



## **25/05027/S73– Mayflower House, Manhattan Drive, Cambridge**

### **Application details**

**Report to:** Planning Committee

**Lead Officer:** Joint Director of Planning and Economic Development

**Ward/parish:** West Chesterton

**Proposal:** S73 to vary condition 2 (Approved plans) of planning permission 23/02127/FUL (Erection of (i) 8 no. flats (4 no. studios, 2 no. one bed & 2 no. two bed flats) on the eighth floor on Mayflower House with removal of Electronic Communications Apparatus on the roof (ii) bin-store for proposed flats occupying one existing car parking bay (iii) bespoke structure to cover 20 no. existing cycle bays (iv) structures to cover 32 no. additional cycle bays) to allow an increase in the overall height of the approved eighth-floor extension by approximately 599mm, with all other aspects of the development remaining unchanged.

**Applicant:** Mayflower Manhattan Ltd

**Presenting officer:** Phoebe Carter

**Reason presented to committee:** Referred by Delegation Panel

**Member site visit date:** N/A

**Key issues:** 1. Neighbourhood Amenity Impact

2. Design/Visual Impact

**Recommendation:** Approve subject to conditions

## Report contents

Document section	Document heading
1	Executive summary
2	Site description and context
3	The Proposal
4	Relevant Site History
5	Policy
6	Consultations
7	Third party representations
8	Member representations
9	Local groups / petition
10	Assessment
11	Principle of development
12	Design and Visual Impact/Conservation Area Impact
13	Residential Amenity
14	Fire Safety
15	Third Party Representations
16	Other matters
17	Planning Balance
18	Recommendation
19	Planning Conditions and Informatives

Table 1 Contents of report

### 1. Executive summary

- 1.1 The site benefits from an extant planning permission to build a roof extension on top of Mayflower House to accommodate 8no. flats (23/02127/FUL). The applicant is in the process of discharging some of the conditions associated with this planning permission.
  
- 1.2 The application has previously been presented to the Planning Committee twice in 2024. It was originally deferred by Planning Committee members at the meeting held on 11<sup>th</sup> June 2024, as members requested further information in regard to the loss of the existing telecommunications apparatus on top of Mayflower House; overheating; and impact upon residents. The applicant responded to this and submitted further information for the review of members. The application was subsequently presented again to the Planning Committee on 4<sup>th</sup> September 2024, which

resulted in members approving the application. Both of these reports are referred to in this report below and are attached as appendices 1 and 2 for reference.

- 1.3 This current Section 73 application proposes to increase the height of the roof extension to Mayflower House by 599mm for maintenance and construction purposes. The applicant has submitted information setting out the need to increase the height within the submitted Planning and Construction Statement dated 19<sup>th</sup> May 2026. The main reasons respond to maintenance and servicing needs; drainage and service distribution and; structural engineering. Whilst these matters largely lie outside of the remits of Planning, these do require the height of the approved roof extension to slightly increase by 599mm in height.
- 1.4 This application is being presented to the Planning Committee due to the number of objections received from neighbouring properties. At the time of writing this report, there have been a total of 14no. objections received from the neighbouring properties, the majority of which have been received from the properties along Humberstone Road, which lie to the north of the site. The vast majority of these objections refer to impacts upon their amenities by virtue of the proposed increase in height of the approved development.
- 1.5 During the course of the application, the applicant has submitted additional information by the way of a Planning and Construction Statement; Shadow Maps and a Revised Daylight and Sunlight Impact Assessment (DSA) (15<sup>th</sup> May 2026), which the LPA has undertaken a reconsultation for 14 days. This is due to expire on 12<sup>th</sup> June, and an update will be provided to inform members of any additional neighbour representations received ahead of the Planning Committee meeting.
- 1.6 The applicant has submitted a Daylight/Sunlight Impact Assessment (DSA) which demonstrates the proposal would comply with BRE guidance in relation to overshadowing impact. As for overlooking impact, the balconies serving the flats on the northern elevation are to be fitted with obscure glazing, as directed by Condition 21 of the extant permission. This condition is also recommended by Officers under this current proposal (Condition 14 below).
- 1.7 Officers consider the proposed increase in height to be relatively minor and would not significantly change the visual prominence of the approved development within townscape views, nor result in visual impact upon the settings of nearby Conservation Areas.

- 1.8 Officers therefore recommend that the application be **approved**, subject to conditions as listed below.

Table 2 Consultee summary

<b>Consultee</b>	<b>Object / No objection / No comment / Other</b>	<b>Paragraph Reference</b>
Cambridge City Airport	No Objection	6.1
Conservation Officer	No objections	6.2
County Highways Development Management	No objections subject to the previous conditions reimposed	6.3 and 6.4
Drainage Officer	No objections	6.5
Environmental Health	No Objection	6.6
Fire Authority	No comments received	6.7
Building Safety Regulator	No objections	6.8
Sustainability Officer	No Objection	6.9
Third Party Representations (14no. at the current time)	Objections	7.1

## **2. Site Description and Context**

- 1.1** The application site lies within Midsummer Meadows, which comprises a cluster of buildings which are occupied by residential units. Midsummer Court and Bridgacre are located closest to Mayflower House, situated to the east and west, respectively. Mayflower House is the tallest building within this location, which is occupied by residential flats and comprises seven storeys in height (including ground floor level).
- 1.2** Lovers Walk is set directly to the north of the site and marks the boundary of the De Freville Conservation Area. The site is accessed via Manhattan Drive, further to the south west of Mayflower House. The south eastern boundary of the Chesterton Conservation Area lies on the far side

of Elizabeth Way to the east, and the Riverside and Stourbridge Common Conservation Area boundary lies to the south, alongside the River Cam and including the open space of Midsummer Common. The site itself is not designated and lies outside these Conservation Area boundaries.

- 1.3** The immediate area around the building is mainly used for car parking and comprises large areas of hardstanding which are partly broken up by grassed areas with trees. The site is relatively well concealed from the surrounding area, however the tall buildings on the site can be seen from certain viewpoints.

### **3. The proposal**

- 3.1** The applicant has submitted a S73 application to vary Conditions 2 (Approved Plans) pursuant to planning permission 23/02127/FUL to increase the height of the roof extension by 599mm. The increase in height is proposed to accommodate construction and maintenance purposes, including ventilation between the existing fabric of the building and the new roof extension.

### **4. Relevant site history**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
23/02127/FUL	Erection of (i) 8 no. flats (4 no. studios, 2 no. one bed & 2 no. two bed flats) on the eighth floor on Mayflower House with removal of Electronic Communications Apparatus on the roof (ii) bin-store for proposed flats occupying one existing car parking bay (iii) bespoke structure to cover 20 no. existing cycle bays (iv) structures to cover 32 no. additional cycle bays	Not EIA development
23/02127/CONDA	Submission of details required by condition 25 (construction environmental management plan) of planning permission 23/02127/FUL	Discharged
23/02127/CONDB	Submission of details required by condition 12 (bin and bike stores and	Discharged

	green roof) of planning permission 23/02127/FUL	
23/02127/CONDC	Submission of details required by conditions 3 (Site Traffic Management Plan), 4(Contractor Parking Plan), 7(Surface Water), 8(Additional Surface Water run-off) and 17(Ecological)	Discharged
23/02127/NMA2	Non material amendment on application 23/02127/FUL to marginally extend footprint on the eight floor by repositioning the window on the western elevation to sit flush with the extension, enlarge the louvres to west elevation, and increase in height by approximately 599 mm	Withdrawn
23/02127/NMA1	Non material amendment on application 23/02127/FUL to vary the approved plans under Condition 2 to insert four windows, replace the hinged doors with sliding doors leading to all balconies and marginally enlarge the extension to square off the extension on all four corners as well as to correct the error in the decision notice so the plant plan matches the roof plan [to include the additional rooflights added during the application	Approved
APP/Q0505/W/25/3361641	Appeal against Conditions 6 and 25 of the extant permission 23/02127/FUL	Allowed

Table 3: Relevant site history

## 5. Policy

### 5.1 National policy

National Planning Policy Framework 2024

National Planning Practice Guidance

National Design Guide 2021

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

Circular 11/95 (Conditions, Annex A)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

Technical Housing Standards – Nationally Described Space Standard (2015)

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

5.2.1 The Regulation 18 Draft Greater Cambridge Local Plan (the draft 'Joint Local Plan' (JLP)) represents the next stage of preparing a new joint Local Plan for Greater Cambridge. Once it is adopted, it will become the statutory development plan for the Greater Cambridge area, replacing the current (adopted) Local Plans for Cambridge City and South Cambridgeshire District.

5.2.2 Following endorsement by Joint Cabinet in November, the draft JLP has – at the time of writing - proceeded to a formal public consultation (under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012). This is currently scheduled between 1 December 2025 and 30 January 2026.

5.2.3 In line with paragraph 49 of the National Planning Policy Framework (NPPF), local planning authorities may give weight to relevant policies in emerging plans according to several factors. The draft JLP is consistent with policies in the current NPPF but represents an early stage of the plan making process. Therefore, at this stage, the draft JLP and its policies can only be afforded limited weight as a material consideration in decision making

### 5.3 **Cambridge Local Plan (2018)**

- Policy 1: The presumption in favour of sustainable development
- Policy 3: Spatial strategy for the location of residential development
- Policy 28: Sustainable design and construction, and water use
- Policy 29: Renewable and low carbon energy generation
- Policy 31: Integrated water management and the water cycle
- Policy 32: Flood Risk
- Policy 34: Light Pollution
- Policy 35: Human health and quality of life
- Policy 36: Air quality, odour and dust
- Policy 50: Residential Space Standards - internal Residential Space Standards
- Policy 51: Accessible Homes
- 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 60: Tall Buildings and Skyline in Cambridge
- Policy 61: Conservation and Enhancement of Cambridge's Historic Environment
- Policy 62: Local Heritage Assets
- Policy 70: Protection of priority species and habitats
- Policy 71: Trees
- Policy 80: Supporting sustainable access to development
- Policy 81: Mitigating the transport impact of development
- Policy 82: Parking management
- Policy 84: Telecommunications

Supplementary Planning Documents (SPD)

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

### 5.4 **Area Guidelines**

De Freville Conservation Area Appraisal – Adopted 2009

Chesterton Conservation Area Appraisal – Adopted 2009

Riverside and Stourbridge Common Area Appraisal – Adopted 2009

## **6. Consultations**

### **Publicity**

Neighbour letters – Y

Site Notice – Y

Press Notice – Y (Setting of Conservation Areas)

6.1 **Cambridge City Airport – No objection**

6.2 **Conservation Officer – No objections**

6.3 **County Highways Development Management – No objections**

6.4 Conditions imposed under the extant permission should be reimposed upon any consent granted

6.5 **Drainage Officer – No objections**

6.6 **Environmental Health – No objection**

6.7 **Fire Authority – No comments received (out of time)**

6.8 **Building Safety Regulator (BSR) – No objections**

6.9 **Sustainability Officer – No Objection**

## **7. Third party representations**

7.1 Currently, 14no. representations have been received, objecting to the application on the following grounds:

- No submitted Daylight/Sunlight Impact which assesses the impact of the additional 599mm increase in height
- Impact upon No. 62 Humberstone Road solar panels not addressed – high court case is provided to ensure the applicant demonstrates this
- The application is in breach of Policy 60 of the Local Plan – particular reference is drawn to criterion (d)
- The proposal would make the building disproportionate to the surrounding area
- Overshadowing impact upon neighbouring properties

- Financial implications due to loss of light to solar panels on neighbouring properties
- Impact upon physical and mental well being due to impact upon garden area in terms of sunlight
- Description of Development of the application is incorrect regarding the heights/layout described for Mayflower House
- Noise/disturbance for existing residents of Mayflower House
- Existing building should be upgraded before additional flats are built
- Waste Management implications – existing car park bay being used for refuse storage
- Unacceptable cycle storage
- Depreciation of existing flat values in Mayflower House
- Overdevelopment and intensification of the site
- This proposal does not constitute a minor amendment to the approved application
- Overlooking impact upon gardens and bedroom windows

7.2 The above representations are a summary of the comments that have been received since the application was received, including any subsequent consultations on additional information received. Full details of the representations are available on the Council's website.

## **8. Member Representations**

8.1 No member representations have been received

## **9. Local Groups / Petition**

9.1 No Local Groups/Petitions have been received

## **10. Assessment**

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

10.2 The applicant has sought to amend the condition attached to the planning permission by seeking to make a minor material amendment. Paragraph 13 of Planning Practice Guidance advises that there is no statutory limit on the degree of change permissible to conditions under S73, but the change must only relate to conditions and not to the operative part of the permission [Paragraph: 013 Reference ID: 17a-013-20140306] Case law has established the test which governs section 73 cases is to be found in

R v Coventry City Council, ex p. Arrowcroft Group plc [2001] PLCR 7, in which Sullivan J held that, under that section, a local planning authority: "is able to impose different conditions upon a new planning permission, but only if they are conditions which the council could lawfully have imposed on the original planning permission in the sense that they do not amount to a fundamental alteration of the proposal put forward in the original application." (para. 33).

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

10.4 From the consultation responses and representations received and from an inspection of the site and the surroundings, the main issues are as follows:

- Design/Visual Impact
- Residential Amenity

## **11. Principle of Development**

11.1 The site already benefits from extant planning permission (23/02127/FUL) for the following:

*'Erection of (i) 8 no. flats (4 no. studios, 2 no. one bed & 2 no. two bed flats) on the eighth floor on Mayflower House with removal of Electronic Communications Apparatus on the roof (ii) bin-store for proposed flats occupying one existing car parking bay (iii) bespoke structure to cover 20 no. existing cycle bays (iv) structures to cover 32 no. additional cycle bays'*

11.2 As such, the principle of development is established and is acceptable.

## **12. Design and Visual Impact/Conservation Area Impact**

12.1 This S73 application proposes to increase the height of the extant permission by 599mm in height. This would result in raising the already approved height from approx. 21.9m to approx. 22.5m. This increase in height is considered to be minor and would not significantly increase the height of the development to result in visual harm upon the character and appearance of the local area, nor the settings of adjacent and nearby Conservation Areas.

- 12.2 The applicant has not provided any further visual/townscape analyses regarding Policy 60 and Appendix F of the Local Plan, however, given the minor increase in height proposed, Officers consider that no further townscape analysis is required in this instance, and it would be unreasonable to request this level of information given the minor increase in height proposed.
- 12.3 Conditions requesting the details for the external materials and junction details, are again recommended below (Conditions no. 7 and no. 12 respectively).
- 12.4 As such, the proposal is in accordance with policies 55, 56, 58, 59, 60, 61 and 62 of the Local Plan; the NPPF and Section 72 of the LBCA 1990.

### **13. Residential Amenity**

- 13.1 Policies 55, 56, and 57 of the CLP require the design of developments to respond positively to their context. Policy 60 of the CLP outlines criteria for assessing tall buildings. Criterion (d) requires applicants to demonstrate that their proposals will not adversely impact neighbouring buildings and open spaces in terms of overlooking and overshadowing, in addition to ensuring there is adequate sunlight and daylight within and around the proposals. The objective of achieving a high standard of amenity is also contained in paragraph 135 of the NPPF 2024.
- 13.2 The majority of objections received have originated from the neighbouring properties along Humberstone Road, which lie to the north of the site. These comments raise concerns in respect to overshadowing, overlooking and overbearing impacts.
- 13.3 *Daylight, sunlight and overshadowing*
- 13.4 Firstly, it should be noted that these concerns have already been addressed within the Committee Report dated 11<sup>th</sup> June 2024, under paras. 8.96-8.110 (Appendix 1).
- 13.5 Notwithstanding the above, the applicant has submitted an updated DSA, 15<sup>th</sup> May 2026, which provides a similar assessment to the original DSA for the additional increase in height proposed. The DSA demonstrates that there would be minimal changes to the results found within the original DSA in respect to overshadowing of garden areas and neighbouring windows.

- 13.6 The applicant has also submitted updated Shadow Maps which illustrate the minimal amount of additional overshadowing caused by the height increase, throughout the year. The extent of overshadowing during Spring and Autumn would only marginally encroach into the rear end of the rear gardens serving the properties along Humberstone Road. The amount of overshadowing during the Summer does not extend beyond the rear (north) boundary of the site. During the Winter months, the existing Mayflower House building already overshadows the properties along Humberstone Road and therefore the amount of additional overshadowing would not be significant. As such, the additional height proposed would not result in any significant additional overshadowing impact upon the properties on Humberstone Road, nor significantly impact the use of solar panels present on any of these neighbouring properties.
- 13.7 As such, the proposal accords with the guidance set out within the BRE Report 209, Site Layout Planning for Daylight and Sunlight: A guide to good practice, Third Edition, 2022 (BRE 209) and would not result in significant overshadowing nor loss of light impact.
- 13.8 Officers therefore consider the proposal would not result in significant harmful overshadowing impact upon neighbouring properties, and the development is in accordance with 55, 56, 57, 58 and Policy 60(d) of the Local Plan as before.

#### *Overbearing and overlooking impacts*

- 13.9 As for overlooking and overbearing impacts upon the properties along Humberstone Road, these have been considered under paras. 8.101-8.103 of the Committee Report dated 11<sup>th</sup> June. The proposed increase in height would not change the level of overbearing or overlooking impact upon the properties along Humberstone Road. Condition 21 of the extant permission is recommended again here, to ensure the balconies serving the flats on the north elevation are obscure glazed, in order to mitigate overlooking impact (Condition no. 14 below).
- 13.10 On this basis, the proposed development would result in an acceptable overbearing and overlooking impacts in accordance with policies 55, 56, 57 and 60(d) of the Local Plan 2018.

#### **Construction and Environmental Health Impacts**

- 13.11 Policy 35 safeguards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.

- 13.12 Moreover, concerns have been raised from an existing resident within Mayflower House, in respect to noise and disturbance associated with the construction of the development. Similar concerns were raised under the original application, which the applicant responded to by submitting a statement on behalf of Midsummer Estates Ltd, dated 4th July 2024, which sets out how the proposed development would not have any significantly harmful impact upon the living conditions of existing residents. This is set out within paras. 6.20-6.26 of the Planning Committee Report dated 4<sup>th</sup> September 2024 (Appendix 2). As part of the permission, conditions 5 and 6 were imposed to mitigate noise and disturbance upon existing residents by requesting noise and vibration reports, as well as how the applicant will engage with residents regarding managing complaints and communicating with residents, respectively.
- 13.13 Condition 25 was also imposed by members of Planning Committee meeting on 4<sup>th</sup> September 2024, which requested a Construction Environmental Management Plan (CEMP) to be submitted, which included details of access arrangements; storage of materials; scaffolding arrangements; and contact details of contactors.
- 13.14 It is noted that the applicant appealed to remove the imposition of conditions 6 and 25 of the decision notice, as they essentially requested similar details for mitigating noise and disturbance upon existing residents (Appeal reference APP/Q0505/W/25/3361641). The only difference was that condition 6 requested technical noise and vibrations reports, however these reports are requested via condition 5.
- 13.15 During the time of the appeal submission, the LPA discharged the CEMP imposed by Condition 25 under reference 23/02127/CONDA. The inspector allowed for the variation of the permission with both conditions 6 and 25 being omitted from the decision notice and replaced with a new compliance condition to ensure the development accorded with the already discharged CEMP. This compliance condition is recommended below (Condition no. 17).
- 13.16 Overall, Officers consider that noise and disturbance implications as a result of the development approved, have already been thoroughly addressed and assessed by the LPA and in part, by an inspector. Condition 5 of the extant permission is recommended to ensure the applicant demonstrates the development would not affect existing residents in terms of noise and vibration, through the submission of relevant reports (Condition no. 3 below).

- 13.17 As such, subject to conditions, the proposal would not result in significant noise and disturbance upon existing residents, in accordance with Policy 35 of the Local Plan.

## Summary

- 13.18 The proposal adequately respects the amenity of its neighbours. Subject to conditions 3 and 14 recommended below, the proposal is compliant with policies 55, 56, 57, 58, 59 and 60(d) of the Local Plan 2018. The associated construction and environmental impacts would be acceptable in accordance with policies 33, 34, 35 and 36 of the Local Plan 2018, subject to condition no. 17 recommended below, as previously imposed under the extant permission, as well as at appeal.

## 14. Fire Safety

- 14.1 In accordance with the guidelines as set out under the Building Safety Regulator (BSR), the LPA have formally consulted BSR for 21 days regarding the assessment of fire safety for the development. BSR have raised no objections to the proposed development as it promotes an appropriate design in terms of fire safety for future occupiers and it will be the responsibility of the applicant to demonstrate compliance with these measures at later regulatory stages. As such, Officers are satisfied that the development is acceptable in regard to fire safety and the application is acceptable.
- 14.2 The LPA has consulted the Cambridgeshire Fire and Rescue Services on the application however no comments have been received. Condition 18 of the extant permission secured the provision of fire hydrants prior to occupation of the development. This condition is recommended below (Condition no. 11). Subject to this condition, the development is in accordance with para. 117 of the NPPF.

## 15. Third Party Representations

- 15.1 The majority of the third party representations have been addressed in the relevant sections of the report above. The remaining comments have been addressed in the table below:

<b>Third party comment</b>	<b>Officer response</b>
The proposal would affect residential property values in the area	This is not a material planning consideration and therefore the LPA cannot take this into account in the assessment of the application.

The description of development is incorrect in regard to the description of the building	The description of the development has included the ground floor level of Mayflower House, which reflects the description of the extant permission (23/02127/FUL). As such, the LPA does not consider the description of the S73 application to be incorrect.
Unacceptable cycle/refuse storage	Cycle parking and refuse storage have already been addressed in the Committee Report dated 11 <sup>th</sup> June 2024 at paras. 8.83 – 8.88 and 8.123, respectively. Condition 12 was imposed which secured the details for the cycle store and refuse store and has subsequently been discharged under reference 23/02127/CONDB. A compliance condition is recommended to ensure the development is carried out in accordance with these details (Condition no. 18 below).
Financial Implications due to impact upon solar panels	The impact upon solar panels has been addressed in the above sections of this report. The financial implications is not a material planning consideration and therefore will not be taken into account during the assessment of this application.

Table 1: LPA response to remaining third party comments

## 16. Other matters

### 16.1 *Consultee Comments and Conditions*

16.2 No objections have been raised by statutory consultees as listed above. Notwithstanding this, all previous conditions which were imposed upon the extant permission are recommended below for consistency. Some of these conditions have already been discharged and therefore compliance conditions are recommended to ensure the development is carried out in accordance with the approved details.

## 17. Planning Balance

17.1 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).

- 17.2 The proposal would resemble a minor increase in height of the already approved roof extension of the development and would not significantly change the visual impact of the development upon the surrounding townscape and local area, nor the settings of the nearby Conservation Areas.
- 17.3 Moreover, the applicant has provided a revised Daylight and Sunlight Impact Assessment which fully demonstrates that the increase in height of the development would not result in any additional significantly harmful overshadowing impacts upon the neighbouring properties and is in accordance with the BRE Guidance.
- 17.4 The minor increase in height would not result in any significant additional overbearing and overlooking impacts when compared to the extant permission. A condition to obscure glaze the balconies is again recommended below (Condition 14), in order to protect neighbour privacy.
- 17.5 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

## **18. Recommendation**

- 18.1 **Approve** subject to:
- the planning conditions and informatives as set out in Section 18 of this report with delegated authority to officers to carry through amendments to those conditions and informatives (including additional / revised conditions as appropriate and necessary), prior to the issuing of the planning permission.

## **19. Planning Conditions and Informatives**

1. The development hereby permitted shall be begun before the expiration of three years from the date of the extant permission (23/02127/FUL), dated 6<sup>th</sup> September 2024.

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 and below:
  - 4D 1845 PL 113 PROPOSED ROOF PLAN (Revision REV F) 05.02.2025
  - 4D 1845 PL115 PROPOSED SOUTH ELEVATION (Revision REV F) 24.12.2025
  - 4D 1845 PL 112 PROPOSED PLANT ROOM PLAN (Revision REV E) 05.02.2025
  - 4D 1845 PL116 PROPOSED WEST ELEVATION (Revision REV I) 24.12.2025
  - 4D 1845 PL114 PROPOSED NORTH ELEVATION (Revision REV E) 24.12.2025
  - 4D 1845 PL110 PROPOSED FLOOR PLAN (Revision REV B) 05.02.2025
  - 4D 1845 PL120 PROPOSED SECTION C-C (Revision Rev B) 24.12.2025
  - 4D 1845 PL111 PROPOSED SINGLE STOREY EXTENSION PLAN (Revision REV L) 05.02.2025
  - 4D 1845 PL117 PROPOSED EAST ELEVATION (Revision REV E) 24.12.2025
  - 4D 1845 PL118 PROPOSED SECTION A-A (Revision REV D) 24.12.2025
  - 4D 1845 PL109 PROPOSED GROUND FLOOR PLAN (Revision REV B) 05.02.2025
  - 4D 1845 PL 002 BLOCK PLAN (Revision Rev B) 2.6.2023
  - 4D 1845 PL 001 Rev C LOCATION PLAN (Revision Rev C) 2.6.2023

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 development (including demolition, enabling works or piling shall commence until a demolition/construction noise and vibration impact assessment associated with the development, has been submitted to and approved in writing by the local planning authority. The

assessment shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration on construction and open sites and include details of any piling and mitigation/monitoring measures to be taken to protect local residents from noise or vibration. The development shall be carried out in accordance with the approved measures.

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

4. No development above slab level shall commence until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all new residential units shall achieve reductions in CO<sub>2</sub> emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:
  - a. Levels of carbon reduction achieved at each stage of the energy hierarchy; and
  - b. A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit.

Where on-site renewable or low carbon technologies are proposed, the Statement shall also include:

- c. A schedule of proposed on-site renewable energy technologies, their location, design, and a maintenance schedule; and
- d. Details of any mitigation measures required to maintain amenity and prevent nuisance.

There shall be no occupation of the development until the carbon reduction measures have been implemented 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 Carbon Reduction Statement shall be submitted to and approved in writing by the local planning authority. The revised Carbon Reduction Statement shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable

pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36 and Greater Cambridge Sustainable Design and Construction SPD 2020).

5. No construction work or 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).

6. No operational plant, machinery or equipment shall be installed until a noise insulation/mitigation scheme as required to mitigate and reduce to a minimum potential adverse impact has been submitted to and approved in writing by the local planning authority. Any required insulation/mitigation shall be carried out as approved and retained as such.

Reason: To prevent any harm upon the amenities of the neighbouring properties (Cambridge Local Plan 2018 Policy 35).

7. No development shall take place above slab level, other than removal of the existing apparatus, until details of the 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. (Cambridge Local Plan 2018 policies 55, 56, 57, 58 (for extensions) and 60.

8. 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: To ensure that the development promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and

the Greater Cambridge Sustainable Design and Construction SPD 2020).

9. No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

Reason: To ensure the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

10. All hard and soft landscaping details shall be carried out 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, 57, 59 and 69).

11. Prior to the occupation of the development hereby approved, a scheme for the provision of fire hydrants shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the safety of future occupiers against fire risk (Cambridge Local Plan policies 55, 56, 57 and 58).

12. No non walling systems, cladding panels or other external screens shall be erected until details including structural members, infill panels,

edge, junction and coping details, colours surface finishes/textures and relationships to glazing and roofing have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policies 61 and 62).

13. Notwithstanding the provisions of the regulations set out within Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no plant, antennae, railings, enclosures, flues, vents, or other equipment or constructions shall be fitted to the exterior surfaces of the extension without the specific granting of planning permission by the local planning authority.

Reason: To ensure the development is retained in accordance with the approved details under this permission, in order to reduce any visual harm upon the character and appearance of the local area and settings of the Conservation Areas (Cambridge Local Plan 2018 policies 55, 56, 58, 60, 61), LBCA Act 1990 and the NPPF.

14. All proposed balconies hereby approved shall be fitted with obscurity level 3 or greater and shall be retained as such for the lifetime of the development.

Reason: To prevent significant overlooking upon neighbouring properties (Cambridge Local Plan 2018 policies 55 and 58)

15. Prior to the installation of the glazing for the new apartments, the type and specification of the solar glazing to be installed on units 5-8, together with an overheating assessment for the apartments, shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to avoid overheating and demonstrate compliance with policy 28 of the Cambridge Local Plan 2018.

16. Notwithstanding the approved plans, the development hereby approved shall be constructed to meet the requirements of Part M4(2)

'accessible and adaptable dwellings' of the Buildings Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 Policy 51).

17. The development shall be carried out in accordance with the details approved under discharge of condition application 23/02127/CONDA (CEMP), unless otherwise agreed in writing by the local planning authority.

Reason: To ensure construction phase of the development protects the neighbouring properties from noise and disturbance (Cambridge Local Plan 2018 policy 35).

18. The development hereby approved, shall be carried out in accordance with the details approved under the following discharged on condition application reference 23/02127/CONDB (refuse and cycle store details), unless otherwise agreed in writing by the local planning authority.

Reason: To ensure appropriate provision for the secure storage of bicycles and refuse, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

19. The development hereby approved, shall be carried out in accordance with the details approved under discharge of condition application reference 23/02127/CONDC (Traffic Management Plan; Contractor Parking Plan; Surface Water Drainage; Additional Surface Water Run Off), unless otherwise agreed in writing by the local planning authority.

Reason: To ensure development safeguards the safe and effective operation of the highway and reduces the risk of flooding within the site and adjacent areas (para. 116 of the NPPF and Cambridge Local Plan 2018 policies 32, 81 and 82).

#### Informatives:

- 1) In line with the transitional arrangements set out in the relevant approved documents, the Council expects the development hereby approved to meet the requirements of Parts O and F of Building Regulations. Where meeting these requirements results in any changes to the design of the

proposals hereby approved, these amendments shall be submitted and approved by way of formal application to the local planning authority.

- 2) To satisfy and discharge Environmental Health recommended conditions (including those related to construction / demolition, operational artificial lighting, contaminated land, noise / sound, air quality (including Electric Vehicle Charging) and odours / fumes / smoke, any impact assessment and mitigation as required, should be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction Supplementary Planning Document, (2020). Due regard should also be given to relevant and current up to date Government / national and industry British Standards, Codes of Practice and best practice technical guidance.
- 3) The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. A separate permission must be sought from the Highway Authority for such works.
- 4) Before the existing apparatus is removed, the applicant should contact the Council's Building Control Department to establish the way in which the equipment will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.
- 5) The applicant will need to ensure that the works do not interfere with any assets nearby, which are under the ownership of Cadent Gas Ltd. The applicant should therefore engage with Cadent Gas Ltd prior to the works commencing.

### **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 Development Framework SPDs

