open space associated with new developments. Policies 55, 56, 57, 59 seek to enhance the built form and landscape aesthetics which contribute to the prevailing character of an area. The proposed application, subject to conditions and s106 planning obligation, is considered in

accordance with the provisions of these policies and is recommended for approval on this basis.

- 1.11 Officers recommend that the Joint Development Control Committee approve this application, subject to the recommended conditions and informatives, and the prior completion of a S106 and S106A planning obligation.

2. Site description and context

- 2.1 The application site consists of an approximately 1.4-hectare sized parcel of land situated on the west of the Marleigh development. The site is situated between the residential phases of the Marleigh development which are currently being built out and the established Fison Road Estate in East Barnwell which is situated to the west of the application site.
- 2.2 Whilst the majority of the Marleigh development site is situated within South Cambridgeshire District Council's administrative area the identified site is situated within the administrative boundary of Cambridge City Council so the application falls to be assessed against the Cambridge Local Plan (2018).
- 2.3 The site currently accommodates an existing electricity substation and associated car park, which are outside the ownership of the applicant and are not considered part of the application. The site also accommodates an existing woodland to the north of the substation which is to be retained. The Woodland is subject to the existing management plans pertaining to Kingsley Wood. The site also provides a strategic drainage function including the 'ha-ha' SUDS feature approved under the outline permission - reference 13/1837/OUT. This application does not seek any changes to the consented SUDS feature.

3. The proposal

- 3.1 The application seeks full planning permission for the construction of a community garden with storage building, associated landscape and boundary treatments including a pedestrian and cycle connection between the Marleigh development and Jack Warren Green.
- 3.2 The site was previously designated for the delivery of allotment space as outlined by the outline permissions for the whole of Marleigh 13/1837/OUT (the City Council) and S/2682/13/OL (South Cambridgeshire District Council). The Cambridge Local Plan (2018) identifies community gardens and

allotments as open space provision so policy 68 is pertinent to its assessment.

- 3.3 The Phase 3 proposals have been the subject of pre-application advice, including advice from the Cambridgeshire Quality Panel and the Disability Panel. A pre-application developer led briefing to JDCC was held in February 2023. Community engagement was also undertaken by the Applicant.
- 3.4 Amendments to the application proposals reflecting advice offered and the outcome of community engagement during the pre-application process included changing the proposed allotments and tennis courts to a community garden, and the relocation of the tennis courts to The Plains.
- 3.5 Through pre-application dialogue with the Applicant, it was agreed by officers that the 0.4ha allotment space shown on the approved Parameter Plan within the western open space would be better provided as a community growing space. Rather than dividing the space into individual allotment plots, it was considered that a greater community benefit could be provided by creating a shared garden space for residents of the existing Fison Estate and the new community of Marleigh.
- 3.6 During the pre-application dialogue it was also identified that the three tennis courts (shown as to be provided on the original Parameter Plan) would be a challenge to deliver due to the existing site constraints, the lack of changing facilities and potential amenity conflicts with the surrounding uses.
- 3.7 It is therefore proposed to relocate the tennis courts to the eastern side of the Marleigh development site, adjacent to other recreational uses (to an area known as 'The Plains'). The Officer report for the relevant planning application reference 23/04931/REM can be found elsewhere on this Agenda.
- 3.8 During the course of the application amendments to the scheme were submitted. The application has been amended to allow for a 3m wide shared cycle/footpath and for the provision of an electric scooter parking bay as recommended by the County Transport Assessment Team.
- 3.9 The application has also been amended to allow for the provision of an equipment storage room and informal boundary to the community planting

area within the site in addition to securing delivery bays and parking for disabled persons. The community garden planting area measures approximately 0.4ha.

- 3.10 To ensure effective community development opportunities are integrated within the proposals, the specific details of the proposed storage building and community planting area layout will be dealt with by condition to allow key stakeholders from the Marleigh and Fison Road communities to contribute to the detailed design and layout of both the building and the planting area which will serve and integrate the two communities. This approach has been supported by the Community Development Officer.
- 3.11 Whilst the design of the community building and planting layout is to be secured by condition, the delivery of both aspects of the development require amendments/modification to the 2016 Agreement which captures the entirety of the Marleigh development as approved under the two outline planning permissions.

4. Relevant site history

Reference	Description	Outcome
S/2682/13/OL	up to 1300 homes primary school food store community facilities open spaces landscaping and associated infrastructure and other development.	Granted 30.11.2016
13/1837/OUT	Demolition of buildings and hard standing and construction of tennis courts, allotments, store room and toilets, informal open space and local areas of play, provision of drainage infrastructure, footpath and cycleway links, and retention and management of woodland.	Granted 01.12.2016
S/3317/17/NM	Non-Material Amendment for planning application S/2682/13/OL (amendment to parameter plans)	Granted 09.11.2017
S/1004/18/RM	Reserved matters application detailing appearance landscaping layout and scale for infrastructure works including internal roads landscaping and	Granted 28.11.2018

	drainage as part of Phase 1 of the Wing masterplan of approved outline application S/2682/13/OL for up to 1300 homes primary school food store community facilities open spaces landscaping and associated infrastructure and other development	
S/1096/19/RM	Reserved matters application detailing access appearance landscaping layout and scale for the creation of 239 new homes and non-residential floorspace including 'Market Square' internal roads landscaping and associated works as part of Phase 1a of the Wing masterplan pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL	Granted 12.09.2019
S/1610/19/NM	Non material amendment of outline planning permission S/2682/13/OL (amendments to access design)	Granted 14.11.2019
20/02569/REM	Reserved matters application as part of Phase 1B pursuant to condition 5 (Reserved Matters) of outline planning permission S/2682/13/OL dated 30 November 2016 (EIA Development) for detailed access, appearance, landscaping, layout and scale for the creation of 308 new homes, non-residential floor space, laying out of playing fields, open space, allotments, associated infrastructure and internal roads	Granted 15.12.2020
S/1004/18/NMA1	Non Material amendment on application S/1004/18/RM- School Access	Granted 23.06.2020
S/1096/19/NMA2	Non material amendment of planning permission S/1096/19/RM (Reserved matters application detailing access appearance landscaping layout and scale for the creation of 239 new	Granted 21.04.2021

	homes and non-residential floorspace including 'Market Square' internal roads landscaping and associated works as part of Phase 1a of the Wing masterplan pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL) extension to ground floor layout of seven no. plots (plots 71-77) under the Phase 1A planning permission.	
S/2682/13/NMA1	Non material amendment on application S/2682/13/OL (up to 1300 homes primary school food store community facilities open spaces landscaping and associated infrastructure and other development) to show a revised southern building line and maximum building height dimension (now increased to 15m).	Granted 05.05.2021
21/02450/REM	Reserved matters application detailing, appearance, landscaping, layout and scale for the construction of 421 new homes with associated infrastructure, internal roads and open space as part of Phase 2 pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL	Granted 05.11.2021
22/02554/S73	S73 to vary condition 9 of S/1096/19/RM (Reserved matters application detailing access appearance landscaping layout and scale for the creation of 239 new homes and non-residential floorspace including 'Market Square' internal roads landscaping and associated works as part of Phase 1a of the Wing masterplan pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL) to extend the opening hours for the convenience	Granted 06.09.2022

	store on Sundays and Bank/Public Holidays to 0700 to 2200 hours.	
22/01195/FUL	Use of Unit 2, Marleigh Square for commercial, business and service uses within Class E.	Granted 06.06.2022
22/03432/S73	S73 to vary condition 29 of ref: 22/02554/S73 (Reserved matters application detailing access appearance landscaping layout and scale for the creation of 239 new homes and non-residential floorspace including 'Market Square' internal roads landscaping and associated works as part of Phase 1a of the Wing masterplan pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL) to enable retail unit 2 to be used for purposes covered under Use Class E(a), E(b), E(c), E(d), E(e) and E(gii) within Class E.	Granted 02.11.2022
23/01938/S73	S73 to vary condition 1 (Approved plans) of planning permission 22/03432/S73 (S73 to vary condition 29 of ref: 22/02554/S73 (Reserved matters application detailing access appearance landscaping layout and scale for the creation of 239 new homes and non-residential floorspace including 'Market Square' internal roads landscaping and associated works as part of Phase 1a of the Wing masterplan pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL) to enable retail unit 2 to be used for purposes covered under Use Class E(a), E(b), E(c), E(d), E(e) and E(gii) within Class E) g) to re-orientate seven houses that front Gregory Park (Lot D3) and to	Granted 27.09.2023

	replace eight carports with garages (D3).	
23/01939/S73	S73 to vary condition 1 (Approved plans) of reserved matters application 20/02569/REM (Reserved matters application as part of Phase 1B pursuant to condition 5 (Reserved Matters) of outline planning permission S/2682/13/OL dated 30 November 2016 (EIA Development) for detailed access, appearance, landscaping, layout and scale for the creation of 308 new homes, non-residential floor space, laying out of playing fields, open space, allotments, associated infrastructure and internal roads) to replace six two-storey houses (C2 and C3) within phase 1b with three-storey houses and to replace five carports with garages (D4).	Granted 27.09.2023
S/2682/13/NMA2	Non material amendment on application S/2682/13/OL to show a community garden, relocated tennis courts and additional junior football pitches on the Plains	Granted 17.04.2024
24/00043/S73	S73 to vary condition 1 (Approved plans) of outline planning permission S/2682/13/OL (up to 1300 homes primary school food store community facilities open spaces landscaping and associated infrastructure and other development) to amend the highway improvement works on Newmarket Road.	Pending Determination
24/01549/REM	Reserved matters application for the B2 land (car dealership development) including access, appearance, layout, scale, landscaping, associated infrastructure, incorporating an extension to the Ford store together	Approved October 2024

	with discharge of conditions 12,13,17,18,23,34,39,40,41,42,43,45,46, and 48 in respect of outline planning permission S/2682/13/OL	
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The other applications which form part of the suite of Marleigh Phase 3 applications, the reports for which can be found elsewhere on this Agenda, are as follows:

23/04930/REM Reserved matters application detailing, appearance, landscaping, layout and scale for the construction of 332 new homes and commercial space with associated infrastructure, internal roads, open space as part of phase 3 pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016. Part discharge of Conditions 13, 17, 18, 19, 20, 21, 23, 24, 25, 28, 30, 34, 40 of outline planning permission reference number S/2682/13/OL.

24/03837/S73 S73 to vary conditions 1 (Approved drawings) and 28 (Visitor car parking) and additional condition 30 (pitch flexibility) of planning permission 23/01939/S73 (S73 to vary condition 1 (Approved plans) of reserved matters application 20/02569/REM (Reserved matters application as part of Phase 1B pursuant to condition 5 (Reserved Matters) of outline planning permission S/2682/13/OL dated 30 November 2016 (EIA Development) for detailed access, appearance, landscaping, layout and scale for the creation of 308 new homes, non-residential floor space, laying out of playing fields, open space, allotments, associated infrastructure and internal roads) to replace six two-storey houses (C2 and C3) within phase 1b with three-storey houses and to replace five carports with garages (D4)) to increase the number of visitor car parking spaces that are available to the users of the Plains recreational field.

23/04931/REM Reserved matters application detailing, appearance, landscaping, layout and scale for junior football pitches and tennis courts with associated infrastructure and drainage pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016.

23/04936/FUL Full planning application for the construction of 91 new homes with associated infrastructure, internal roads, open space as part of phase 3 within the Marleigh development as a modification to outline permission S/2682/13/OL to increase the overall unit numbers across the site to 1,391 homes.

5. Policy

5.1 National policy

National Planning Policy Framework 2021
National Planning Practice Guidance
National Design Guide 2019
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
Circular 11/95 (Conditions, Annex A)
Conservation of Habitats and Species Regulations 2017
Environment Act 2021
ODPM Circular 06/2005 – Protected Species
Equalities Act 2010

5.2 Cambridge Local Plan (2018)

Policy 1: The presumption in favour of sustainable development
Policy 13: Cambridge East
Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use
Policy 29: Renewable and low carbon energy generation
Policy 30: Energy-efficiency improvements in existing dwellings
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 55: Responding to context
Policy 56: Creating successful places
Policy 57: Designing new buildings
Policy 59: Designing landscape and the public realm
Policy 65: Visual pollution
Policy 67: Protection of open space
Policy 68: Open space and recreation provision through new development
Policy 69: Protection of sites of biodiversity and geodiversity importance
Policy 70: Protection of priority species and habitats
Policy 71: Trees
Policy 73: Community, sports and leisure facilities
Policy 79: Visitor attractions
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
Cambridge East Area Action Plan (2006)

5.3 Supplementary Planning Documents (SPD)

Cambridgeshire and Peterborough Flood and Water
Greater Cambridge Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Health Impact Assessment SPD – Adopted March 2011
Landscape in New Developments SPD – Adopted March 2010
Open Space in New Developments SPD – Adopted January 2009
Public Art SPD – Adopted January 2009
Trees and Development Sites SPD – Adopted January 2009
Wing Masterplan – July 2018

5.4 Other guidance

Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (2001).
Cambridge and Milton Surface Water Management Plan (2011)
Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (2010)
Greater Cambridge Sustainable Design and Construction SPD (2020)
Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste
Cambridgeshire Design Guide For Streets and Public Realm (2007)

6. Consultations

Teversham Parish Council

- 6.1 Comments. The Parish Council is concerned with the replacement of allotments with community beds and would like to see an alternative site found for allotments.

County Highways:

- 6.2 No objection, no recommended conditions

County Transport Team

- 6.3 Detailed comments provided. The pedestrian and cycle connection from Marleigh to Jack Warren Green (Fison Estate) should be designed using best practice and should be 3m in width and it should be demonstrated that there is adequate space available within the community garden site at a suitable

location to accommodate an e-scooter hub should demand require one to be delivered here in the future.

Lead Local Flood Authority

6.4 No objection subject to conditions pertaining to Surface Water Drainage.

Environmental Health

6.5 No objection, subject to conditions pertaining to Construction Hours and Contamination Risk Assessments.

Landscape

6.6 No objection, subject to conditions pertaining to Hard and Soft Landscape Details, Landscape Replacement, Landscape Maintenance and management plans, Appointed Clerk of Works, community garden details and community engagement strategy.

Urban Design

6.7 No objection, subject to conditions pertaining to cycle parking and external building materials.

Access Officer

6.8 No comment.

County Archaeology

6.9 No comment.

Senior Sustainability Officer

6.10 No objection subject to conditions pertaining to carbon reduction and water efficiency for the new community storage building.

Ecology Officer

- 6.11 No objection, subject to conditions pertaining to compliance with the Ecological Impact Assessment (MD Ecology, 2023), Ecological Lighting Strategy, and BNG information.

Tree Officer

- 6.12 No objection, subject to conditions pertaining to AMS/TPP and Tree Retention.

Fire Authority

- 6.13 No comment.

Cambridge Quality Panel Meeting of Tuesday 31st January 2024

- 6.14 Detailed comments provided. The community garden has been supported by the Quality Panel as an important piece of community infrastructure and the Panel have advocated the relocation of the tennis courts to the sports area as a logical solution for enabling a better landscape at the community garden site.

Community Development Officer

- 6.15 The Community Development team supports the proposed community garden as a substitute for allotment space.

7. Third party representations

- 7.1 One neutral representation has been received outlined in full below:
- 7.2 *“Retention of as many as possible of the existing trees along the boundaries of and within the proposed community garden is paramount.”*

8. Member Representations

- 8.1 None received.

9. Local Groups / Petition

- 9.1 None received.

10. Planning background

- 10.1 This application is a stand-alone full planning application for the construction of a community garden with community building, associated landscape and boundary treatments including a pedestrian and cycle connection between the Marleigh development and Jack Warren Green.
- 10.2 Whilst this application technically sits independent of other permissions, it is intertwined with the other Marleigh Phase 3 applications. The reports covering these other applications can be found elsewhere on this committee Agenda.
- 10.3 The previous outline consents identify that the application site would be utilised for the delivery of allotment space and tennis courts. Through pre-application discussion it was agreed that the 0.4ha of allotment space shown on the approved Parameter Plan within the western open space would be better provided as a growing space for the benefit of community engagement between the Marleigh and Abbey communities, and that the tennis courts should be relocated in The Plains (application reference 23/04931/REM), where the consolidated sports provision would be accompanied by associated changing facilities and car and cycle parking. These changes were supported by the Cambridgeshire Quality Panel (CQP) and the council's Community Development Officers.

11. Assessment

- 11.1 From the consultation responses and representations received and an inspection of the site and the surroundings, the key issues are:
- Principle of development
 - Design, layout, scale and landscaping
 - Trees
 - Biodiversity
 - Water management and flood risk
 - Transport impacts
 - Car and cycle parking
 - Amenity
 - Open space and recreation

12. Principle of Development

- 12.1 This full planning application seeks consent for the construction of a community garden with community storage building, associated landscape and boundary treatments including a pedestrian and cycle connection between the Marleigh development and Jack Warren Green.
- 12.2 The proposals constitute the provision of open space and recreation facilities associated with a new residential development which means policy 68 of the Cambridge Local Plan (2018) is triggered.
- 12.3 Policy 68 states: *“The successful integration of open space into a proposed development should be considered early in the design process. The precise type of on-site provision required will depend on the size and location of the proposal and the existing open space provision in the area... Requirements will be calculated using the Open Space and Recreation Standards (see Appendix I) and will have regard to the Council’s adopted Open Space and Recreation Strategy..”*
- 12.4 Use of the land to the west of the development has previously been secured for tennis courts and allotments. Upon further review within the pre-application process it was determined that allotments would not allow for an effective use of the space and would not achieve successful integration of the Marleigh and Fison Road communities, whilst the tennis courts would not be supported by suitable facilities which would secure optimal use of the courts. These provisions are made elsewhere across the Marleigh development.
- 12.5 Appendix I of the Local Plan pertains to the adopted Open Space and Recreation Standards which outline 0.4ha of allotment space is required per 1000 people. Appendix I makes no reference to community gardens, however, the local plan’s glossary of terms groups “allotments and community gardens” together, meaning they are considered as not dissimilar provision given the ability both allow for the provision of external planting opportunities for local communities.
- 12.6 The proposed community garden will allow for a semi-informal approach to public gardening exercises. The site is suitably located between the Marleigh and Fison Road residential areas to assist in the integration of the two communities and offer the opportunity for both communities to meet and collaborate on community gardening.

- 12.7 The Marleigh development has been designed in accordance with the open space requirements set out in the Cambridge East Area Action Plan (CEAAP). The approved Landscape and Open Space Parameter Plan indicates an over provision of informal open space and allotments against the CEAAP requirements.
- 12.8 The application proposes approximately 0.4ha of communal growing space. The total provisions of allotment/community garden space, subsequent to this consent being granted, will equate to approximately 1.4ha of combined allotment/community garden space for the local community. This represents an acceptable level of provision in accordance with Appendix I of the Local Plan and is therefore considered acceptable.
- 12.9 In light of the considerations outlined above the proposed development is considered as being an open space provision which is appropriate for the size and location of the site and allows for the total open space provision for Marleigh to be delivered as policy compliant. Furthermore, it will be a use which will help support the successful integration of the Marleigh development with the East Barnwell community. It is compliant with the City Council's adopted Open Space and Recreation Standards and Open Space and Recreation Strategy.
- 12.10 On this basis the application is considered compliant with the provisions of Policy 68 of the Cambridge Local Plan 2018 and is deemed acceptable.

13. Design, layout, scale and landscaping

- 13.1 Policies 55, 56, 57 and 59 of the Cambridge Local Plan (2018) seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 13.2 The development proposed is considered to provide a suitable area of open space opportunities for members of the Marleigh and Fison Road communities to meet and collaborate in a shared space. The proposal site, amongst the provision of community planting areas and a community building provides shared cycle/pedestrian routes via the south of the community garden to allow for greater access between the existing Barnwell residential area and the newly formed Marleigh community. The potential opportunities for collaboration arising from this proposal, alongside the enhanced footpath

and cycle path connection together encompass a high quality design which positively responds to its context as a shared space between two communities and thus is compliant with the provisions of policies 55 and 56 of the local plan.

- 13.3 The current application does not include details of the planting area or design of the proposed community building. Given the intended community use, it will be important to ensure existing communities are involved in the design of the building and garden layout. The details of both the community garden layout and associated community building will be secured by condition (conditions 3 and 4). Subject to these conditions the development will ensure the delivery of a high-quality coordinated community space which meets the needs of all future users and is thus considered compliant with the provisions of policies 56, 57 and 59 of the Cambridge Local Plan (2018).
- 13.4 Overall, the proposed development will deliver a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59 and 68, subject to the above conditions.

14. Trees

- 14.1 Policy 71 seeks to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 14.2 From a landscape and character perspective, the Applicant seeks to retain a significant level of trees along the existing site boundaries including the retention of the existing woodland to the north of the application site and the existing group of trees abutting the western boundary. The Woodland is subject to the existing management plans pertaining to Kingsley Wood
- 14.3 The application includes plans for the creation of a shared cycle/pedestrian route between the proposed community garden and adjacent Jack Warren Green which will require the removal of some trees. The loss of these trees was anticipated by the outline permission and is considered justified by the wider benefits of the development proposals and given the significant new landscaping and tree planting that is proposed. However, officers note that limited information with the application proposals to detail which trees are to be retained and those sought for removal.

- 14.4 Given the outline consent which justifies the proposed pedestrian/cycle route, it is considered appropriate to impose pre-commencement conditions requiring the submission of Arboricultural Method Statements (AMS) and a Tree Protection Plans (TPP) to be agreed in writing by the local planning authority prior to commencement of any works or the removal of any trees. The Tree Officer agrees to this approach and therefore conditions pertaining to AMS/TPP (condition 17) and Tree Retention (condition 18) are recommended.
- 14.5 The application seeks to enhance the level of tree planting on site with several new trees proposed to surround and be situated throughout the community garden. The Applicant has provided tree pit details which evidence a suitable approach to ensuring trees are planted and maintained sustainably.
- 14.6 To ensure the newly planted trees are appropriately maintained throughout the course of the development a condition requiring an appointed Clerk of Works and the submission of monitoring reports is recommended (condition 14).
- 14.7 Subject to conditions as appropriate the proposal would accord with policy 71 of the Cambridge Local Plan and Para. 131 of the NPPF.

15. Carbon reduction and sustainable design

- 15.1 The City Councils' 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.
- 15.2 The application constitutes a community garden, with a singular building intended for use as a storage facility with toilet to serve the community garden. It is not deemed that sustainability credentials pertaining to water efficiency and/or carbon reduction are required, and this has been agreed by the council's sustainability officer who has stated they have no comments to make regarding sustainable design and construction.
- 15.3 A green roof cannot be utilised for the storage building given the provisions of the Bird Hazard Management Plan which states no further green roofs can be installed across the Marleigh development when compared with those already consented.

15.4 The proposal is compliant with Local Plan policies 29 and 31 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

16. Biodiversity

16.1 The Environment Act 2021 and the City Councils' Biodiversity SPD (2022) require 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.

16.2 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal which sets out that over 155% BNG can be achieved across the suite of Phase 3 planning applications, including this application site.

16.3 The application has been subject to formal consultation with the City Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species (conditions 11 and 20) and the estimated biodiversity net gain is delivered (condition 10)

16.4 Officers note that the additional storage building proposed has not been accounted for within the current BNG figures. Given the siting of the building will be on amenity grassland with limited contribution towards BNG it is not considered there will be a significant change to the level of BNG to be provided.

16.5 In consultation with the City Council's Ecology Officer and subject to an appropriate condition, Officers are satisfied the proposed development complies with policy 69 of the Cambridge Local Plan (2018), the Greater Cambridge Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

17. Water management and flood risk

17.1 Policies 30 and 31 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.

- 17.2 The Local Lead Flood Authority has been formally consulted and has raised no objections subject to conditions requiring the submissions and agreement of surface water drainage details (condition 9).
- 17.3 The applicants have suitably addressed the issues of water management and flood risk, and subject to the condition outlined above, the proposal is in accordance with Cambridge Local Plan policies 30 and 31 and NPPF advice.

18. Highway safety and transport impacts

- 18.1 Policy 80 of the Cambridge Local Plan (2018) seeks to support sustainable access to development.
- 18.2 The application seeks the provision of a pedestrian and cycle connection between the Marleigh development and Jack Warren Green. This proposed active travel route is sought to enhance the connection between the Marleigh development and existing residential community in Barnwell. The proposed route, in principle, embodies the sustainable access requirements sought by policy 80 of the local plan and is therefore supported.
- 18.3 The application is supported by a Transport Assessment and Travel Management Plan. The County Transport Assessment Team have raised no concerns with the application other than the need for electric scooter parking bays and a minimum 3m width for the shared cycle/pedestrian route to the south of the site. The applicant has Amended the proposed plans to account for these considerations and thus there is no outstanding objection from the County Transport Assessment Team.
- 18.4 Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team raise no objection to the proposal subject to condition 6 (cycle/pedestrian route details) and S106 planning obligation mitigation to ensure the delivery the new access route.
- 18.5 Subject to conditions pertaining to cycle route details (condition 6) and a S106 mitigation planning obligation as applicable, the proposal accords with the objectives of policy 80 of the Local Plan and is compliant with NPPF advice.

19. Car and cycle provision

- 19.1 Policy 82 sets out that planning permission will not be granted for developments that would be contrary to the parking standards set out in Appendix L.
- 19.2 The site falls within the scope of the recognised design code for Marleigh, which includes indicative figures for car and cycle parking provision.

Cycle parking

- 19.3 Policy 82 of the Local Plan provides indicative cycle parking figures. The figures provided for places of assembly and/or community centres, pay reference to employee numbers and number of seats to assess the level of cycle parking required. The development does not propose the delivery of seated theatres/auditoria etc, and is not intended to be a staffed site.
- 19.4 In addition to this, the Design Code for Marleigh makes no direct reference to cycle parking provisions for community open spaces.
- 19.5 The assessment of cycle parking requirements should therefore, in the absence of direct guidance, be assessed on the merit of each application.
- 19.6 Whilst there are some cycle hoops proposed adjacent to the site, limited information regarding cycle parking arrangements on site have been provided, however, there are no concerns raised with addressing the need for cycle parking through condition 7.

Car parking

- 19.7 The Cambridge Local Plan makes no direct reference to parking provision for open space, or for developments falling within a D2 Use Class other than auditoria, theatres, concert halls and nightclubs. In addition to this, the Design Code for Marleigh makes no direct reference to parking provisions for community open spaces.
- 19.8 In light of the above, the parking figures provided are indicative and do not set a policy prescriptive minimum threshold. Furthermore, the proposed community garden is intended for use by members of the local community across the Marleigh and the existing Fison Road Estate meaning there is

little-to-no need for car parking provision as patrons will be living in close proximity to the site and can access the community garden on foot or bicycle.

- 19.9 The plans provided do however, allow for 1no. disabled parking bay situated to the north of the community garden planting area, which is to be accompanied by a delivery vehicle parking bay to ensure the site can accommodate deliveries of goods required for its ongoing maintenance.
- 19.10 The development proposed is considered to provide a level of car and cycle parking suitable for the intended use of the site and with an appropriate focus on sustainable methods of access whilst assuring the needs of the less mobile are considered.
- 19.11 Subject to conditions relating to cycle parking (condition 7) the proposal is considered to accord with policies 82 and Appendix L of the Local Plan, the Greater Cambridge Sustainable Design and Construction SPD and the site wide design code for Marleigh.

20. Amenity

- 20.1 Policy 56 sets out measures to ensure that developments are attractive, of high quality, accessible, inclusive and safe, including measures for avoiding adversities to the residential amenity of neighbouring occupiers.

Construction and environmental health impacts

- 20.2 The land contamination, air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed by Cambridge Local Plan policies 33; Contaminated Land policy 34; Light Pollution Control policy 35. Protection of human health from noise and vibration and 36 Air quality, odour and dust. Paragraphs 183 - 188 of the NPPF are relevant.
- 20.3 The Council's Environmental Health Team have assessed the application and provide their support for the proposed development subject to recommended conditions pertaining to contamination (condition 19), lighting strategy (condition 22) and construction hours (condition 15).
- 20.4 The conditions are considered reasonable and are necessary to ensure the amenity of neighbours is protected and consequently be included to any permission granted.

- 20.5 The development is considered compliant with the provisions of policies 34, 34, 35 and 36 of the Cambridge Local Plan (2018), subject to conditions as appropriate.

Summary

- 20.6 The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy 56 of the Cambridge Local Plan (2018). The associated construction and environmental impacts would be acceptable in accordance with policies 34, 34, 35 and 36 of the Cambridge Local Plan (2018), subject to recommended conditions as appropriate.

21. Third party representations

- 21.1 Only one public comment was received. This comment has been addressed within Section 14 (Trees) of this report.

22. Open space and recreation

- 22.1 The Marleigh development has been designed in accordance with the open space requirements set out in the Cambridge East Area Action Plan (CEAAP). The approved Landscape and Open Space Parameter Plan includes an over provision of informal open space and allotments against the CEAAP requirements.
- 22.2 As outlined above, the consented outline planning permissions allowed for an over provision of informal space and allotments. The Marleigh site retains approximately 1 ha of allotment space on the east of the site with various plot sizes and areas and raised planters to ensure an inclusive design is delivered for the benefit of all future users of the site. The proposed substitution of allotment space on this application site for a community garden is not in the light of the over provision considered to have any adverse impact on the ability of local stakeholders to gain access to allotment provision.
- 22.3 The proposed community garden is considered to allow for a more effective use of the space than would the allotments as originally approved and would allow for greater community development and engagement opportunities.

These objectives will be achieved and secured by conditions pertaining to Community Engagement Strategies (condition 5).

- 22.4 The proposed community garden is therefore considered a suitable alternative use to the allotment use previously secured on this site under the outline consents. The change is not considered to reduce stakeholder ability to access allotments within the locality. Subject to this permission being granted, 1.4ha of allotment/community garden space will be provided by the Marleigh development. This level of provision is compliant with the requirements of 0.4ha per 1000 people as outlined within Appendix 3 of the CEAAP and is therefore acceptable.
- 22.5 The required open space and recreation facilities to meet the needs of the prospective occupiers of the additional 91 dwellings will be secured through the other 'Phase 3' applications. Application reference 23/04931/REM seeks the delivery of two football pitches in addition to the five football pitches approved under Phase 1b (application reference 20/02569/REM). The additional sports provision of 2no. football pitches equates to approximately 0.33ha of sports provisions which is considered sufficient to meet the demand associated with the uplift of 91 dwellings. Given the informal and formal open space provisions are sought through a suite of planning applications, the provision of these be secured through a S106 planning obligations and a modification to the existing S106 Agreement which serves the overall Marleigh Development.
- 22.6 Subject to conditions and s106 planning obligations, the open space provision is considered appropriate and in line with the requirements of the Cambridge Local Plan (2018), the Marleigh Design Code, and the CEAAP.

23. Planning obligations (S106)

- 23.1 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not meet the tests then it is unlawful. The tests are that the planning obligation must be:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.

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

23.3 The obligations pertinent to this application are listed below:

- delivery of community garden
- delivery and management of community garden storage building
- delivery of the shared cycle/pedestrian route.
- construction of Community Engagement Strategy for Marleigh/East Barnwell

23.4 The obligations outlined above, are considered necessary to ensure the delivery of the community garden and its associated features and will be incorporated within the existing s106 Agreements by means of a s106A application from the applicant to modify this Agreement.

23.5 The planning obligations recommended are necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the required planning obligation(s) passes the tests set by the Community Infrastructure Levy Regulations 2010 and are in accordance with Policy 85 of the Cambridge Local Plan (2018).

24. Other matters

24.1 Bins

A condition will be added to any permission granted requiring details of litter bins to be installed on site.

25. Planning balance

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

25.2 Summary of harm

25.3 The application will entail the loss of some trees along the western boundary to allow for the construction of the shared cycle/pedestrian route between the Marleigh Development and Jack Warren Green. The benefits associated with the access route proposed, in addition to the significant level of tree planting

proposed on site, justifies the loss of some trees to facilitate the shared cycle/[pedestrian route.

- 25.4 The proposed development may result in some limited construction impacts on neighbouring properties throughout the development of the community garden and its associated buildings and features, such as noise etc. The construction impacts resulting from this development are expected to be subject to relatively small time frames given the extent of the development proposed. These impacts will be controlled through conditions to minimise their impact on neighbours. The benefits associated with the development which will be witnessed by residents of both the Marleigh and the East Barnwell communities are considered to outweigh the residential amenity concerns which may arise from the development during the construction period.
- 25.5 Summary of benefits
- 25.6 The development sought is considered to be a high quality scheme which seeks to deliver an area of open space for the benefit of existing and future communities within the area.
- 25.7 The development will allow for greater integration of the development site with the existing community via the delivery of a new, hitherto unexpected cycle route offering opportunities for greater social cohesion presented by a collaborative approach to design and management of the community garden.
- 25.8 The development, which includes a community storage building will allow for the provision of internal and external community space for the benefit of existing and future residents within the area.
- 25.9 The application alongside the relevant suite of applications pertaining to Phase 3 of the Marleigh development will allow for 157% BNG to be secured amongst the several small sites which is considered a significant benefit given the provisions in excess of mandatory requirements.
- 25.10 The proposal site will incorporate play facilities for younger persons whilst ensuring adequate seating and community growing opportunities which can be accessed sustainably, evidencing the application's pragmatic use of all-inclusive design principles.

25.11 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 subject to conditions and completion of appropriate s106a planning obligations for the modification of the existing planning obligations which will deliver the community garden on the site in lieu of the allotments.

26. Recommendation

26.1 **Approve** planning application 23/04935/FUL subject to:

- (i) The planning conditions and informatives as detailed in Section 27 of this report, with delegated authority to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary).
- (ii) The prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL and 13/1837/OUT, to release those obligations no longer required as a consequence of the approval of this proposal, and to the new planning obligations specified in this report, with delegated authority to officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

27. Planning conditions

1 Time Limit	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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).</p>
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<p>2 Drawings</p>	<p>The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.</p> <p>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.</p>
<p>3 Storage Building Design (PC)</p>	<p>Notwithstanding the approved plans, details of the size and design (which shall not exceed one storey) of the storage building to be used in conjunction with the Community Garden shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development above ground level.</p> <p>The information submitted shall include details of building design, external materials, storage facilities, step-free access, a compostable disabled access toilet, and external canopies.</p> <p>Reason: To ensure the needs of all future users of the facility can be effectively delivered in a high-quality, sustainable format (Cambridge Local Plan 2018 Policies 55, 56, 57)</p>
<p>4 Community Garden Layout (PC)</p>	<p>Notwithstanding the approved plans, details of the layout of the community garden planting area shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development hereby approved.</p> <p>The information to be submitted shall include details of in-ground planting areas, raised planters, seating, pathways, surface materials, access arrangements. It should also provide a statement of compliance with the Community Engagement Strategy required under Condition 5 below, and include full details of how key stakeholder groups in proximity to the site have been involved in the community garden layout.</p> <p>Reason: To ensure the needs of all future users of the community garden can be effectively delivered in a</p>

	<p>high-quality, sustainable format (Cambridge Local Plan 2018 Policies 55, 56, 59)</p>
<p>5 Community Engagement Strategy (PC)</p>	<p>Prior to the submission of details pertaining to conditions 4, a Community Engagement Strategy shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>The Strategy shall include information pertaining to the engagement of key stakeholder groups in proximity to the site, and how their views and opinions shall be represented within the final design and layout of the community garden.</p> <p>Reason: To ensure the effective delivery of the community garden and to meet the needs of future users of the site (Cambridge Local Plan 2018 Policies 56)</p>
<p>6 Cycle Route Details (PC)</p>	<p>Prior to commencement of above ground works or removal of trees in relation to the development hereby approved, details of the shared cycle/pedestrian route between the Marleigh development and Jack Warren Green shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>The information to be submitted shall include details of the proposed cycle/pedestrian route, surfacing materials, ground markings, signage, and any collapsible bollards.</p> <p>The consented shared cycle/pedestrian route shall be delivered in accordance with the approved details and maintained thereafter.</p> <p>The shared cycle/pedestrian route shall have a minimum width of 3m wide. No development shall obstruct the constructed cycle route at any given time.</p> <p>Reason: To ensure the delivery of an appropriate active travel connection whilst avoiding conflict of users (Cambridge Local Plan Policies 80 and 81)</p>

<p>7 Cycle Parking Details (PU)</p>	<p>Prior to commencement development above ground, full details of cycle storage facilities shall be submitted to and agreed in writing.</p> <p>The consented cycle stores shall be delivered in accordance with the approved documents and maintained thereafter.</p> <p>Reason: To ensure sufficient cycle parking for future users of the site (Cambridge Local Plan Policy 82)</p>
<p>8 Community Garden Use</p>	<p>The community garden hereby approved shall at no time be used for any purposes other than outdoor recreation as outlined within Class F2(c) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification.</p> <p>Reason: To ensure the community garden remains available in perpetuity (Cambridge Local Plan Policies 56, 67 and 68)</p>
<p>9 Surface Water Drainage (PC)</p>	<p>No laying of services, creation of hard surfaces or erection of buildings shall commence until a detailed surface water drainage scheme for the site, based on the agreed Proposed Surface Water Strategy prepared by WSP (ref: 70093947) dated 20th December 2023 has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The scheme shall subsequently be implemented in full accordance with the approved details prior to commencement of development above slab level.</p> <p>Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat amenity (Cambridge Local Plan Policies 30 and 31)</p>
<p>10 Ecological Enhancement</p>	<p>Prior to the commencement of development above slab level a scheme of ecology enhancement shall be submitted to and approved in writing by the local planning authority. The scheme must include details of</p>

	<p>bat and bird box installation, hedgehog connectivity, and other enhancements as applicable and in line with the Greater Cambridge Biodiversity Supplementary Planning Document (2022). The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.</p> <p>Reason: To enhance ecology interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan (2018)</p>
<p>11 Ecological Compliance</p>	<p>All ecological measures and works shall be carried out in accordance with the details contained in approved document: Ecological Impact Assessment (MD Ecology, December 2023).</p> <p>Reason: To ensure the protection of ecological assets (Cambridge Local Plan Policy 69)</p>
<p>11 Hard and Soft Landscaping (PC)</p>	<p>No development above ground level, other than demolition, shall commence until a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:</p> <ul style="list-style-type: none"> a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; b) hard surfacing materials; c) Street furniture and artifacts (including refuse, benches, and cycle storage); d) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, species, plant sizes and proposed numbers/densities where appropriate; e) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected (including gaps for hedgehogs); f) an implementation programme. <p>The development shall be fully carried out in accordance with the approved details.</p> <p>Reason: To ensure the development is satisfactorily</p>

	<p>assimilated into the area and enhances biodiversity (Cambridge Local Plan 2018 policies 55, 57, 59 and 69).</p>
<p>12 Landscape Replacement (C)</p>	<p>If within a period of 10 years from the date of planting of any trees or shrubs, or 10 years from the commencement of development in respect of any retained trees and shrubs, they are removed, uprooted, destroyed, die or become seriously damaged or diseased, replacement trees and shrubs of the same size and species as originally planted shall be planted at the same place in the next available planting season, or in accordance with any variation agreed in writing by the Local Planning Authority.</p> <p>Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interests of visual amenity (Cambridge Local Plan 2018 Policy 71 and Section 197 of the Town and Country Planning Act 1990).</p>
<p>13 Landscape Maintenance and Management Plan (PC)</p>	<p>Before the development is first occupied or brought into use a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved.</p> <p>Reason: To ensure that before any development commences an appropriate landscape and ecological management plan has been agreed (Cambridge Local Plan 2018 policies 57, 59 and 70).</p>
<p>14 Clerk of Works (PC)</p>	<p>Prior to the commencement of any planting or soil related ground preparation, a suitably qualified Clerk of Works shall be appointed to oversee the delivery of all landscaping to ensure that it accords with the approved landscaping details. The landscaping implementation shall be monitored on-site by the Clerk of Works throughout the development of the site. No occupation of any building (across the site or in any agreed phase) shall take place until such time as a monitoring and completion report evidencing complete compliance (including a photographic record of delivery), with the</p>

	<p>approved landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the successful delivery of the approved landscaping scheme (Cambridge Local Plan 2018 policies 55, 57 and 59).</p>
<p>15 Construction Hours (C)</p>	<p>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.</p> <p>Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).</p>
<p>17 Arboricultural Method Statement and Tree Protection Plan. (TC1)</p>	<p>Prior to commencement and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any tree works are carried and before equipment, machinery or materials are brought onto the site for the purpose of development (including demolition).</p> <p>In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on all trees on or immediately adjacent to the site and detail tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, access, storage of materials, ground works, installation of services and landscaping.</p> <p>The development shall then be carried out in accordance with the approved details.</p> <p>Reason: To satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in</p>

	<p>order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.</p>
<p>18 Tree Retention</p>	<p>The approved tree protection methodology will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site.</p> <p>Nothing shall be stored or placed in any area protected in accordance with approved tree protection plans, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.</p> <p>If any tree shown to be retained is damaged, remedial works as required may be specified in writing by the local planning authority will be carried out.</p> <p>Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 (Cambridge Local Plan 2018 Policy 71)</p>
<p>19 Contaminated Land Risk Assessment</p>	<p>No development, apart from Enabling Works and/or Strategic Engineering, shall take place until a remediation strategy has been submitted to and approved, in writing, by the Local Planning Authority which includes the following points:</p> <ol style="list-style-type: none"> 1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the relevant area of the site indicating potential sources, pathways and receptors, including those off site. A proposed scope of intrusive investigation works for that development parcel based on the conceptual model shall be included. 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.

	<p>3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long-term monitoring and maintenance plan as necessary.</p> <p>The proposed end-use of the site shall not take place until a verification report demonstrating completion of works set out in the remediation strategy in (3) (other than any long-term monitoring and maintenance plan) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are identified and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors as well as to controlled waters, property and ecological systems (Cambridge Local Plan 2018 policy 33).</p>
20 Ecological lighting Strategy	<p>Prior to the installation of any external lighting, an ecologically sensitive lighting strategy shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>The lighting installed on site shall be delivered in accordance with the approved lighting strategy and maintained thereafter.</p> <p>Reason: To ensure the protection of ecological assets (Cambridge Local Plan Policy 69)</p>
21 Play Equipment	<p>Prior to the commencement of above grounds works of the development hereby approved, details of play equipment within the community garden shall be submitted to and agreed in writing by the Local Planning Authority.</p>

	<p>The information to be submitted shall include details of children’s play equipment and associated safety features.</p> <p>Reason: To ensure that appropriate facilities for youth and children’s play provision are provided in relation to the development of the site (Cambridge Local Plan 2018 Policy 56)</p>
22 External Lighting Strategy	<p>No external lighting shall be provided or installed until an artificial lighting impact assessment and mitigation scheme if required has been submitted to and approved in writing by the local planning authority. The assessment shall include the following:</p> <ul style="list-style-type: none">a. the method of lighting (including luminaire type / profiles, mounting location / height, aiming angles / orientation, angle of glare, operational controls, horizontal / vertical isolux contour light levels and calculated glare levels to receptors)b. the extent/levels of illumination over the site and on adjacent land and predicted lighting levels at the nearest light sensitive receptors All artificial lighting must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notices for the Reduction of Obtrusive Light - GN01/20 (or as superseded). <p>Where required, the mitigation scheme shall be carried out as approved and retained as such.</p> <p>Reason: To minimise the effects of light pollution on the surrounding area (Cambridge Local Plan 2018 policy 34)</p>

Appendix1: Drawing Pack

Drawing title	Drawing number	Revision	Scale	Paper
Existing Site Plans				
Site Location Plan	01836_JTP_S_01	P1	1:1250	A0
Community Garden Red Line Plan	01836_JTP_S_04	P1	1:1250	A0
Landscape Plans				
Landscape Key Plan	D9565.01.001	P02	1:1000	A1
Landscape General Arrangement Plan	D9565.02.001	P03	1:1000	A1
Hardworks Plans				
Hardworks Plan (Sheet 1)	D9565.02.101	P03	1:200	A1
Hardworks Plan (Sheet 2)	D9565.02.102	P03	1:200	A1
Hardworks Plan (Sheet 3)	D9565.02.103	P03	1:200	A1
Softworks Plans				
Planting Plan (Sheet 1)	D9565.02.201	P03	1:200	A1
Planting Plan (Sheet 2)	D9565.02.202	P03	1:200	A1
Planting Plan (Sheet 3)	D9565.02.203	P03	1:200	A1
Planting Schedule				
Planting Schedule	D9565.01.221	P01	1:200	A1

Landscape Sections				
Landscape Sections – Community Garden	D9565.02.301	P01	1:100	A1
Other Plans				
Tree Pit Details	D9565.02.401	P01	1:20	A1
Furniture Details	D9565.02.410	P01	N/A	N/A
Play Details	D9565.01.411	P01	N/A	N/A