



Ref: 23/04643/OUT

Address: Former National Institute of Agricultural Botany, Huntingdon Road, Cambridge, CB3 0LE

Application details:

Committee Date: 15 July 2026

Report to: Joint Development Management Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Castle

Proposal: Outline application (all matters reserved except for layout, scale and access arrangements on to Laurence Weaver Road) for the demolition of all site buildings and structures other than Chapter House and erection of buildings for laboratory / office (Class E (g(i)) and (g(ii))) and café use (class E(b)), and associated facilities and infrastructure, along with the relocation of existing facilities serving the retained Chapter House that are currently accessed from Lawrence Weaver Road including refuse storage, vehicle access, car parking and cycle parking

Applicant: Vertex Living Limited

Presenting officer: John Shuttlewood

Reason presented to committee: This application is brought to the Joint Development Management Committee (JDMC), following a resolution of approval at the 20 August 2025 meeting of JDMC (subject to planning conditions and completion of a Section 106 Planning Agreement relating to financial transport contributions and Section 106 administration, monitoring and compliance).

Since that time, the Applicant has failed to progress the Section 106 Planning Agreement as they were required to do following the resolution of JDMC to approve the application.

Key issue:

1. Section 106 planning obligations

Report contents

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Recommendation:

Refuse outline planning application 23/04643/OUT, for the following reason:

The proposed development fails to make adequate provision for the necessary mitigation and infrastructure contributions required to make the development acceptable in planning terms. In the absence of a completed S.106 Planning Agreement, the Council as the local planning authority is unable to secure financial contributions towards public transport improvements and the provision of waiting restrictions/controlled parking zones. Without the impacts of the development being mitigated, the proposal is contrary to the requirements of the National Planning Policy Framework (2025) which seeks to ensure that developments provide for necessary infrastructure and mitigation. The proposal would also be contrary to Policies 81 and 85 of the Cambridge Local Plan 2018 which state that planning permission for new developments will only be supported/permitted where there are suitable arrangements for the improvement or provision and phasing of infrastructure, services and facilities necessary to make the scheme acceptable in planning terms.

1. Executive summary

- 1.1 The outline application proposed demolition of all existing site buildings and structures other than Chapter House and the erection of four buildings for laboratory / office use and associated facilities.
- 1.2 At the 20 August 2025 meeting of JDMC, it was resolved to approve the application, subject to planning conditions and the completion of a Section 106 Planning Agreement relating to (i) financial contributions towards additional bus services serving the development parking waiting restrictions and S106 administration monitoring and compliance fees, and (ii) an on- street parking management plan for Howes Place. A copy of the officer report to that committee, and the committee minutes can be found at Appendix A.
- 1.3 Since that time, legal officers have sought to work with the Applicants legal representatives to progress the Section 106 Planning Agreement. Despite requests from the County Council's Legal team, confirmation of the required financial undertakings they require to progress the Section 106 the undertaking has not been received and consequently the S.106 Planning Agreement has not progressed.
- 1.4 Without the S106 Planning Agreement in place, financial obligations are not secured in respect of the infrastructure requirements to mitigate potential resulting harm from the proposed development. Given that more than six months have elapsed since the application was reported to JDMC, and that no progress has been made with regard to the Section 106 Planning Agreement, this application is returned to JDMC with an alternative recommendation of refusal, based on the failure to make adequate provision for the necessary mitigation infrastructure contributions required to make the development acceptable in planning terms.

2.0 The Proposed Application

- 2.1 This is an outline planning application (all matters reserved except for layout, scale and access arrangements on to Laurence Weaver Road) for the demolition of all site buildings and structures other than Chapter House and erection of buildings for laboratory / office (Class E (g(i)) and (g(ii))) and café use (class E(b)), and associated facilities and infrastructure, along with the relocation of existing facilities serving the retained Chapter House that are currently accessed from Lawrence Weaver Road including refuse storage, vehicle access, car parking and cycle parking.

- 2.2 The application was originally deferred at the Joint Development Control Committee (JDCC) on 23 April 2025, to enable further work in respect of parameter plans and to explore the potential for addressing Howes Place access arrangements and concerns raised by local residents.
- 2.3 At the 20 August 2025 meeting of the JDMC it was resolved to approve the application, subject to conditions and the prior completion of a Section 106 Planning Agreement relating to the following:
- (i) a financial contribution towards additional bus services serving the development (£180,408).
 - (ii) a financial contribution towards waiting restrictions and/or controlled parking zones in the vicinity of the site (£15,000)
 - (iii) a financial contribution towards S106 administration, monitoring and compliance (£300)
 - (iv) an on-street parking management plan for Howes Place.

3. Policy

3.1 National

National Planning Policy Framework 2024

3.2 Cambridge Local Plan 2018

Policy 81: Mitigating the transport impact of development

Developments will only be permitted where they do not have an unacceptable transport impact. Therefore, new development will require a. sufficient information to be supplied with all development proposals that the transport impact can be suitably assessed. This should take the form of transport assessments for schemes above the thresholds set in the latest Cambridgeshire County Council guidance; b. a travel plan to accompany all major development proposals; and c. reasonable and proportionate financial contributions/mitigation measures where necessary to make the transport impact of the development acceptable. This could include investment in infrastructure, services or behavioural change measures to encourage the use of sustainable modes of transport. Such measures should be provided to meet the first or early occupation of a site in order to influence travel behaviour from the outset.

Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

Permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the new development. Where existing infrastructure will be placed under strain due to the impact of new development, improvements to existing infrastructure or compensatory provision should be made so that an appropriate level of infrastructure is maintained.

Infrastructure provision will reflect the Council's priorities for infrastructure set out in the Cambridge and South Cambridgeshire Infrastructure Delivery Study and its successor documents. The Council will work positively with neighbouring authorities and Cambridgeshire County Council on infrastructure issues, including the Community Infrastructure Levy (CIL), which the Council is committed to introducing in 2014. Until the introduction of the CIL, and to a lesser degree thereafter, the Council will continue to use planning obligations under Section 106 of the Town and Country Planning Act 1990 to ensure developer contributions towards necessary infrastructure are maximised.

Planning permission for new developments will only be supported/permitted where there are suitable arrangements for the improvement or provision and phasing of infrastructure, services and facilities necessary to make the scheme acceptable in planning terms. Planning obligations and/or a future CIL could be required for the following:

- a. transport infrastructure
- b. public transport
- c. drainage and flood protection
- d. waste recycling facilities
- e. education
- f. healthcare
- g. leisure and recreation facilities
- h. community and social facilities

- i. cultural facilities, including public art
- j. emergency services
- k. green infrastructure
- l. open space
- m. affordable housing

The above list is not exhaustive and there may be scope for requiring developer contributions towards a wider range of infrastructure measures. Contributions could also be used to secure ongoing maintenance where this is deemed appropriate.

The introduction of CIL will be accompanied by a review of the Council's guidance on planning obligations and will ensure that the range and level of contributions towards local infrastructure needs are kept up to date and maximised in the context of emerging CIL practice and guidance. The guidance on planning obligations will be adopted alongside a CIL charging schedule and a CIL Regulation 123 list. These documents will clarify what infrastructure types/projects the Council will seek to fund via CIL and what infrastructure types/projects the Council will seek to secure via planning obligations.

4. Publicity

- 4.1 No further publicity undertaken.

5. Consultation

- 5.1 No further consultation undertaken.

6. Third party representations

- 6.1 No further representations received

7. Assessment

- 7.1 Policy 85 of the Cambridge Local Plan states that planning permission for new developments will only be supported/permitted where there are suitable arrangements for the improvement or provision and phasing of infrastructure,

services and facilities necessary to make the scheme acceptable in planning terms.

- 7.2 At the 20 August 2025 meeting of the JDMC, it was resolved to approve the application, subject to conditions and completion of a Section 106 Planning Agreement.
- 7.3 Since the JDMC resolution of this planning application, the Applicant has failed to progress the Section 106 Planning Agreement as they were required to do.
- 7.4 In the absence of a completed Section 106 Planning Agreement, the proposed development fails to make adequate provision for the necessary mitigation and infrastructure contributions required to make the development acceptable in planning terms. In this case, the local planning authority has been unable to secure provision of an on-street parking management plan for Howes Place, and financial contributions towards public transport improvements, the provision of waiting restrictions/controlled parking zones, and towards S106 administration, monitoring and compliance. It
- 7.5 In the absence of the impacts of the development being mitigated, the proposal is contrary to the requirements of the National Planning Policy Framework (2025) which seeks to ensure that developments provide for necessary infrastructure and mitigation and further would also be contrary Policies 81 and 85 of the Cambridge Local Plan 2018.

8. Recommendation

Refuse application reference 23.04643/OUT for the following reason:

The proposed development fails to make adequate provision for the necessary mitigation and infrastructure contributions required to make the development acceptable in planning terms. In the absence of a completed S.106 Planning Agreement, the Council as the local planning authority is unable to secure financial contributions towards public transport improvements and the provision of waiting restrictions/controlled parking zones. Without the impacts of the development being mitigated, the proposal is contrary to the requirements of the National Planning Policy Framework (2025) which seeks to ensure that developments provide for necessary infrastructure and mitigation. The proposal would also be contrary to Policies 81 and 85 of the Cambridge Local Plan 2018 which state that planning permission for new developments will only be supported/permitted where there are suitable arrangements for the improvement or provision and phasing of infrastructure, services and facilities necessary to make the scheme acceptable in planning terms.

9. Appendices

Appendix A - August 2025 Joint Development Management Committee report

Appendix B - Printed Minutes from August 2025 Joint Development Management Committee report