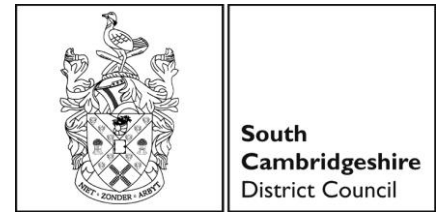


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Tuesday 31 October 2023

To: Chair – Councillor Dr. Martin Cahn
Vice-Chair – Councillor Peter Fane
All Members of the Planning Committee - Councillors Ariel Cahn,
Bill Handley, Geoff Harvey, Dr. Tumi Hawkins, Judith Rippeth,
Peter Sandford, Heather Williams, Dr. Richard Williams, Eileen Wilson and
Dr Lisa Redrup

Quorum: 3

Substitutes Councillors Graham Cone, Sue Ellington, Mark Howell, Bunty Waters,
if needed: Dr. Shrobona Bhattacharya, Anna Bradnam, Helene Leeming,
William Jackson-Wood and Henry Batchelor

Dear Councillor

You are invited to attend the next meeting of **Planning Committee**, which will be held in the **Council Chamber, First Floor** on **Wednesday, 8 November 2023** at **10.00 a.m.**. **A weblink to enable members of the press and public to listen to the proceedings will be published on the relevant page of the Council's website , normally, at least 24 hours before the meeting.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution ***in advance of*** the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
Liz Watts
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

Agenda

Pages

1. **Chair's announcements**
2. **Apologies**
To receive apologies for absence from committee members.

3. Declarations of Interest

1. Disclosable pecuniary interests (“DPI”)

A DPI is where a committee member or his/her spouse or partner has any kind of beneficial interest in the land under consideration at the meeting.

2. Non-disclosable pecuniary interests

These are interests that are pecuniary involving a personal financial benefit or detriment but do not come within the definition of a DPI. An example would be where a member of their family/close friend (who is not their spouse or partner) has such an interest.

3. Non-pecuniary interests

Where the interest is not one which involves any personal financial benefit or detriment to the Councillor but arises out of a close connection with someone or some body /association. An example would be membership of a sports committee/ membership of another council which is involved in the matter under consideration.

4. Minutes of Previous Meeting

To authorise the Chair to sign the Minutes of the meeting held on Wednesday 11 October as a correct record.

5 - 10

5. 23/02467/FUL - Land at The Way, Fowlmere

Part demolition of existing buildings and erection of new buildings for research and development including co-working space, cafe and gym (Use Class E commercial, business and services), installation of plant, car parking provision of cycle parking, public realm improvements, and associated works to the Way.

11 - 62

6. 23/02823/FUL - Magog Court, Hinton Way, Great Shelford

Change of use of 0.91ha of agricultural land including Barn 4 to drive thru phlebotomy (blood) testing unit (Use Class Ee), remodelled access, vehicle circulation space, parking, footpath link, dropped kerbs, landscaping and associated infrastructure at Magog Court.

63 - 102

7. 23/03174/HFUL - 86 High Street, Great Abington

Enlargement of previously permitted photovoltaic array on barn roof

103 - 116

8. 23/03175/LBC - 86 High Street, Great Abington

Enlargement of previously permitted photovoltaic array on barn roof

117 - 128

9. Compliance Report

Report to follow

10. Appeals against Planning Decisions and Enforcement Action

Report to follow

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Exclusion of Press and Public

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

Notes

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

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Agenda Item 4

South Cambridgeshire District Council

Minutes of a meeting of the Planning Committee held on
Wednesday, 11 October 2023 at 10.00 a.m.

PRESENT: Councillor Dr Martin Cahn – Chair
Councillor Peter Fane – Vice-Chair

Councillors:	Ariel Cahn	Geoff Harvey
	Judith Rippeth	Peter Sandford
	Heather Williams	Eileen Wilson
	Anna Bradnam	Dr Lisa Redrup

Officers in attendance for all or part of the meeting:

Vanessa Blane (Senior Planning Lawyer), Christopher Braybrooke (Principal Planning Compliance Manager), Aaron Coe (Principal Planner [SCIP and CIP sites]), Laurence Damary-Homan (Democratic Services Officer), Michael Hammond (Area Team Leader), Philippa Kelly (Delivery Manager [Strategic Sites]) and Rebecca Smith (Delivery Manager).

Councillor Helene Leeming was in attendance as local Member.

1. Chair's announcements

The Chair made several brief housekeeping announcements.

2. Apologies

Councillors Bill Handley, Dr Tumi Hawkins and Dr Richard Williams sent Apologies for Absence. Councillors Anna Bradnam and Dr Lisa Redrup were present as substitutes. Councillor Heather Williams sent apologies for lateness.

3. Declarations of Interest

With respect to Minute 5, Councillor Judith Rippeth declared that, whilst Deputy Leader of the Council, she attended meetings with the Leader of the Council and the applicant so she would withdraw for the item.

With respect to Minute 6, Councillor Heather Williams declared that she was a member of the Greater Cambridge Partnership (GCP), who had been referenced in the report, but had held no discussions regarding the application and was coming to the matter afresh.

With respect to Minutes 6 & 7, Councillor Geoff Harvey declared that he was a resident of Great Abington and thus would take part in the debate but not vote on the applications.

4. Minutes of Previous Meeting

Councillor Judith Rippeth stated that, following conversations with officers, she understood that her intention to vote against the application in Minute 5 had not been captured by the electronic voting system and requested the Minutes be amended to reflect this. The Democratic Services Officer advised that the vote had not been recorded when the decision was declared and no amendment would be made to the decision, but that the

Minutes would be amended to capture Councillor Rippeth's intention to vote.

With the amendment, the Committee authorised, by affirmation, the Chair to sign the Minutes of the meeting held on 13 September 2023 as a correct record.

5. 23/00123/FUL - Land South Of Pond, Cambourne Business Park, Cambourne

Councillor Judith Rippeth withdrew from the Committee, in-line with her declaration of interest

The Principal Planner (SCIP and CIP sites) informed the Committee that the officer's recommendation had been updated to read as follows:

"To DEFER planning application reference 23/00123/FUL to enable the Local Planning Authority to fully review the additional technical information in respect of noise, vibration and electromagnetic radiation submitted by third parties and by the applicants after the publication of the Agenda.

Having regards to Policies SC/10 and SC/14 of the South Cambridgeshire Local Plan 2018 and the requirements of Paragraph 187 of the National Planning Policy framework, officers consider that the review of this technical information and officers conclusions upon issues raised in the respect of noise, vibration and electromagnetic radiation is necessary prior to a decision being taken on the application."

Councillor Anna Bradnam, seconded by Councillor Peter Fane, proposed that the Committee move to a vote; the Committee agreed to the proposal by affirmation.

In accordance with the updated officer's recommendation, the Committee **deferred** the application by unanimous vote.

Councillor Judith Rippeth rejoined the Committee

6. 22/05549/OUT - TWI, Granta Park, Great Abington

Councillor Heather Williams joined the Committee

The Chair noted that the Committee had visited the site on 4 October 2023. The Area Team Leader presented the report and provided the following updates to the report:

- The Greater Cambridge Partnership Joint Assembly had met on 7 September 2023 and it was confirmed at the meeting that work on Cambridge South East Transport (CSET) Phase 2, referenced in paragraphs 10.133-34 of the report, had been paused. Officers noted this but as it was a "pause" and given the length of time the development was anticipated to take based on the phasing programme (circa 10+ years), it was not considered that this affected the financial contributions requested in these paragraphs.
- An inaccuracy had been identified in the Arboricultural Method Statement (AMS) that was last published (Rev B), in which the AMS showed all of the trees of G50 adjacent to the B3 extension proposed as being removed. However, officers identified that two of these trees were being shown as retained on the replacement tree planting strategy and the applicant had confirmed that these two trees were to be retained. In light of this, paragraphs 3.4 and 10.87 of the report should say "removal of 23no." rather than "25no."

Councillor Geoff Harvey left the meeting

In response to Member questions, officers provided clarity on the following considerations:

- Heads of Terms and CSET funding- comment was made that the wording in the Heads of Terms which referenced CSET should state “or alternatives if required” in order to secure transport funding in case the CSET proposals were not delivered.
- Impact on views from the Church of St Mary the Virgin (Great Abington)- officers advised that the view from the Grade II* Listed Church of St Mary the Virgin had, in agreement with Conservation officers, not been included as a key view in the Landscape and Visual Impact Assessment and the Conservation Team had not raised the proposal as having any impact on the heritage asset following their site visits and consideration of the proposal.
- Noise impact- Members made reference to the concerns over noise raised by Little Abington Parish Council (paragraph 9.64) and officers advised that a noise assessment had been submitted with the application and referred to condition 18 which addressed noise mitigation.
- Building heights- officers advised that the Outline consent would prescribe the maximum height of development above ordnance datum and that the reserved matters stage would present details of the scale of buildings. Members enquired as to if it would be possible to lower buildings through excavation and, in response, officers advised that this could be proposed at the reserved matters stage.
- Historic England- Officers advised that Historic England had made no substantial comment on the application and had advised that conservation matters should be considered by officers of the Council.
- Policy E/15(3) of the Local Plan- Officers advised that harm to the surrounding countryside had been acknowledged but that the benefits of the scheme outweighed the harms and thus the balance of material considerations had led to an officer recommendation of approval.

The Committee was addressed by the agent of the applicant, Justin Bainton of Carter Jonas, who responded to questions regarding pre-application engagement with local stakeholders by the applicant, drainage management and excavation required for development. Further clarity was provided by both the agent and officers in response to questions on public access to the site and the proposals for tree planting. Councillor Tony Orgee of Great Abington Parish Council addressed the Committee on behalf of the Parish Council. Councillor Orgee responded to questions regarding building heights and meetings held between the Parish Council and applicant. Officers provided clarity over the changes to the proposed maximum heights made between the Design Review Panel stage and submission of the application. Jessica Ashbridge, Parish Clerk, addressed the Committee on behalf of Little Abington Parish Council.

In the debate, the Committee agreed that the principle of development for the site was acceptable, noting the significance of Granta Park as an Established Employment Area and the economic benefits of the proposal. The maximum building heights and any harm arising from the scale of the proposed parameters were discussed. Impact on heritage assets were noted but Members stated that the less than substantial harm was outweighed by the benefits of the proposal, with the development potentially strengthening mitigation in some areas. The visual impact on the landscape was discussed, with some Members stating that the harm was minimal with the proposed mitigation and others expressing a view that the proposed parameters would lead to unacceptable levels of harm. The Committee noted that details of scale and massing would be addressed at the reserved matters stage. Concerns were raised over the loss of oak and maple trees detailed in the proposal and officers advised that the details of planting would be secured by reserved matters, with it being inappropriate to condition a direct replacement of the trees referenced at outline consent. The Committee agreed to add an informative which captured the desire to see at least 8 oak and 2 maple trees to be planted and maintained

in an area of the site that was not part of future development plans to mitigate biodiversity losses.

The Committee agreed that the transport obligation in the Heads of Terms should make reference to alternatives to CSET.

By 8 (Councillors Dr Martin Cahn, Peter Fane, Anna Bradnam, Ariel Cahn, Dr Lisa Redrup, Judith Rippeth, Peter Sandford and Eileen Wilson) votes to 1 (Councillor Heather Williams), the Committee **approved** the application in accordance with the officer's recommendation, and subject to the completion of a S106 agreement and conditions, as laid out in the report from the Joint Director of Planning and Economic Development.

7. **23/00329/LBC - TWI, Granta Park, Great Abington**

The Area Team Leader presented the report. Councillor Tony Orgee of Great Abington Parish Council addressed the Committee on behalf of the Parish Council and in opposition to the application. In response to a question, Councillor Orgee detailed his understanding of the history of the site.

Officers responded to questions and provided clarity over the buttressing of the wall, the intention to keep the existing opening in use as part of the landscaping strategy for the linked outline consent and that the retaining of historic materials was secured by conditions. Some Members concurred with the Conservation Officer's comments, stating that the harm from the proposal was minimal, whilst others felt that the benefits of the proposal did not outweigh the harm to heritage assets.

By 8 (Councillors Dr Martin Cahn, Peter Fane, Anna Bradnam, Ariel Cahn, Dr Lisa Redrup, Judith Rippeth, Peter Sandford and Eileen Wilson) votes to 1 (Councillor Heather Williams), the Committee **approved** the application in accordance with the officer's recommendation, and subject to the conditions, as laid out in the report from the Joint Director of Planning and Economic Development.

8. **Compliance Report**

The Principal Planning Compliance Manager presented the report and provided a verbal update on the online compliance reporting system. Members requested that details of how long cases had been open be included in future reports and officers agreed to investigate how this information could best be presented and stated that an update would be provided at the next meeting. In response to Member comments, officers advised that delays at the Planning Inspectorate were impacting appeals against enforcement action taken by the Council and that updates on timelines were not being received from the Planning Inspectorate. Members also enquired as to if officers had any suggestions on how the compliance service could be improved, especially given the challenges arising from delays from the Planning Inspectorate, and officers agreed to bring a response to the next meeting of the Committee.

The Committee **noted** the report.

9. **Appeals against Planning Decisions and Enforcement Action**

The Delivery Manager introduced the report and provided further update on impact of the delays at the Planning Inspectorate on open appeals.

The Committee **noted** the report.

The Meeting ended at 12.25 p.m.

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Agenda Item 5



Planning Committee Date	08 November 2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/02467/FUL
Site	Land at The Way, Fowlmere
Ward / Parish	Fowlmere
Proposal	Part demolition of existing buildings and erection of new buildings for research and development including co-working space, cafe and gym (Use Class E commercial, business and services), installation of plant, car parking provision of cycle parking, public realm improvements, and associated works to the Way.
Applicant	Gen Two Fowlmere Ltd
Presenting Officer	Charlotte Spencer
Reason Reported to Committee	Application raises special planning policy or other considerations
Member Site Visit Date	1 st November 2023
Key Issues	1. Principle of Development 2. Character and Appearance of the Area and impact on Heritage assets 3. Car Parking and Highway Safety 4. Impact on Neighbour Amenity
Recommendation	APPROVE subject to conditions and completion of a legal agreement (S106)
1.0 Executive Summary	

- 1.1 The application seeks full planning consent for the part demolition of existing buildings and erection of new buildings for research and development including co-working space, cafe and gym (Use Class E commercial, business and services), installation of plant, car parking provision of cycle parking, public realm improvements, and associated works to The Way.
- 1.2 The scheme has been through multiple pre-application discussions with officers, including Conservation, Urban Design, Landscape, Ecology and Trees officers and has been taken to the Design Review Panel (DRP) as part of the pre-application process. The proposal in front of members is the outcome of these discussions. A copy of the DRP minutes are included as an appendix to this report at appendix 1
- 1.3 The proposal represents a departure from the development plan and has been advertised as such. The majority of the site lies outside of the Fowlmere Development Framework and there is some conflict with the criteria of policy E/13. Nevertheless, the proposal would replace an existing employment site providing much needed research and development floorspace.
- 1.4 Additional information has been submitted to the Local Planning Authority during the course of the application. This includes further information regarding flooding ecology, landscaping information and sustainability. Further consultations were carried out as appropriate.
- 1.5 In terms of the overall planning balance, it is considered that the proposal would not result in an unacceptable level of harm on the character and appearance of the area, on nearby heritage assets and, on the residential amenity of the neighbouring properties. Despite the shortfall of parking provision, officers consider that, subject to conditions and a Section 106 Agreement the proposal would have an acceptable level of impact on highway safety.
- 1.6 The use of planning conditions of a Section 106 Agreement can secure appropriate detailing, technical information and financial contributions such that the proposal would accord with Local Plan policies in all other respects.
- 1.7 Taking all factors into consideration, Officers recommend that the Planning Committee approves the application subject to conditions and completion of a Section 106 (legal) Agreement, the final wording of which is be delegated to officers.

2.0 Site Description and Context

None relevant		Tree Preservation Order	X
Conservation Area	Partial	Local Nature Reserve	

Listed Building		Flood Zone 2, 3	X
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Outside Development Framework	X	Article 4 Direction	

- 2.1 The application relates to a 2.2 hectare site located to the north of High Street on the northern edge of the village of Fowlmere. The majority of the site lies outside the development framework within the open countryside. The site currently comprises industrial/warehouse buildings with ancillary offices (units 1 to 4) around a hard surfaced yard and a car park together with an office building (unit 5). Access is from the south off The Way which is a private road.
- 2.2 An awarded watercourse runs along the western boundary of the site. The site lies within Flood Zones 1, 2 and 3 (low, medium and high risk). Parts of the site are also subject to surface water risk.
- 2.3 The site benefits from a number of mature trees along the western side of the watercourse which are subject to a Tree Preservation Order. There are also a number of mature trees along the eastern boundary of the car park and surrounding the office building (Unit 5).
- 2.4 The site is situated adjacent to the Fowlmere Conservation Area and within the setting of a cluster of listed buildings to the south and south-west including St Marys Church (Grade I) and Fowlmere House (Grade II). Residential properties lie to the south east, south and south west. A small yard lies to the north with open agricultural land beyond. Open agricultural land lies to the west with residential development beyond.

3.0 The Proposal

- 3.1 The application is seeking planning permission for the part demolition of existing buildings and erection of new buildings for research and development including co-working space, cafe and gym (Use Class E commercial, business and services), installation of plant, car parking provision of cycle parking, public realm improvements, and associated works to the Way.
- 3.2 The application proposes buildings 2, 3 and 5 to be fully demolished and building 4 to be partially demolished. Building 1 would be retained and altered.
- 3.3 Building 1 is proposed to be altered, including the raising of the roof by 0.25 metres to create lab space, gym, conference room and café at

ground floor. A mezzanine level would be added within the existing building to create office space at first floor level.

- 3.4 A two storey building is proposed attached to the north of Building 1. This new building would create 4 suites (2-5) with labs at ground floor and office space at first floor. The new building would be characterised by a 9.1 metre high flat roof.
- 3.5 Building 1, plus the proposed Suites 2-5, would be clad in profiled cladding which would be blue/green in colour on the south and east elevations and grey on the north and south elevation.
- 3.6 Building 4 is proposed to be extended to the west and partially to the east to create 3 suites (6-8) which would benefit from labs at ground floor and office/write up space at first floor.
- 3.7 Suites 6-8 would be clad in profiled cladding which would be blue/green in colour on the south and west and elevations and grey on the north with the east elevation benefitting from both colours.
- 3.8 A new parking area, providing 153 spaces (17 of which would be for EVs), is proposed to the east of Suites 6-8 and the existing informal parking area to the west of Building 1 would be altered to provide 31 spaces, 9 of which would be disabled spaces, 18 would dedicated car share spaces, and 6 visitor spaces. All of these would be EV spaces. This would result in an uplift of 97 parking spaces across the site. A cycle store would also be provided in this area.
- 3.9 The site would benefit from associated landscaping.
- 3.10 The application has been amended and further information has been submitted to address specific requests of technical consultees and further consultations have been carried out as appropriate.

4.0 Relevant Site History

Reference	Description	Outcome
S/1213/16/OL	Outline application for residential development of up to 45 dwellings and office building	Refused
21/00542/OUT	Outline planning for the demolition of existing buildings and erection of 45 dwellings and office building, with some matters reserved except for access.	Refused
23/01331/SCRE	EIA Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for Part demolition, alterations and	EIA Screening Not Required

improvements to existing buildings, erection of new floorspace for life science use, café, gym and co-working floorspace, installation of plant and enclosures, waste and recycling storage, highway improvements to the Way, provision of cycle and car parking spaces, public realm and landscape improvements, and other associated works

- 4.1 Previous applications to develop the site for housing were refused under delegated powers. In the 2021 application, it was considered that the proposal would result in incremental growth in an unsustainable location, would result in the loss of a large local employment site in the village, it was not demonstrated that the site was inappropriate for employment use and it failed to provide adequate affordable housing.
- 4.2 The proposal has been through multiple pre-application discussions with the Planning Authority and the current application is the outcome of the feedback provided.

5.0 Policy

5.1 National

National Planning Policy Framework 2023
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)
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

5.2 South Cambridgeshire Local Plan 2018

S/1 – Vision
S/2 – Objectives of the Local Plan
S/3 – Presumption in Favour of Sustainable Development
S/5 – Provision of New Jobs and Homes
S/7 – Development Frameworks
S/10 – Group Villages
CC/1 – Mitigation and Adaption to Climate Change
CC/3 – Renewable and Low Carbon Energy in New Developments

CC/4 – Water Efficiency
CC/6 – Construction Methods
CC/7 – Water Quality
CC/8 – Sustainable Drainage Systems
CC/9 – Managing Flood Risk
HQ/1 – Design Principles
HQ/2 – Public Art and New Development
NH/2 – Protecting and Enhancing Landscape Character
NH/4 – Biodiversity
NH/14 – Heritage Assets
E/9 – Promotion of Clusters
E/10 – Shared Social Spaces in Employment Areas
E/13 – New Employment Development on the Edges of Villages
SC/2 – Health Impact Assessment
SC/9 – Lighting Proposals
SC/10 – Noise Pollution
SC/11 – Contaminated Land
TI/2 – Planning for Sustainable Travel
TI/3 – Parking Provision
TI/8 – Infrastructure and New Developments

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016

- 5.4 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Development affecting Conservation Areas SPD – Adopted 2009
Landscape in New Developments SPD – Adopted March 2010
District Design Guide 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

6.0 Consultations

6.1 Fowlmere Parish Council – No Objection

- 6.2 Support this application positively, however there are a number of matters which need to be addressed and the Parish Council do not consider permission should be granted unless these issues are resolved.

- 6.3 The proposals appear to deliver architecture which is honest and reflects the life science laboratory purpose. Scale and form appears to be in keeping with the category and scale of the village.
- 6.4 FPC do not consider that the applicants have demonstrated that there are no suitable buildings or sites available.
- 6.5 FPC has concerns in relation to car parking. Only 184 spaces are proposed and an under provision of carparking may lead in inappropriate on-street car parking.
- 6.6 Given the exceedances of speed limits in the area, FPC recommends that the junction of The Way with the High Street should be a raised table, shared surface which are effective at reducing speeds.
- 6.7 Supports making transport facilities such as a shuttle bus available to residents but the commitment from the development should be made stronger. Considerable and serious encouragement will need to be given to employees to adopt cycling.
- 6.8 Welcomes the Ecology and Landscaping proposals.
- 6.9 Welcomes proposed improvements to the permeability of the car park area.
- 6.10 FPC does not think that part (3)(a) of Article 9 of the T&CP (Development Management Procedure) Order 2015 which relates to Design and Access Statements should explain the policy adopted as to access has been addressed by the applicant.
- 6.11 An increase in night-time noise levels by 2dB will be a breach of Policies SC/10.
- 6.12 The café/deli being open to the public and using local produce would need to be secured by way of condition of S106 agreement.
- 6.13 Do not agree with the Cambridgeshire Constabulary in regards to the access along Green Lane needing to be closed.
- 6.14 Would like a condition which prevents any animal testing in the development. Would also like Permitted Development rights to be removed.
- 6.15 In addition to the original comments summarised above, the Parish Council submitted a response to the applicant's response to their comments. The full letter can be found on the Council's website.
- 6.16 **County Highways Development Management – No Objection**
First comment - 20.07.2023

6.17 The applicant has failed to provide Dwg KMC22089/001 Rev A as a standalone drawing showing the details of all points of access as to the proposed development.

6.18 Following the provision of the above, the Local Planning Authority is satisfied that the proposal will not have a significant or severe adverse effect upon the public highway subject to conditions.

Updated comment - 24.07.2023

6.19 Following the provision of Dwg KMC22089/001 Rev A as a standalone drawing, this can be conditioned as part of the decision notice and the reason for refusal has fallen away.

6.20 **County Transport Team – No Objection**

First comment - 02.08.2023

6.21 Insufficient detail has been presented to make a sound assessment.

Updated comment - 06.09.2023

6.22 No objection subject to mitigation package. Mitigation should include a contribution of £87,000 towards the cost of the works to improve facilities for cycling on the Melbourn Greenway; £10,000 towards the cost of additional waiting restrictions and/or traffic calming; to provide a staff bus; parking management plan and travel plan. Can be dealt with by legal agreements and conditions.

6.23 **National Highways – No Objection**

6.24 No objection

6.25 **Lead Local Flood Authority – No Objection**

First comment - 27.07.2023

6.26 Object due to the following reasons:

6.27 The applicant has proposed a discharge rate of 36l/s which is excessive. It is noted that the hydrobrake diameter can be reduce to the reduce the discharge rate.

6.28 Flood Estimation Handbook (FEH) rainfall data should be used for storm durations greater than 1 hour.

Updated comment - 31.08.2023

6.29 Can remove objection following submission of revised Flood Risk Assessment and Surface Water Drainage Strategy. Conditions requested.

6.30 **Environment Agency – No Objection**

First comment - 24.07.2023

6.31 Consider that the Flood Risk Assessment is acceptable for the scale and nature of the proposed development. Recommend a condition ensuring compliance with the FRA.

6.32 Evidence in the emerging Integrated Water Management Study for the Greater Cambridge Local Plan indicates that groundwater abstraction is placing significant pressures on water bodies that are sensitive to abstraction, and there is a risk of causing deterioration in the ecology if groundwater abstraction increases with licenced headroom. The area hosts several chalk streams and this development has the potential to increase abstraction. We are unable to advise with confidence that further development will not harm the water environment.

Updated comment - 11.08.2023

6.33 The proposed development site overlies principal and secondary aquifers in proximity to a watercourse. It has been subject to previous industrial uses, both recent and historic. The site is in an environmentally sensitive location and may present pollutant linkages to controlled waters. Reviewed the contaminated land documents and consider permission could be granted subject to conditions.

6.34 **Anglian Water - Comment**

6.35 The foul drainage from this development is in the catchment of Foxton Water Recycling Centre which does not have the capacity to treat the flows from the development site. Anglian Water are obligated to accept foul flows from the development and would therefore take necessary steps to ensure that there is sufficient treatment capacity should planning permission be granted.

6.36 The preferred method of surface water disposal would be to a sustainable drainage systems with connected to sewer being the last option. The proposed method of surface water management does not relate to Anglian Water.

6.37 Recommends informatives.

6.38 **Urban Design Team – No Objection**

6.39 The form of the buildings is appropriate for the location, and the height and massing approach is well considered. This will make a positive contribution to the village. The overall architectural approach is acceptable.

6.40 The reduction of the parking numbers from the pre-application designs helped in improving the soft landscaping aspect of the layout. The design of the mews will deliver a sensitive human scale space and satisfactory green environment. The approach towards the pedestrian and cycle movement within the site and the way it is connected to its immediate and wider context is acceptable. The new junction arrangement will result in a pedestrian friendly space, however, issues of how these spaces will be detailed in the hard and soft landscaping terms, and how the external

walls of the substation will be details are key for the quality of these spaces. This can be dealt with via condition.

- 6.41 More detail regarding the design and layout of the cycle storage would be needed. This can be dealt with via condition.
- 6.42 During the pre-app process, a discussion took place between the Officers and the applicants in relation to the new for the local children's input onto the design of some outdoor furniture and planting. It is understood that the Applicants have reached out the Council's Youth Engagement Team and the activities are under discussion. The result should be used to inform the final design of the public spaces, either during the life of the application or as a condition.
- 6.43 **Access Officer - Comment**
- 6.44 There should be at least 10 blue badge parking spaces. Any double doors need to be electronically opened or be asymmetrical with one leaf being a minimum of 900mm. Meeting rooms, social spaces all need hearing loops. Acoustics need to be considered. The colour contrast and signage must meet the needs of visually impaired people. The glazing and floor must be designed so as to remove glare and shadowing. Toilet doors should open outwards or slide and have quick release bolts. It would be good if the accessible changing room was designed to a Changing Places toilet standard as well.
- 6.45 **Conservation Officer – No Objection**
- 6.46 The site is adjacent to the Fowlmere Conservation Area with a section at the south of the site lying within it. There is a cluster of listed buildings to the south and south-west including St Marys Church (Grade I) and Fowlmere House (Grade II). There is a scheduled monument to the south of High Street.
- 6.47 The greatest visual impact would be from within the Conservation Area on Rectory Lane where buildings would be glimpsed through the gaps in the tree line at the edge of the brook. The proposed additional planting is expected to soften the view and the proposed darker materials on elevations at the outer edges of the side would minimise the impact. Heat pumps and other plant is proposed to be sited on the side of the building where it could be visible from Rectory Lane. A condition to ensure the plant is installed and maintained at the stated dark grey should be included.
- 6.48 It is considered that from the entrance to the site at the junction of High Street and The Way, the impact on the Conservation Area and Listed Building setting would be minor. Additional soft landscaping is likely to enhance the area to a small degree.

- 6.49 In longer views, the LVA demonstrates that the buildings would continue to sit below the established tree line. Therefore, the Conservation Area's character and setting would therefore be minimally affected and it would continue to be appreciated as a village settlement in a rural environment.
- 6.50 The setting of the schedule monument and other listed buildings on the High Street would be unaffected by the proposals due to the existing built form and lack of intervisibility.
- 6.51 The proposal would not adversely affect the setting of the listed buildings and would preserve or enhance the character or appearance of the Conservation Area. Recommend conditions regarding materials and landscaping.
- 6.52 **Historic England – No Comment**
- 6.53 No comment. The advice of your specialist officers should be sought.
- 6.54 **County Archaeology – No Objection**
- 6.55 The development lies in an area of high archaeological potential. As such, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area. This can be dealt with by way of condition.
- 6.56 **Senior Sustainability Officer – No Objection**
- First comment - 02.08.2023*
- 6.57 The BRUKL output reports show that the proposed measures only achieve a carbon emissions reduction of 5.9% when compared to a Building Regulations Part L compliant baseline. Cannot offer support until the sustainable construction standards are improved.
- Updated comment - 04.10.2023*
- 6.58 A Sustainability Response document has been submitted detailing amendments to the scheme in a bid to satisfy planning requirements.
- 6.59 The development would obtain 4 credits from BREEAM Wat 01 and has explained why 5 credits cannot be achieved and this mainly due to the scheme would involve retention of existing structures in order to maximise the embodied carbon benefits.
- 6.60 The energy model has been reconsidered and this now achieved a reduction of carbon emissions by 30.34% above the Building Regulations Part L 2021.
- 6.61 No objection subject to conditions included compliance with details and submission of BREEAM Certificates.

6.62 **Landscape Officer – No Objection**

First comment - 08.08.2023

6.63 The proposed layout, footprints and heights are acceptable in landscape terms.

6.64 The species mix, density and mix of planting sizes on the boundaries surrounding the car park area is welcomed. The access road was introduced on the northern boundary of the site to enable the pedestrianisation of the mews, and to make space for trees with larger canopies to be introduced on the northern boundary. This has largely been achieved, however, there is concerns that the proposed *Prunus avium* only has an expected lifespan of 60 years. Otherwise, the planting strategy is acceptable.

6.65 The hard landscaping is acceptable. The furniture and boundary treatments are generally acceptable. Details regarding the gate separating public spaces and lab buildings are required. This can be dealt with by way of condition. It is not clear whether a perimeter fence is proposed for the wider site. This can also be dealt with by way of condition.

6.66 The landscape management plan is acceptable. During the demolition and first few years of use there would be some adverse landscape effects arising from the clearance of the existing vegetation but the landscape structure would be enhanced in the long term.

Updated comment - 05.09.2023

6.67 Revised documentation has been submitted. Amendments have been made as requested. Objections removed.

6.68 **Ecology Officer – No Objection**

First comment - 02.08.2023

6.69 The ecological impact assessment has not found any evidence that any protected species licences will be required prior to works commencing. However, there are identified ecological constraints that will require both construction phase avoidance and mitigation and operational mitigation.

6.70 Currently, the ecologists have not completed a full set of transect surveys (although they are on-going). The initial results indicate that sensitive lighting will be required, and an external lighting report has been submitted. Without the full surveys completed it would be unwise to agree to the proposed lighting scheme. A sensitive lighting design could be conditioned.

6.71 A biodiversity net gain plan has been submitted. The applicant is seeking a 30% increase in measurable biodiversity and as the required uplift to achieve that cannot be found on site, they will seek to by offsite credits from a third-party provider.

- 6.72 The ecological impact assessment has recommended 8 bat and 8 bird boxes, however, this is below the recommended numbers. This can be dealt with via condition.
- 6.73 Bat surveys are required to be completed prior to determination.
- Updated comment - 27.09.2023*
- 6.74 The applicants have completed their bat assessments. The lighting plan has been reviewed and there is concern regarding this and should not be accepted, however, a new lighting plan can be dealt with by condition.
- 6.75 Sufficient ecological information has been submitted subject to conditions requesting a Construction Ecological Management Plan, new lighting plan, ecology enhancement scheme and biodiversity net gain scheme.
- 6.76 **Natural England – No Objection**
- 6.77 The development could damage or destroy the interest features for which water dependent Sites of Special Scientific Interest, Whittlesford-Thriplow Hummocky Fields SSSI, Fowlmere Watercress Beds SSSI, and Thriplow Meadows SSSI. In order to mitigate this the authority should consider whether water resources to meet the needs to this development can currently be supplied sustainably and without further adverse impact to the natural environment. An appropriate planning condition or obligation should be attached to any planning permission.
- 6.78 **Tree Officer – No Objection**
- 6.79 The proposal requires the removal of Category B and C trees at various locations across the site. No objection subject to the imposition of a condition requesting an Arboricultural Method Statement and Tree Protection Strategy.
- 6.80 **Health Development Officer – No Objection**
- 6.81 The submitted Health Impact Assessment satisfies the policy requirements and it is proportionate to the scale of this development. Satisfied that due consideration has been made to the impacts, both positive and negative on existing and future residents of this site. To heighten safety, the movement of HGVs to and from the site should be restricted during school drop off and collection times.
- 6.82 **Environmental Health – No Objection**
- 6.83 No objection in principle subject to conditions regarding construction hours, a Demolition and Construction Environmental Management Plan (DCEMP) and compliance with the noise assessment.
- 6.84 **Environmental Health – (Air Quality) – No Objection**

- 6.85 The application is supported by an Air Quality Assessment. It is recommended that the control measures are incorporated into a Demolition and Construction Environmental Management Plan.
- 6.86 The anticipated traffic volumes do not reach the threshold for a full assessment. No further assessment is required at this time.
- 6.87 **Environmental Health – (Contaminated Land) – No Objection**
- 6.88 The site has a potentially contaminative historic use comprising a manufacturing facility. Phase 1 and 2 reports have been submitted and though the quality of the soils has been determined as generally suitable for a commercial end use, the data is considered a preliminary investigation of the site only. Further investigation is recommended to assess risk to end users and controlled waters. Asbestos fibres have been noted within made ground soils in the north east and elevation chromium highlighted in a single location.
- 6.89 Whilst the investigation and proposed remediation is generally satisfactory in terms of risk to human health, an assessment is required in terms of risk from PFAS contaminants at the site. This can be dealt with via condition.
- 6.90 **Designing Out Crime Officer - Comment**
- 6.91 Consider this to be an area of low vulnerability to the risk of crime, however, the anti-social behaviour figures are of concern and these are likely to increase.
- 6.92 Concerns regarding the pedestrian and cycle access from the unmade farm track known as Green Lane to the east. This access should be removed.
- 6.93 No mention of lighting standards which needs to be clarified. Wall mounted lighting should be LED dusk to dawn. Bollard lighting is only appropriate for wayfinding and carparks and access roads should be lit by columns.
- 6.94 Cycle parking should be covered, secure, in view of buildings, well lit and covered by CCTV. They must not be shared with gas and bin stores. Sheffield stands for visitors should be well lit and covered by CCTV.
- 6.95 Concerns around the free flow of access into the staff parking. Access should be fobbed entry access.
- 6.96 With well-managed crime prevention measures and security recommendations, the new development should not have a detrimental effect on the existing community, new staff and visitors to the site.
- 6.97 **Active Travel England – No Comment**
- 6.98 No comment

6.99 **Design Review Panel Meeting of 09.03.2023**

- 6.100 The panel were pleased to see that climate had been at the heart of the evolving design and offered advice to reduce the carbon footprint of the development during construction and following completion of the development.
- 6.101 The panel considered that the overall disposition of external spaces evolving out of the present of the building is well handled. The panel provided advice on design and how to improve the site in terms of character.
- 6.102 The panel raised concern in relation to the quantum of surface car parking. There was a general sense amongst the panel that there might be benefit in revisiting the proposed decked car park which had been removed.
- 6.103 The panel welcomed the incorporation of community facilities. Retaining the employment use in the village combined with a community facility, is welcomed by the community and will be an enhancement.
- 6.104 The panel concluded that whilst the proposal required development and refinement it could be an exemplary scheme.

7.0 Third Party Representations

- 7.1 11 representations have been received, of which there were two objections, four in support and five neutral comments.
- 7.2 Those in objection have raised the following issues:
- Out of scale;
 - Impact on character of the village;
 - Traffic impacts;
 - Parking provision (car and cycle);
 - Shared use path should be provided;
 - Impact on daylight on neighbouring properties due to trees;
 - Construction disruptions;
 - Noise;
 - Road Maintenance;
 - Opening hours
 - Flood risk;
 - Loss of biodiversity
 - Trees impacting wall
 - Animal testing
- 7.3 Those in support have given the following reasons:
- Provision of much needed laboratory and R&D space;
 - Positive business development
 - Clean replacement to manufacturing

- Benefits outweigh harm
- BREEAM Excellent
- Offering village residents work space and a café.

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

8.0 Assessment

8.1 Principle of Development

8.2 The majority of the site is located outside of a defined development framework boundary. Policy S/7 of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.

8.3 The supporting text to policy S/7 sets out the development frameworks define where policies for the built-up areas of settlements give way to policies for the countryside. This is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations.

8.4 The majority of the site, including where the development is to be sited, is located outside of the Fowlmere Development Framework and therefore, other policies need to be reviewed to consider whether this development would be supported.

8.5 Policy E/13 states that new development for employment development will be permitted on sites adjoining or very close to the development frameworks where:

- a. It is demonstrated that there are no suitable buildings or sites within the settlement, or suitable buildings to reuse or replace in the countryside nearby;
- b. The site comprises previously development land;
- c. The proposal is justified by a business case, demonstrating that the business is viable;
- d. There is a named user for the development, who shall be the first occupant;
- e. The proposal is logically related to the built form of the settlement, the scale and form of the development would be in keeping with the category and scale of the village.

- f. The proposal would not have an unacceptable adverse impact on the character and appearance of the area;
 - g. The site can be easily accessed foot or cycle.
- 8.6 The application seeks planning permission for erection of a research and development buildings and associated car park, landscaping and associated infrastructure.
- 8.7 In terms of criteria (a) of Policy E/13, whilst the applicant has not provided evidence to demonstrate that other sites were considered, it is noted that the application site has been in use for industry/employment since 1996 and as such, the commercial use of the site has already been established. This application represents an extension and alteration to the existing commercial use site (Class B2 and Class E). As such, it is considered that the change of use for Research and Development Suites and Offices (Classes E(g)(i) and (iii)) is considered acceptable. The site is considered to be previously development land in compliance with criteria (b).
- 8.8 In terms of criteria (c), the applicants have included a supporting letter demonstrating the high level of demand for lab and office space in and around Cambridge. This letter explains that in 2022, circa 500,000 sq ft of land space was taken up and in the first quarter of 2023 there was a 20% increase in take up from Q1. This also states that there remains an acute shortage of lab space and there is very limited immediate availability of laboratory space of any scale against occupier demand of over 1 million sq ft. Of all lab scheme being delivered in SCDC? in 2023, about 65% of the floor area is already currently under offer. In addition, the applicants have stated that this has been recognised by the Government in Spring 2023 Budget which named the supply of laboratory space as being 'key' to driving investment into life science clusters. Officers do not dispute the demand for life science floorspace.
- 8.9 Policy E/9 states biotechnology and biomedical sciences are a specialism of the Cambridge area, and development proposals for this would be supported in suitable locations. Policy E/9 also states that development proposals in suitable locations will be permitted which support the development of employment clusters drawing on the specialisms of the Cambridge Area. The Design and Access Statement demonstrates that the proposed site sits amongst a group of well-established life science parks. As such, it is considered that there is a high demand for such employment floor space within Cambridge and surrounding areas and officers are content that the proposal is compliant with criteria (c).
- 8.10 Criteria (d) requires there to be a named user for the development and this would be controlled under condition. The applicant has stated that although there has been interest from potential tenants, there would be no named occupier, as occupiers do not look for space until it is much closer to completion. This is noted, and officers do not dispute this. As the proposal would provide employment space which is in high demand,

officers are of the belief that the suites would likely be occupied shortly after completion.

- 8.11 In terms of criteria (e) to (g), these elements would be considered in more detail in the report below.
- 8.12 The proposal would include shared social spaces including a gym, café and co-working space, all of which would be open for public access Policy E/10 states that appropriately scaled leisure, eating and social hub facilities will be permitted in business parks and employment areas where: the use is ancillary; the use will not have adverse effects on the existing businesses or future business use of the site; and the facility is intended primarily to meet the needs of the works in the business park. It is considered that the level of social spaces provided would be appropriately scaled and as such it is considered that it would support future businesses rather than resulting in adverse impacts on them.
- 8.13 Policy S/10 identifies Fowlmere as a Group Village, which are considered to be less sustainable locations than Rural Centres or Minor Rural Centres having fewer services and facilities allowing only some of the basic day to day requirements. Whilst Policy S/6(4) sets out that allocations for jobs should be focused on Rural Centres and Minor Rural Centres it is considered that as the proposal represents an extension and alteration within an existing employment site, as such the proposal being located in a Group Village is acceptable in this instance.
- 8.14 Paragraph 84 of the NPPF states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.
- 8.15 Paragraph 86 of the NPPF states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist
- 8.16 Subsequently, it is considered that subject to all other material matters, the proposal is acceptable in principle and would accord with Policies S/7, E/10, E/9 and E/13 of the Local Plan (2018) and the NPPF (2013).
- 8.17 **Design, Layout, Scale and Landscaping**

- 8.18 Policy HQ/1 ‘Design Principles’ provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 8.19 Policy NH/2 ‘Protecting and Enhancing Landscape Character’ seeks to permit development only where it respects and retains or enhances the local character and distinctiveness of the local landscape and its National Character Area in which is it located.
- 8.20 The District Design Guide SPD (2010) and Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
- 8.21 The below table demonstrates the approximate measures of the existing and proposed footprints, floor areas and heights of the buildings based on officer measurements.

Existing					
	Building 1 (Retained)	Building 2 (Demolished)	Building 3 (Demolished)	Building 4 (Extended)	Building 5 (Demolished)
Footprint	990sqm	460sqm	1260sqm	2620sqm	530sqm
Floorspace	1010sqm	435sqm	1645sqm	2850sqm	600sqm
Max Height	8.5m	4.2m	6.2m	9.7m	6.2m
Proposed					
	Suites 1-5	Suites 6-8			
Footprint	14300sqm	11550sqm			
Floorspace	27420sqm	22280sqm			
Max Height	8.75m	10.69m			

- 8.22 The proposed layout is based on the existing arrangements on site and the footprints and heights of the existing buildings. Therefore, it is considered that there would be minimal impact on the views from surrounding area and this has been demonstrated by the submitted Landscape and Visual Impact Appraisal (LVIA). Whilst the effects would be greater in the short term due to the clearance of the existing vegetation, the introduction of additional planting along the site boundaries would enhance the site in the long term.
- 8.23 It is considered that the form of the buildings is appropriate for the location and the height and massing is well considered resulting in a scheme that sits in harmony within its existing built and natural setting and would deliver a sensitive human scale space and satisfactory green environment.

- 8.24 More details would be required regarding the substation and cycle store which are located adjacent to the southern parking area to ensure that the quality of the entrance point is ensured, however, it is considered that these details can be dealt with by way of condition. **(Condition 15 – Cycle Store and Substation)**
- 8.25 The Council’s Urban Design Officer has been consulted on the proposal and has stated that the issues raised during the pre-application stage have been addressed and concluded it would make a positive contribution to the village. The Design Review Panel had reviewed an earlier of the iteration and whilst they provided advice for potential amendments, they had concluded that whilst the proposal required development and refinement it could be an exemplary scheme.
- 8.26 In terms of landscaping, the Council’s Landscaping Officer has reviewed the proposed landscaping scheme and LVIA and they have confirmed that they have no objections to the proposal subject to compliance with the landscaping scheme and details of the boundary treatment which can be ensured by way of conditions. **(Condition 15 – Boundary Treatment and Condition 29 – Landscaping)**
- 8.27 Policy HQ/2 states that the Council will encourage the provision of public art that is integrated into the design of the development. This should be community led. The applicants have reached out to the Council’s Youth Engagement Team and workshops took place with Fowlmere Primary School students in October. The aim is to have local children’s input onto the design of some outdoor furniture, bat and bird boxes and the design of an ‘A’ on the elevation. The result of these activities should be used to inform the final design of these public spaces. The final details are yet to be provided, however, this can be ensured by way of condition. **(Condition 28 – Public Art)**
- 8.28 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with South Cambridgeshire Local Plan (2018) policies HQ/1, HQ/2 and NH/2 and the NPPF.
- 8.29 **Trees**
- 8.30 Policies NH/2, NH/4 and HQ/1 seek to preserve, protect and enhance existing trees and hedges. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.
- 8.31 The application is accompanied by an Arboricultural Impact Assessment. The application requires the removal of 21 Category B and C trees and this would be mitigated by the proposed landscaping and tree planting scheme. None of the trees to be lost are protected TPO trees, and the number of proposed trees would exceed the number lost; and are proposed to be planted along the north eastern, north western and south eastern boundaries and within the parking areas as well as along the

pathway between the new buildings. This scheme has been reviewed by the Landscape Officer.

8.32 The Council's Tree Officer has advised that they have no objections to the proposal subject to a condition requesting an Arboricultural Method Statement and Tree Protection Plan. This condition is considered reasonable to ensure that the trees which are to be retained are sufficiently protected during building works. **(Condition 3 – AMS and TPP)**

8.33 Subject to conditions as appropriate, the proposal would accord with policies NH/2, NH/4 and HQ/1 of the Local Plan.

8.34 **Heritage Assets**

8.35 A section at the south of the application site falls within the Fowlmere Conservation Area, with the rest of the site lying adjacent to it along the site's western edge. There is a cluster of listed buildings to the south and south-west including St Mary's Church (Grade I) which can be seen from within the southern part of the site, and Fowlmere House (Grade II) which has grounds extending close by to the west. Bridge House (Grade II) lies directly opposite the entrance to the site. There is a scheduled monument (The Round Moat) to the south of High Street.

8.36 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

8.37 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.

8.38 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

8.39 Policy NH/14 of the South Cambridgeshire Local Plan (2018) requires development affecting heritage assets to sustain or enhance the character and distinctiveness of those assets. Policy HQ/1 states that all new development must be compatible with its location in terms of scale, density, mass, form, siting, design, proportion, material, texture and colour in relation to the surrounding area.

- 8.40 The Conservation Officer has advised that the greatest impact of the proposal would be from within the Conservation Area from Rectory Lane, where buildings would be glimpsed through the gaps in the trees which is viewpoint 1 within the Landscape Visual Impact Assessment. It is considered that the additional planting and use of darker materials would minimise the impact. It is also considered that there would be a similar impact from within the setting of Fowlmere House.
- 8.41 From the entrance to the site at the junction of High Street and The Way, which lies within the Conservation Area and is near Bridge House (Grade II), there is currently a glimpse of the buildings within the site. Although there is likely to be new signage and glimpses of the new buildings, it is considered that the impact on the Conservation Area and Listed Building Setting would be minor. The setting of the scheduled monument and other listed building on the High Street would be unaffected due to the existing built form and lack of intervisibility.
- 8.42 The Conservation Officer has advised that the proposal would not adversely affect the setting and significance of the listed buildings and would preserve or enhance the character and appearance of the Conservation Area, subject to details of the materials and landscaping. In respect of NPPF paragraphs 199-202, it is considered the proposal would not cause harm to the designated heritage assets. **(Condition 12 – Materials and Condition 29 – Landscape)**
- 8.43 The Archaeology Officer has advised that the site lies in an area of high archaeological potential. As such, a further programme of investigation and recording is required in order to provide more information regarding the presence, or absence, and condition, of surviving archaeological remains. This can be dealt with by way of condition. **(Condition 4 – WSI)**
- 8.44 It is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area or the setting of listed buildings. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy NH/14.
- 8.45 **Biodiversity**
- 8.46 The Environment Act 2021 and the 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. This approach accords with policy NH/14 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

- 8.47 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a biodiversity net gain plan which sets out that the proposal would result in the loss of approximately 19% of habitat units, provide approximately a 42% increase in hedgerow units with no change in river habitats. The applicant is seeking a 30% increase in measurable biodiversity, and as the required uplift to achieve that cannot be found on site, they will seek to buy offsite credits from a third party provider which will be Lower Valley Farm who already have an agreement with the Council to provide monitoring data. The Council's Ecology Officer has reviewed this and raised no objection subject to it being secured by way of condition. **(Condition 18 – BNG)**
- 8.48 A completed commuting and foraging bat assessment has been submitted along with an external lighting plan. The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure the protection of species. Whilst they raised issues with the proposed lighting plan, it is considered that this can be dealt with by way of condition. Natural England raised no objection. **(Condition 5 – CEcMP, Condition 17 – Ecology Enhancement, Condition 22 – Lighting Strategy)**
- 8.49 In consultation with the Council's Ecology Officer and Natural England, subject to an appropriate condition, officers are satisfied that the proposed development complies with policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.
- 8.50 **Carbon Reduction and Sustainable Design**
- 8.51 The 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 as required by policy CC/1.
- 8.52 Policy CC/3 'Renewable and Low Carbon Energy', requires that Proposals for new dwellings and new non-residential buildings of 1,000m² or more will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies.
- 8.53 Policy CC/4 'Water Efficiency' requires that all new residential developments must achieve as a minimum water efficiency to 110 litres pp per day and for non-residential buildings to achieve a BREEAM efficiency standard equivalence of 2 credits. Paras 152 – 158 of the NPPF are relevant.
- 8.54 The application is supported by a Sustainability Planning Response document. This has been reviewed by the Council's Sustainability Officer who raises no objection to the proposal subject to conditions relating to carbon reduction technologies and water efficiency **(Condition 20 –**

BREEAM Construction Stage, Condition 23 – BREEAM Post Construction and Condition 30- Energy Statement)

- 8.55 The proposal would obtain 4 credits from BREEAM Wat 01 and whilst this would not meet the best level, it is noted that existing structures are being retained in order to maximise the embodied carbon benefits. The existing structures do not have underground space for rain water harvesting and they are unable to take the weight of a blue roof. Due to the carbon benefits gained from the retention of existing buildings, it is considered that this approach is acceptable. The submitted information demonstrates that the development would reduce carbon emissions by 30.4% above Building Regulations Part L in compliance with policy.
- 8.56 The applicants have suitably addressed the issue of sustainability and renewable energy and subject to conditions the proposal is compliant with Local Plan policies CC/1, CC/3 and CC/4 and the Greater Cambridge Sustainable Design and Construction SPD 2020.
- 8.57 **Water Management and Flood Risk**
- 8.58 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 8.59 The western and southern part of the site lies within Flood Zones 2 and 3, with the eastern part being within Flood Zone 1. Parts of the site are also at risk of surface water flooding.
- 8.60 The applicants have submitted a Flood Risk Assessment which has been amended in response from the comments from the Local Lead Flood Authority. The Local Lead Flood Authority has advised that this is acceptable, and they now have an acceptable discharge rate and have no objections subject to conditions ensuring compliance with the Flood Risk Assessment and submission of measures as to how surface water run-off from the site will be avoided. **(Condition 34 – Flood Risk Assessment)**
- 8.61 The Environment Agency has advised that they have no objections to the proposal in terms of Flood Risk subject to a surface water disposal scheme being submitted by way of condition and compliance with the submitted Flood Risk Assessment. **(Condition 6 – Surface Water Run Off, Condition 10 -Surface Water Drainage, and Condition 34 – Flood Risk Assessment)**
- 8.62 Anglian Water has advised they have no objections to the proposal. Whilst they state that Foxton (Cambs) Water Recycling Centre does not have the capacity, Anglian Water are obligated to accept the foul flows and would therefore take the necessary steps to ensure there is sufficient treatment capacity should permission be granted.

- 8.63 In terms of Water Resources, evidence in the emerging Integrated Water Management Study for the Greater Cambridge Local Plan indicates that ground water abstraction is placing significant pressures on water bodies (including chalk streams).
- 8.64 The applicants undertook an EIA Screening Opinion (ref: 23/01331/SCRE) earlier in the year and it was decided that EIA Screening was not required. During this screening it is noted that the Environment Agency did raise concerns in regards to the water demands., However, it was subsequently considered that the characteristics of the development, sensitivity of the location and effects of the development are not considered to result in significant impacts on the environment which would require the submission of an Environmental Statement and the development is not determined to be an Environmental Impact Assessment development in accordance with Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).
- 8.65 The Environment Agency and Natural England have been consulted and have advised that the development has the potential to increase abstraction from groundwater sources. However, a Water Consumption Statement (WCS) has been submitted which concludes that the proposed site is predicted to use approximately 6150 cubic metres less water than the existing site per annum which equates to a reduction of 62%. It is noted that Natural England have questioned the conclusion of the WCS as it is based on hypothetical water usage, however, any potential water use would be estimates only and officers are content with this information. The Sustainability Officer has confirmed that the proposal would ensure 4 credits from BREEAM WAT 01 and this can be secured by condition to ensure that the level of water usage would meet this standard. In addition, the application went through the EIA screening opinion and it was considered that it was not required. **(Condition 20 – BREEAM Construction Stage)**
- 8.66 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.
- 8.67 **Contaminated Land and Water Quality**
- 8.68 Policy SC/11 states that where development is on contaminated land, the Council will require development to include and assessment and any possible risks. Proposals will only be permitted where land is, or can be made suitable for the proposed use. Policy CC/7 seeks to protect the quality of water bodies.
- 8.69 A Contaminated Land Assessment has been submitted as part of the application. The site has a potentially contaminative historical use comprising a manufacturing facility, however the proposed use is not particularly sensitive to the presence of contamination.

- 8.70 The Council's Contaminated Land Officer has advised that the submitted information is considered a preliminary investigation of the site only. Further investigation is recommended, and this can be dealt with by way of condition. **(Condition 7 – Contaminated Land)**
- 8.71 The Environment Agency has advised that the site is in an environmentally sensitive location and may present pollutant linkages to controlled waters. However, they are satisfied that the risks to controlled waters posed by contamination can be addressed through appropriate measures which need to be secured by condition. These conditions are considered reasonable to ensure that the site does not pose an unacceptable risk to the environment. **(Condition 6 – Surface Water Run Off, Condition 10 - Surface Water Drainage)**
- 8.72 It is considered that the applicants have suitably addressed the issues of contamination, and subject to conditions the proposal is in accordance with Local Plan policies SC/11 and CC/7, and NPPF advice.
- 8.73 **Highway Safety and Transport Impacts**
- 8.74 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 8.75 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, and provided a Transport Assessment and Travel Plan.
- 8.76 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.77 The application is supported by a Transport Assessment which has been amended following comments from the Transport Assessment Team.
- 8.78 The applicant has assumed that 70% of approximately 412 employees will be in work on a typical day which the Transport Assessment Team have agreed. The car park allows for a mode share of 62% which is lower than then 2011 census data for travelling to work for the area and so requires additional transport measures. The transport strategy for the development which expects 10% would car share, 13% would travel by walking or cycling and 17% would travel by bus or the proposed commuter bus. Whilst parking provision is discussed in more detail below, it is considered that the transport strategy encourages and provides alternatives to car travel which is suitable in this location.

- 8.79 It is considered that although the Transport Assessment (table 8.5) details that the total daily movements from the development (472) would be higher than the existing movements (92 as of November 2022), it would be lower than the potential movements for the site if it was fully used for its current industrial use (659). It demonstrates that the proposed lab use has 187 less total vehicle movements in a typical day of which 29 would be HGVs.
- 8.80 The applicant has modelled development related traffic at junctions of Fowlmere Road with the A10 and the B1368 with the A505. The Transport Assessment Officer has confirmed that the development flows would have very little impact on the capacity of the B1368/A505 junction and the Fowlmere Road/A10 junction has capacity.
- 8.81 Highways Officers have confirmed that the measures of the travel plan are aligned with the Transport Assessment and the management is appropriate. However, the travel plan should be subject to condition which is considered reasonable. **(Condition 27 – Travel Plan)**
- 8.82 It is accepted that the application would result in the increase of trips on the A10 corridor. As such, the Transport Assessment Team have recommended a contribution of £87,000 towards the Melbourn Greenway secured via a S106 agreement.
- 8.83 The Transport Assessment Team have recommended a contribution of £10,000 towards the implementation of waiting restrictions in the vicinity of the site and/ or additional traffic calming measures where required.
- 8.84 The Local Highways Authority have reviewed the proposal and have raised no objection subject to the submission of management plan for the streets and Traffic Management Plan which can be dealt with by way of condition. **(Condition 8 -TMP)**
- 8.85 It is noted that the Parish have requested a new cycle track between Fowlmere and Foxton, however, as a planning obligation this would not be CIL Regulations compliant or possible. It is also noted that the Parish requested a raised table due to vehicles travelling in excess of the speed limit. The Local Highways Authority have confirmed that the access can provide the inter vehicle visibility splays for a speed of approximately 28mph which is in excess of those required by the 20mph speed limit. As speeding is an existing issue it would be difficult to require the applicant to provide a raised table to mitigate an existing problem. In addition, one raised feature may not be practical and a more extensive traffic calming measure may be required which is likely to be disproportioned for the level of development. As such, it is considered that there are no grounds to seek the implementation of a raised table at the junction. It is also noted that the applicant has offered to pay for a speed camera in the village, this cannot be secured by the Local Highways Authority, but would be a separate agreement between the site owners and the Parish.

- 8.86 Subject to conditions and S106 mitigations as applicable, the proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.
- 8.87 **Cycle and Car Parking Provision**
- 8.88 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.
- 8.89 Car Parking
- 8.90 TI/3 requires 1 car space per 30sqm for business use (for developments over 2,500sqm) or 1 space per 50sqm for general industrial, it does not take into account Class E which was created after the adoption of Local Plan. The supporting text to the policy advises that the Council will encourage innovative solutions such as shared parking areas, for example where there are a mix of day and night uses, car clubs and provision of electric charging points and that a developer must provide clear justification for the level and type of parking proposed and will need to demonstrate they have addressed highway safety issues.
- 8.91 The total gross new internal floorspace would equate to 11,543sqm. Based on TI/3 then between 230 to 385 should be provided. 184 car parking spaces would be provided which would be a shortfall of the minimum number. The amount of parking allows for a car drive mode share of 62%. Of the 184 car spaces, 18 would be for the use of car sharing which when taken together would allow for 70% of the employees to travel to the site by car either as drivers or passengers. The Transport Assessment states that the remaining employees would travel by walking or cycling or by bus. The applicant is proposing a community bus which would link the site to Trumpington Park and Ridge and Foxton Station. This can be secured by way of condition. **(Condition 26 – Minibus)**
- 8.92 Therefore, whilst the proposed parking levels are below the standards set out in Policy TI/3, the proposed car parking provision is reflective of the car driver mode share set out in the Transport Strategy. As there is a shortfall of car parking spaces, it is considered reasonable to request a Parking Management Plan by way of condition which would need to refer to how parking is allocated and how it is monitored. Subject to this condition, the Transport Assessment Team have agreed with the provision of car parking. **(Condition 27 – Travel Plan)**
- 8.93 The Greater Cambridge Sustainable Design and Construction SPD outlines the standards for EV charging 1 per 1,000m² of floor space for fast charging points; 1 per 2 spaces for slow charging points and passive provision for the remaining spaces to provide capability for increasing provision in the future. The plans demonstrate that 47 of the car parking

spaces including all the disabled and car share would benefit from EV charging which exceed the recommendations.

8.94 Cycle Parking

8.95 TI/3 requires 1 space per 30sqm for business use or 1 space per 40sqm for general industrial, it does not take into account Class E which was created after the adoption of Local Plan. The supporting text advises that all cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.

8.96 The proposal would provide 80 cycle spaces, 8 of which would be for visitors, which would be below the indicative standards. However, this number would allow for 25% of staff to cycle to work, which is above the assumed 13% as stated within the Transport Assessment, and above what is suggested in the 2011 census. The cycle parking would be a mixture of Sheffield stands, double stackers and provision for oversized cycles. This would be 68 standard bikes on double stacks, 4 visitor hoops and 4 cargo bike areas. There would also be an e-bike charging point, repair station and end of journey facilities would also be provided and it is considered that this would help encourage employees to cycle. The Council's Transport Assessment Team are satisfied that the cycle parking provision is acceptable.

8.97 Subject to conditions, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

8.98 **Amenity**

8.99 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.

8.100 Neighbouring Properties

8.101 There are residential dwellings surrounding the southern most part of the site. The closest building to these residential neighbours is building 1 which is just being altered and upgraded with a minimal increase in height and so it is considered that it would not result in any further impact on residential amenity than the existing situation. Whilst building 4 would be extended with a small increase in height it would not be brought any closer to neighbouring properties than the existing, and the extended section would be located just under 100 metres from the rear wall of Home Farm. Subsequently, it is considered that the proposed buildings would not have a detrimental impact upon the residential amenity of neighbouring properties by reason of loss of light, loss of outlook or sense of dominance.

- 8.102 It is noted that the occupier of Vine House which bounds the site to the south have raised concerns regarding the impact of the proposed new trees to be planted along the boundary on their light. The plans show that Tilia Cordata trees would be planted along this shared boundary. This is a deciduous tree which grows slowly but reaches a height of 20-30 metres. The trees would be planted approximately 10 metres from the rear of Vine House, and approximately 15 metres from the rear of The Firs. Whilst they are located to the north west of these properties and so would only affect the late afternoon/ evening sun, there is a concern that due to the height and size of the canopy they could impact the light to these properties. After speaking informally to a Landscaping Officer it is considered that a smaller tree maybe more suitable here, and/or a reduction in the number of trees. As this would be a relatively small amendment, it is considered that this can be dealt with by condition. Subject to there being an amendment to the trees along this boundary the application would have an acceptable level of impact on the amenity of neighbouring properties. **(Condition 16 – Boundary Treatment)**
- 8.103 It is noted that the increase in traffic compared to the existing situation, as outlined above, could have an impact on the neighbouring properties. However, whilst there would be an increase in traffic from the current situation, it would be a reduction if compared to the potential movements that could occur if the site was not to be redeveloped and fully occupied. Whilst the café and gym will be open to members of the public, it is likely this would be limited to the immediate residents and so it is unlikely to attract significant levels of visitor traffic.
- 8.104 Construction and Environmental Health Impacts
- 8.105 The air quality and noise and vibrational impacts associated with the construction and occupation of the site are addressed by Local Plan policies CC/6 'Construction Methods', SC/10 'Noise Pollution', SC/12 'Air Quality' and SC/14 'Odour'. Paragraphs 183 - 188 of the NPPF are relevant.
- 8.106 The Council's Environmental Health Team have assessed the application and recommended that the application is acceptable subject to conditions regarding the submission of a Demolition and Construction Environmental Management Plan, controlling construction hours and compliance with the recommendations put forward by the noise assessment. **(Condition 9 – DCEMP, Condition 31 – Construction Hours, Condition 32 – Noise Assessment)**
- 8.107 The proposal has been considered in terms of laboratory space and impact on neighbour amenity, as officers are providing some flexibility on the criteria of Policy E/13, as the proposal would provide research and development floorspace, it is considered reasonable to add a condition removing permitted development rights to change the use of the

development to other uses which fall within Class E. **(Condition 33 – PD Rights)**

8.108 Summary

8.109 The proposal adequately respects the amenity of its neighbours. Subject to conditions, the proposal is compliant with policy HQ/1 and the District Design Guide 2010. The associated construction and environmental impacts would be acceptable in accordance with policies CC/6, CC/7, SC/9, SC/10, SC/12 and SC/14 of the Local Plan.

8.110 **Third Party Representations**

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

Third Party Comment	Officer Response
Scale and Character of the village	Considered in paragraphs 8.18 to 8.28
Traffic Impacts	Considered in paragraphs 8.74 to 8.86
Parking Provision	Considered in paragraphs 8.88 to 8.97
Impact on Light	Considered in paragraph 8.102
Noise Impacts	Considered in paragraphs 8.105 to 8.107
Construction Disruptions	Considered in paragraphs 8.105 to 8.107
Flood Risk	Considered in paragraphs 8.58 to 8.66
Biodiversity	Considered in paragraphs 8.46 to 8.49
Shared Use Path from Foxton	The Local Highways Authority have confirmed that it would not be possible to seek a new cycle track between Fowlmere and Foxton. However, they have requested other contributions to mitigate the impact.
Animal testing	The applicants have assured the Parish Council that Animal Testing would not be conducted at the site. Notwithstanding this, it is not for the Local Planning Authority to control what research is conducted within the proposal, however, any future additional security measures that this type of research would require would require further planning permissions.
The Willows	The Willows has been shown on the location and site plans, it has just not been labelled. This is likely due to the OS map that was used to create the location plan and it is not a requirement for all houses to be labelled. It is unreasonable to request this change.
Trees Impacting Walls	This is a civil matter between different landowners in which the local planning

	authority has no role. The Party Wall Act 1996 governs the process by which party walls and associated disputes are handled.
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8.112 Planning Obligations (S106)

8.113 Regulation 122 of the Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

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

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

8.115 Policy TI/8 'Infrastructure and New Developments' states that Planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. The nature, scale and phasing of any planning obligations and/or Community Infrastructure Levy (CIL) contributions sought will be related to the form of the development and its potential impact upon the surrounding area.

8.116 Heads of Terms

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

Obligation	Contribution / Term	Trigger
Transport	£87,000 - Towards cycle route improvement on the Melbourn Greenway	Pre-Occupation
	£10,000 – Towards implementation of waiting restrictions in the vicinity and/ or traffic calming measures	Pre-Occupation

8.118 Transport Obligations

8.119 Two contributions have been requested by the Transport Assessment Team.

- 8.120 The first of which is to improve the cycle route on the Melbourn Greenway. This is to help with encouraging cycling as the A10 corridor is congested at peak times and the mode share for cycling in this area is shown to be low.
- 8.121 The second is to make a contribution towards traffic calming measures and waiting restrictions. This is to ensure the safety of the local highways following the uplift of journeys and to help ensure parking does not spread to the local roads.
- 8.122 The planning obligations 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 TI/8 of the South Cambridgeshire Local Plan (2018).

8.123 **Other Matters**

Air Quality

- 8.124 An Air Quality Assessment has been submitted as part of the application. The Air Quality Officer has reviewed the proposal who has raised no objection subject to the submission of a Demolition and Construction Environmental Management Plan which can be secured by way of condition. **(Condition 9 – DCEMP)**

Crime

- 8.125 The Designing Out Crime Officer has commented on lighting, security, cycle security, parking and access control. Lighting and boundary treatments are to be dealt with by way of condition. Whilst they have raised some concerns with the access via Green Lane, it is considered that the application cannot be refused for this reason alone. The applicant should be aware of their comments and recommendations. It is also noted that the Parish Council would like this access to be kept as part of the design and the applicant has stated in their response to the Parish Council, that they aim to facilitate good access to Green Lane. However, note that Green Lane is outside of their ownership.

Health Impact:

- 8.126 A Health Impact Assessment has been submitted as part of the application. The Council's Health Development Officer has reviewed this and is satisfied that due consideration has been made to the impacts.

Access:

- 8.127 The Access Officer has provided comments regarding accessibility. The applicant should be aware of their comments and recommendations.

8.128 **Planning Balance**

- 8.129 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 8.130 The proposed development lies outside of the Fowlmere Development Framework and it does not fully comply with Policy E/13. In addition, there would be a shortfall in the proposed parking provision.
- 8.131 However, it is considered that the shortfall of parking provision can be overcome by way of conditions in terms of the provision of a shuttle bus and the submission of a Travel and Parking Management Plan along with financial contributions towards mitigation of highway safety.
- 8.132 The proposal would result in the development of existing brownfield land and would provide much needed Research and Development floorspace in the locality.
- 8.133 In weighing the overall planning balance, it is considered that the benefits of development clearly outweigh the levels of harm identified.
- 8.134 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.

8.135 **Recommendation**

8.136 **Approve** subject to:

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

-Satisfactory completion of a Section 106 Agreement which includes the Heads of Terms (HoT's) as set out in the report with minor amendments to the Heads of Terms as set out delegated to officers.

9.0 **Planning Conditions**

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees 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, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Reason: To satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Policy HQ/1 of the South Cambridgeshire Local Plan.

4. No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
 - a. The statement of significance and research objectives;
 - b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
 - c. The timetable for the field investigation as part of the development programme;
 - d. The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

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

5. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following:
 - A) Risk assessment of potentially damaging construction activities.
 - B) Identification of “biodiversity protection zones”.
 - C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - D) The location and timings of sensitive works to avoid harm to biodiversity features.
 - E) The times during which construction when specialist ecologists need to be present on site to oversee works.
 - F) Responsible persons and lines of communication.
 - G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - H) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be ahead to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that before any development commences appropriate construction ecological management plan has been agreed to fully conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

6. No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be

avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts in accordance with Policy CC/9 of the South Cambridgeshire Local Plan 2018

7. No development (or phase of) shall take place, unless otherwise agreed, until:
 - a) The application site has been subject to a detailed Phase 1 Desk Study, to be submitted to and approved in writing by the Local Planning Authority.
 - b) The application site has been subject to a detailed scheme for the investigation and recording of contamination, based on the Phase 1 Desk Study, and remediation objectives have been determined through risk assessment. The resulting Phase 2 Intrusive Site Investigation Report is to be submitted to and approved in writing by the Local Planning Authority.
 - c) A Remediation Method Statement containing proposals for the removal, containment or otherwise rendering harmless any contamination, based upon the Phase 2 Intrusive Site Investigation, has been submitted to and approved in writing by the Local Planning Authority.

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 in accordance with Policies CC/7 and SC/11 of the adopted South Cambridgeshire Local Plan 2018.

8. No demolition or construction works (Including any temporary or enabling works) shall commence on site until a Traffic Management Plan (TMP) has been agreed with the Local Planning Authority in consultation with the Local Highway Authority. The Local Highway Authority requests that the TMP be a standalone document separate from any Environment Construction Management Plan or the like, as the risks and hazards associated with construction traffic using the adopted public highway are quite different from those associated with the internal site arrangements. The principle areas of concern that should be addressed are:

- i. Movements, control, and timings of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway).
- ii. Contractor parking, for both demolition and construction phases all such parking shall be within the curtilage of the site and not on the street. If the site has limited potential to provide on-site car parking the applicant must provide details of how any off-site parking will be controlled, e.g., a managed list of contractor/employee vehicles parking on-street and their drivers telephone contact details.
- iii. Movements, control, and timings of all deliveries (all loading and unloading shall be undertaken off the adopted public highway).
- iv. Control of dust, mud, and debris in relationship to the functioning of the adopted public highway, including repairs to highway damage caused by site vehicles. Please include wording that the adopted public highway within the vicinity of the site will also be swept within an agreed time frame as and when reasonably requested by any officer of the Local Highway Authority and that any highway damage (including verges) will be repaired in a timely manner at no expense to the Local Highway Authority.
- v. The Traffic Management Plan must relate solely to how the operation of the site will affect the adopted public highway, other information for example noise levels is not a highway matter and should not be included within the plan.

The approved Traffic Management Plan shall be adhered to throughout any demolition and construction periods for the proposed development.

Reason: in the interests of highway safety in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018 and the NPPF 2023.

9. No development, including demolition, shall commence until a site wide Demolition and Construction Environmental Management Plan (DCEMP) has been submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:
 - a) Demolition, construction and phasing programme.
 - b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
 - c) Construction/Demolition hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation.
 - d) Delivery times and collections / dispatches for construction/demolition purposes shall be carried out between 0800 to 1800 hours Monday to Friday,

- 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the Local Planning Authority
- e) Soil Management Strategy having particular regard to potential contaminated land and the reuse and recycling of soil on site, the importation and storage of soil and materials including audit trails.
 - f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228- 1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites.
 - g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228- 2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate.
 - h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition - Greater Cambridge supplementary planning guidance 2020.
 - i) Use of concrete crushers.
 - j) Prohibition of the burning of waste on site during demolition/construction.
 - k) Site artificial lighting including hours of operation, position and impact on neighbouring properties.
 - l) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
 - m) Screening and hoarding details.
 - n) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
 - o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
 - p) External safety and information signing and notices.
 - q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures.
 - r) Membership of the Considerate Contractors Scheme.

Development shall be carried out in accordance with the approved DCEMP.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

10. Development shall not begin, other than demolition, shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker

shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Surface Water Drainage Strategy, Conisbee, Ref: 220834/S, Rev: 1.3, Dated: 15th August 2023 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements, together with an assessment of system performance.
- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- f) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Permissions to connect to a receiving watercourse or sewer;
- i) Measures taken to prevent pollution of the receiving groundwater and/or surface water

11. No drainage system for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts and to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land

uses in line with Policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018, National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.

12. No development shall take place above ground level, other than demolition, until details of all of the external materials and finishes, including ground surface finishes and the colour of the heat pumps and other plant, 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 the external appearance of the development does not detract from the character and appearance of the area in accordance with Policy HQ/1 and NH/14 of the South Cambridgeshire Local Plan 2018.

13. No development shall take place above ground level, other than demolition, until details at a minimum scale of 1:20 of all windows and doors, surrounds, heads and cills have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area in accordance with Policy HQ/1 and NH/14 of the South Cambridgeshire Local Plan 2018.

14. No development shall take place above ground level, other than demolition, until details at a minimum scale of 1:20 of the elevation's elements and architectural details have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the external appearance of the development does not detract from the character and appearance of the area in accordance with Policy HQ/1 and NH/14 of the South Cambridgeshire Local Plan 2018.

15. No development shall take place above ground level, other than demolition, until details at a minimum scale of 1:20 of the cycle storage and substation have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the external appearance of the development does not

detract from the character and appearance of the area in accordance with Policy HQ/1 and NH/14 of the South Cambridgeshire Local Plan 2018.

16. No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. This shall include amended details of the tree and hedge planting along the shared boundary with Vine House and The Firs to the south east. The boundary treatment shall be completed in accordance with the approved details prior to the first occupation or the bringing into use of the development and retained as approved thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and residential amenity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

17. Prior to the commencement of development above slab level a scheme of ecology enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details of 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.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

18. No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Scheme, which shall include details of purchase and monitoring of the offsite biodiversity units, a biodiversity metric for the site, costings and appropriate legal agreements to guarantee third party delivery of ongoing habitat management requirements has been submitted to and approved in writing by the Local Planning Authority. The BNG Scheme shall include:
- i. Identification of receptor site or sites with associated plans;
 - ii. Details of the offsetting requirements of the development in accordance with current DEFRA biodiversity metric, which has been calculated at 6.763 biodiversity units;
 - iii. The provision of evidence of arrangements to secure the delivery of offsetting measures, including a timetable of delivery; and

- iv. A Management and Monitoring Plan, to include for the provision and maintenance of the offsetting measures for a period of not less than 30 years from the commencement of the scheme and itself to include:
- a. Description of all habitat(s) to be created / restored / enhanced within the scheme including expected management condition and total area;
 - b. Review of Ecological constraints;
 - c. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works;
 - d. Detailed design and working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works;
 - e. Type and source of materials to be used, including species list for all proposed planting and abundance of species within any proposed seed mix;
 - f. Identification of persons responsible for implementing the works;
 - g. A timetable of ecological monitoring to assess the success of all habitats creation / enhancement. Ecological monitoring reports should be submitted to the Local Planning Authority every 5 years.
 - h. The inclusion of a feedback mechanism to the Local Planning Authority, allowing for the alteration of working methods / management prescriptions, should the monitoring deem it necessary.
 - i. The agreed fee and timetable for payment of the agreed fee which shall be paid to the Council in respect of monitoring the biodiversity habitat over a period of 30 years.

The BNG Scheme shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data shall be submitted to the LPA in accordance with DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with the NPPF 2023 para 174, South Cambridgeshire Local Plan 2018 policy NH/4 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

19. No development approved by this planning permission, except clearance or demolition works to facilitate investigations, shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the Local Planning Authority:

1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
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.
4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with Policies CC/7 and SC/11 of the South Cambridgeshire Local Plan 2018, National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.

20. Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met, with 4 credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with Policy CC/1 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

21. No development, other demolition, shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a Private Management and Maintenance Company has been established.

Reason: to ensure satisfactory development of the site and to ensure estate/internal roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018

22. Prior to occupation a “lighting design strategy for biodiversity” features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall follow the latest guidance issued by the Institution of Lighting Professionals, the Bat Conservation Trust, and the Chartered Institute of Ecological and Environmental Management. The strategy shall include:
- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To minimise the effects of light pollution on the surrounding area and to protect biodiversity interests in accordance with Policies SC/9 and NH/4 of the South Cambridgeshire Local Plan 2018.

23. The development hereby approved shall not be occupied until a BRE issued post Construction Certificate has been submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with Policy CC/1 of the South Cambridgeshire Local Plan 2018 Policy CC/1 and the Greater Cambridge Sustainable Design and Construction SPD 2020

24. The development (or each phase of the development where phased) shall not be occupied until the works specified in the approved Remediation Method Statement are complete and a Verification Report demonstrating compliance with the approved Remediation Method Statement has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Policy SC/11 of the South Cambridgeshire Local Plan

25. If, during development, any additional or unexpected contamination is identified, then remediation proposals for this material should be agreed in writing by the Local Planning Authority before any works proceed and shall be fully implemented prior to first occupation of the development hereby approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with Policy SC/11 of the South Cambridgeshire Local Plan 2018, National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.

26. Prior to the first occupation of the development hereby permitted, details of the minibus service including hours of operation, number of services and days of service shall be submitted to and agreed in writing by the Local Planning Authority in consultation with Cambridgeshire County Council. The service shall be undertaken in accordance with the approved details. The minibus service shall be provided from the date of first occupation of the development and maintained in perpetuity unless it can be demonstrated and agreed in writing by the Local Planning Authority that the provision of the service is no longer required to achieve the required sustainable mode share of the site.

Reason: To improve connectivity to the site and reduce the reliance on private cars as much as possible in accordance with policies TI/2 and TI/3 of the South Cambridgeshire Local Plan 2018

27. No occupation of the building shall commence until a Travel Plan and Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall specify:

- i) the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking;
- ii) how the car parking spaces are distributed and allocated to the employees of the site;
- iii) how the car parking within the site is to be managed and enforced so that it only occurs within designated vehicular parking bays/ locations;
- iv) how the proposed measures are to be published to potential occupiers; and
- v) how the provisions of the Plan will be monitored for compliance and confirmed with the local planning authority including monitoring reports for up to five years following first occupation.

The Travel Plan and Parking Management Plan shall be implemented and monitored as approved upon the occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of encouraging sustainable travel to and from the site in accordance with Policy TI/2 of the South Cambridgeshire Local Plan 2018.

28. Details of the street furniture and artwork as established through the Youth Engagement Programme, or details of other public art, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and they then shall be installed as per the approved details prior to the occupation of the development hereby approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is satisfactorily assimilated into the area and to provide public art as a means of enhancing the development in accordance with policies HQ/1 and HQ/2 of the South Cambridgeshire Local Plan 2018

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

Reason: To ensure the development is satisfactorily assimilated into the area

and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

30. The approved renewable/low carbon energy technologies (as set out in the Energy Statement and/or as shown on the approved plans) shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with a maintenance programme, details of which shall have previously been submitted to and approved in writing by the local planning authority.

Where grid capacity issues subsequently arise, written evidence from the District Network Operator confirming the detail of grid capacity and a revised Energy Statement to take account of this shall be submitted to and approved in writing by the local planning authority. The revised Energy Statement shall be implemented and thereafter maintained in accordance with the approved details.

Reason: In the interests of reducing carbon dioxide emissions in accordance with Policy CC/3 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

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

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

32. The development shall proceed in line with the recommendations made in the noise assessment "Development of land at The Way, Fowlmere, Royston, SG8 7QS", Project No 2321747. No variation to these recommendations may be implemented until a further report has been submitted to and approved in writing by the local planning authority.

Reason: To protect the amenity of future occupiers in accordance with Policies HQ/1 and SC/10 of the South Cambridgeshire Local Plan 2018.

33. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the premises, with exception to the community café and deli located on the ground floor of Suite 1, shall be used for Class E(g)(ii)

Research and development and for no other purpose (including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The application has been assessed on its individual merits and the use of the premises for any other purpose may result in harm which would require re-examination of its impact in accordance with Policies HQ/1 and E/13 of the South Cambridgeshire Local Plan 2018.

34. The development shall be carried out in accordance with the submitted flood risk assessment (ref. 220834/S Rice version 1.3, dated 15 August 2023) and the following mitigation measure it details:
- Floodplain compensatory storage will be provided on site, as detailed in section 7.8 of the FRA and in drawing no. 220834-CON-XX-XX-DR-C-1010 in Appendix F of the FRA.

Reason: To prevent any increase in flood risk elsewhere by ensuring that compensatory storage of flood water is provided on site in accordance with Policy CC/9 of the South Cambridgeshire Local Plan 2018.

35. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with Policy CC/7 of the South Cambridgeshire Local Plan 2018, National Planning Policy Framework (NPPF), paragraphs 174, 183, 184 and relevant Environment Agency Groundwater Protection Position Statements.

36. Any planting within the adopted public highway is limited to a grass verge only and any landscaping planted within the remit of the applicant's site does not overhang the adopted public highway.

Reason: in the interests of highway safety in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018 and the NPPF 2023

Informatives:

1. The Local Highway Authority will not be seeking to adopt any of the development as highway maintainable at the public expense as the internal design does not meet the minimum requirements for adoption.
2. The Local Highway Authority will not maintain the landscaping for any proposed planting within the adopted public highway that lies within the area shaded green of Dwg. No. KMC22089/001, Rev A (Proposed Highway Arrangement).
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, and that a separate permission must be sought from the Local Highway Authority for such works.
4. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
5. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
6. A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
7. No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
8. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our

Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements

9. Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance: <https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/watercourse-management/> Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.
10. All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).
11. Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.
12. The granting of permission and or any permitted development rights for any Air Source Heat Pump (ASHP) does not indemnify any action that may be required under the Environmental Protection Act 1990 for statutory noise nuisance. Should substantiated noise complaints be received in the future regarding the operation and running of an air source heat pump and it is considered a statutory noise nuisance at neighbouring premises a noise abatement notice will be served. It is likely that noise insulation/attenuation measures such as an acoustic enclosure and/or barrier would need to be installed to the unit in order to reduce noise emissions to an acceptable level. To avoid noise complaints it is recommended that operating sound from the ASHP does not increase the existing background noise levels by more than 3dB (BS 4142 Rating Level - to effectively match the existing background noise level) at the boundary of the development site and should be free from tonal or other noticeable acoustic features.
In addition equipment such as air source heat pumps utilising fans and compressors are liable to emit more noise as the units suffer from natural

aging, wear and tear. It is therefore important that the equipment is maintained/serviced satisfactorily and any defects remedied to ensure that the noise levels do not increase over time.

13. Before the existing buildings are demolished, a Demolition Notice will be required from the Building Control section of the council's Shared Planning Service establishing the way in which they will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working.
14. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environment Planning Team.

Agenda Item 6



Planning Committee Date	08 November 2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/02823/FUL
Site	Magog Court, Hinton Way, Great Shelford, Cambridgeshire, CB22 3AD
Ward / Parish	Great Shelford
Proposal	Change of use of 0.91ha of agricultural land including Barn 4 to drive thru phlebotomy (blood) testing unit (Use Class Ee), remodelled access, vehicle circulation space, parking, footpath link, dropped kerbs, landscaping and associated infrastructure at Magog Court.
Applicant	Cambridge University Hospitals NHS Foundation Trust
Presenting Officer	Michael Sexton
Reason Reported to Committee	Councillor Call-in
Member Site Visit Date	1 st November 2023
Key Issues	<ol style="list-style-type: none">1. Principle of Development2. Design / Visual Amenity3. Landscape Impact4. Biodiversity5. Highway Network
Recommendation	APPROVE , subject to conditions

1.0 Executive Summary

- 1.1 The application seeks planning permission for the change of use of 0.91ha of agricultural land including Barn 4, Magog Court, to a drive through phlebotomy (blood) testing unit (Use Class Ee), remodelled access, vehicle circulation space, parking, footpath link, dropped kerbs, landscaping and associated infrastructure.
- 1.2 During the Covid-19 pandemic, phlebotomy was moved off the Addenbrookes site to provide space for social distancing and to reduce the potential risk of infection. The current phlebotomy site is located at Newmarket Road Park and Ride and operates as a drive through facility. Due to the expiration of a licence agreement, there is a need to relocate the facility.
- 1.3 The application site is in the Green Belt and comprises a partially constructed agricultural building, permitted under prior approval application reference 22/02935/PRIOR, associated handstanding, vehicular access and open land.
- 1.4 The re-use of a building within the Green Belt, provided that the building is of permanent and substantial construction and that development preserves the openness and purposes of Green Belt land, is supported by criterion (d) of paragraph 150 of the National Planning Policy Framework (NPPF).
- 1.5 The building is of permanent and substantial construction and the agricultural use has been implemented. No extensions or significant alterations to the scale and general appearance of the building are proposed as part of the development. Officers are satisfied that the proposed change of use would represent appropriate development, as set out in the NPPF.
- 1.6 The proposed change of use has been found acceptable in respect of design, retaining the general agricultural form and scale of the building. Landscape and biodiversity enhancements are proposed, providing an on-site net gain in biodiversity. Drainage can be adequately managed within the site boundaries and the development has been found to not result in harm to the highway network or highway safety.
- 1.7 There are no technical objections to the proposed change of use.
- 1.8 Officers have made a technical alteration to the description of development to include the change of use of the land surrounding the barn as well as the barn building itself. The use of the building as a phlebotomy drive through testing unit and hours of operation can be secured by restrictive planning conditions.
- 1.9 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.

- 1.10 Taking all factors into consideration, Officers recommend that the Planning Committee approve the application subject to the conditions and informatives as set out in the report, the final wording of which is be delegated to officers.

2.0 Site Description and Context

- 2.1 The application site comprises approximately 0.91 hectares of agricultural land and is located outside of the development framework boundary of Great Shelford, in the Green Belt and countryside. The site comprises a partially constructed agricultural building, associated hardstanding, vehicular access, and open land.
- 2.2 The building, permitted under prior approval reference 22/02935/PRIOR, is approximately 48 metres in length, 18 metres in width and has a pitched roof with a ridge height of approximately 9.5 metres and an eaves height of 7 metres. The structure / frame of the building is complete, and a roof has been installed, but the elevational treatments to the building have not yet been completed.
- 2.3 To the north of the site is Magog Court, which contains a mix of commercial buildings, two residential properties, including Thatched Cottage (a Grade II Listed Building), and agricultural buildings. To the south and east are open arable fields. The site is bound to the west by Hinton Way, beyond which are agricultural fields.
- 2.4 The site lies in flood zone 1 (low risk), with some areas of the site identified as being at risk from surface water flooding.

3.0 The Proposal

- 3.1 The application seeks planning permission for the change of use of 0.91ha of agricultural land including Barn 4 to a drive through phlebotomy (blood) testing unit (Use Class Ee), remodelled access, vehicle circulation space, parking, footpath link, dropped kerbs, landscaping and associated infrastructure at Magog Court.
- 3.2 During the Covid-19 pandemic, phlebotomy was moved off the Addenbrookes site to provide space for social distancing and to reduce the potential risk of infection. The relocation also enabled floor space in the hospital site to be put to better use in the treatment of patients.
- 3.3 The current phlebotomy site is located at Newmarket Road Park and Ride and operates as a drive through facility. On average, the number of patients being tested is around 300 per day. Due to the expiration of a licence agreement, there is a need to relocate the facility.

- 3.4 The applicant, Cambridge University Hospitals NHS Foundation Trust, is seeking the continued operation of the drive-through phlebotomy facility in an offsite location to enable critical service continuity for patients.
- 3.5 The application details that the continued provision of an off-site drive through testing centre provides a range of benefits. These include greater numbers being tested, reduced infection risk and social distancing, freeing up of valuable space on the campus for providing for patient care, and reduced travel and parking demand on the hospital campus.
- 3.6 Officers have made a technical alteration to the description of development to include the change of use of the land surrounding the barn as well as the barn building itself. This technical change it is felt has not prejudiced any consultees, however, is more of a clarification.

4.0 Relevant Site History

Reference	Description	Decision
Application Site		
22/02935/PRIOR	Erection of a steel portal frame agricultural building	Prior Approval Given (20-Jul-22)
20/02288/PRI06A	Prior approval for the erection of a steel portal frame agricultural building	Prior Approval Given (08-Jun-20)
Magog Court (adjacent)		
22/03547/S73	S73 variation of condition 3 (Occupation) of planning permission S/2834/19/FL (Introduction of rear ground floor extension along with first floor Mezzanine and associated works) amendment to the wording of the condition to "for a period of 10 Years from the date of the first occupation of each of the extensions, they shall only be used and occupied by Fortius Ltd".	Approved (21-Oct-22)
S/2834/19/FL	Introduction of rear ground floor extension along with first floor Mezzanine and associated works	Approved (30-Jan-20)
S/2997/18/FL	Erection of porch and associated works at existing B1-B8 flexible use business premises	Approved (18-Jan-19)
S/1997/15/PM	Prior Notification for the Change of use of up to 500 sqm of agricultural floorspace to B1 (Business) use or B8 (Storage or Distribution)	Prior Approval Given (28-Sep-15)

S/2602/13/PA	Prior Notification for agricultural store	Have No Objection To (03-Jan-14)
S/2071/10	Agricultural Building	Permission Not Required (13-Dec-10)

5.0 Policy

5.1 National

National Planning Policy Framework 2023
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)
Conservation of Habitats and Species Regulations 2017
Environment Act 2021
ODPM Circular 06/2005 – Protected Species
Equalities Act 2010

5.2 South Cambridgeshire Local Plan 2018

S/1 – Vision
S/2 – Objectives of the Local Plan
S/3 – Presumption in Favour of Sustainable Development
S/4 – Cambridge Green Belt
S/5 – Provision of New Jobs and Homes
S/7 – Development Frameworks
CC/1 – Mitigation and Adaptation to Climate Change
CC/3 – Renewable and Low Carbon Energy in New Developments
CC/4 – Water Efficiency
CC/6 – Construction Methods
CC/7 – Water Quality
CC/8 – Sustainable Drainage Systems
CC/9 – Managing Flood Risk
HQ/1 – Design Principles
NH/2 – Protecting and Enhancing Landscape Character
NH/3 – Protecting Agricultural Land
NH/4 – Biodiversity
NH/8 – Mitigating the Impact of Development in and adjoining the Green Belt
NH/14 – Heritage Assets
SC/9 – Lighting Proposals
SC/10 – Noise Pollution
SC/11 – Contaminated Land
SC/12 – Air Quality
TI/2 – Planning for Sustainable Travel

TI/3 – Parking Provision

5.3 **Cambridge Southern Fringe Area Action Plan (2008)**

Policy CSF/5 – Countryside Enhancement Strategy

5.4 **Neighbourhood Plan**

None

5.5 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

5.6 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Landscape in New Developments SPD – Adopted March 2010

District Design Guide SPD – Adopted March 2010

Listed Buildings SPD – Adopted July 2009

6.0 **Consultations**

6.1 Full redacted versions of the comments summarised below can be found on the Council's website.

6.2 **Great Shelford Parish Council – Support**

6.3 No further comments provided.

6.4 **Stapleford Parish Council – Object**

6.5 Initial comment - 18 August 2023

- Question, given the previous granted application was for the erection of an agricultural barn, how this application for a change of use can be submitted within a year of the permission being granted? Works have not been completed.
- The Access and Design Statement provides many reasons why the application is of benefit to the NHS Trust, and why the Planning Authority should grant permission.
- If the application were submitted for permitted development it would be contrary to Class R, failing the 10 year rule for agricultural use.
- Drive-through facility is contrary to SCDC climate change policy.
- The use would significantly increase vehicle traffic in the area.

- Application states it is sustainable due to proximity of bus stops, proposal is for a drive-through with no mention of how pedestrians cross Babraham roundabout.
- The welfare of staff needs to be accommodated.
- Green Belt: original application was for agricultural, protection of the Green Belt should be a major consideration, should review the site with a potential view to the eyesore of the current building being removed as seems not required for its stated purpose.
- Landscape: the building would not be on site except for the fact that agricultural buildings have permitted development, if not used for stated purpose (agriculture), the building may now be considered to negatively impact the landscape and Green Belt.
- Design: extremely large building is not designed for the proposed use; if submitted as a new build very unlikely the design would receive support.

6.6 01 September 2023 (revised comments in line with further information)

- Stapleford Parish Council has been advised that this application is to be assessed as a new build application in the Green Belt.
- Application would enable a very large agricultural style building to be built (remain) in the Green Belt, which the Parish Council consider dominant and intrusive in the natural landscape and rural hinterland, damaging to the setting of Cambridge and nearby villages.
- Local householders have responded in large numbers objecting to the application.
- Agricultural barn has not completed any of the landscaping conditions, meaning the current building is fully exposed and dominant in the landscaping. Any 'new' building would likewise be dominant and intrusive in the landscape and Green Belt.
- The site is deemed to be urbanisation of the rural landscape in the Green Belt, which should be protected.
- Note benefits to the NHS Trust.
- Increased private vehicle movements are contrary to SCDC Climate Change policy.
- Significant increase in vehicle traffic in the area, additional pollution in the rural area within the Green Belt.
- Recommend a full highway safety audit be completed.
- No mention of photovoltaic arrays.
- No mention of water management or SUDs.
- Landscape & Green Belt harm; existing landscape conditions have not been implemented, area is included and covered by the Countryside Enhancement Strategy in the Cambridge Southern Fringe Area Action Plan.
- Fully support CPPF with regard to landscape impact, urban sprawl into the Green Belt and introduction of inappropriate built form and industry into the Green Belt.
- Newmarket Road Park and Ride is being used as a phlebotomy units, Babraham Park and Ride could likewise be used.
- Object to the site being used for any purpose other than agriculture.

- Press Greater Cambridge Planning to review the current permission for an agricultural barn and If permission is refused, that the site including the existing barn, concrete base and access road be removed as it is clear the original agricultural application is no longer required.
- If permission is granted for what is essentially new build, would strongly press for mature landscaping to be conditioned, enforced and maintained for at least 10 years.
- A green roof and wall system should also be conditioned along with SUDS and water management, renewable energy, pedestrian access routes.
- Permitted development rights should be removed to ensure there can be no 'creeping development' on this and the associated Magog Court can be possible.

6.7 Access Officer – Comments

6.8 There must be a flat threshold entrance, a wheelchair accessible toilet and toilet doors must open outwards and/or have quick release bolts.

6.9 Ecology Officer – No objection

6.10 Recommend conditions to secure works in accordance with the submitted Ecological Assessment, a scheme of ecology enhancement, a lighting design strategy for biodiversity and a biodiversity net gain plan.

6.11 Environmental Health – No objection

6.12 Recommend conditions restricting hours of works and piling and informatives relating to air source heat pumps, disturbance to neighbours and statutory nuisance action.

6.13 Local Highways Authority – No objection

6.14 Recommend conditions for vehicular access construction, 6 metre radius kerbs, width of vehicular access, access falls and levels, access material, gates, a traffic management plan, the need for a Section 278 agreement, and an informative relating to works to or within the public highway.

6.15 Transport Assessment Team (Cambridgeshire County Council) –No objection.

6.16 The facility does not open during network peak hours and therefore it is unlikely there would be a significant impact on the local network during these times.

6.17 Trees Officer – No objection.

6.18 No Arboricultural objections, trees on or adjacent to the site have no legal protection.

7.0 Third Party Representations

7.1 Cambridge Past, Present and Future - Objection

- Inappropriate use in the Green Belt, detrimental impact on the landscape.
- Planning Statement explained the farms need for additional storage for cereals. However, the building has only been partially constructed; works commenced about 10 months ago and remain unfinished, with the grain walls never having been built; this time includes on period of harvest.
- CPPF have investigated the planning history of Magog Court; the vagaries of the permitted development and prior approval system have been used for purposes for which they were not intended to gain development which wouldn't normally be allowed in the Green Belt.
- Concerned that should this development be allowed, this will lead to a subsequent application for a replacement agricultural barn.
- The building has only been allowed to be built for agricultural purposes because it had permitted development rights; any other development would have been considered against Green Belt and Development Framework policies.
- Question:
 - o Is the current building is of a substantial construction to meet NPPF paragraph 150(d)?
 - o Is the development correctly identified as change of use as the use as an agricultural barn has never been implemented?
 - o Is this a brownfield site?
- Consider the application should be determined as if it were a new build and not a change of use.
- Site lies within an area where there is a presumption against development, beyond any development framework, in the Green Belt and in the area covered by the Countryside Enhancement Strategy in the Cambridge Southern Fringe Area Action Plan.
- Proposal is contrary to Policy S/7.
- Proposal will result in a building in the Green Belt which will be conspicuous and unsightly in the landscape; contribute to the sprawl of Cambridge southwards (along with future expansion of the Cambridge Biomedical Campus), not maintain or enhance the quality of Cambridge's setting, contribute to the coalescence between edge of Cambridge and Great Shelford.
- Alternatives sites have been considered; object that a location outside Green Belt was not included as a site requirement, each site requirement weighted equally but we suggest some are more important than others (greater weighting should be given to sites outside Green Belt).

7.2 22 representations in objection have been received. These raise the following issues:

Biodiversity

- Impact of pollution on wildlife and the environment.

Green Belt:

- Hinton Way residents have difficulties with planning permission for home improvements / extensions yet this conversion can be considered.
- Located on an area of land entitled to be protected from development.
- Loss of Green Belt land.
- Only in a Green Belt location as landowner has built an agricultural use building then applied for a change of use.

Landscape / Visual Impact

- Negative visual impact on the surrounding Green Belt area.
- While a farm building is inoffensive and in keeping with the area, the proposed structure with regular traffic movements will be an eyesore.

Planning Process

- As there is no agricultural purpose for Barn 4, argue its prior approval has not been justified and it should be removed.
- Barn was never used for its purpose and remained empty, no feed, fertilizer or vehicles.
- Building construction not completed.
- Manipulation of the planning process in an effort to obtain consent for the proposal; if no prior approval it would be much more difficult to justify finding exceptional circumstances.
- Never any intention of agricultural use.
- Over recent years, Arnold Farm has morphed into Magog Court expanding into adjoining Green Belt field with 'agricultural buildings later converted.
- Partial construction of a barn in the Green Belt without requiring planning permission, built, not used, then justify planning approval on basis of existing building.
- Pattern of behaviour repeated in which agricultural buildings are constructed then repurposed for business use.
- The sequential test which selected this site was submitted in November 2022, before the structure was completed.
- Would set a precedent for approval of further units.

Sustainability

- Contrary to zero carbon strategy.

Transport Network / Highway Safety

- Access to the site is unsuitable.
- Approved Eddeva Park development off Babraham Road (230 homes) will add further stress to the highway.
- Delays to emergency vehicles.
- Hinton Way is a busy road with inadequate footpaths.
- Increased pollution and noise to properties along Hinton Way.
- Increased traffic on existing narrow road and area of congestion.
- Negative cumulative impact with guided busway on Hinton Way.

- Position of site at exist of the roundabout makes it safe and dangerous.
- Reduced road safety and increased traffic accidents.

Other Matters

- Concerned Hinton Way over time will become an Industrial Estate with grain stores being converted to business premises over time.
- Concerned that letter of 28/07/23 from the Technical Support Officer to the applicants agent states that 'at present the decision whether or not to grant permission for this proposal will be made by Officers'; important that the decision on the application is not made by someone who is not aware of all the circumstances or by someone who may have previously formed a view.
- Factual error in the analysis which states that the Hinton Way site is 200 metres from the nearest bus stop; it is 300 metres, outside the criteria of being less than 250 metres away.
- Have been advised that there are two further proposals for this facility both of which are located on the Addenbrookes site; if this is deemed not possible then why does the facility need to be relocated from its present site on Newmarket Road.
- Neighbours not consulted.
- No weighting of importance applied to 12 features listed as being requirements for the site.
- Only accessible by driving.
- Proposal at odds with other developments planning in the area; residential care facility together with landscaped area of woodland.
- Proposal is at odds with East West railway road being confirmed through Shelford and the construction of Cambridge South.
- Suitable sites available on the Addenbrookes site.
- To remain at Newmarket Road site, or relocate to Addenbrookes site would be more appropriate.
- Two adjacent structures have not been used for agriculture, only covid testing; appear to have been designed specifically for a drive through business.

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

8.0 Member Representations

8.1 Cllr Peter Fane; refers the application to Planning Committee (Green Belt).

9.0 Local Groups / Petition

9.1 None.

10.0 Assessment

Planning Background

Approved Development (Prior Approval)

- 10.1 The application site contains a partially constructed agricultural building, permitted under prior approval reference 22/02935/PRIOR pursuant to the regulations set out within Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 10.2 The description of the prior approval application was “Erection of a steel portal frame agricultural building”.
- 10.3 The Planning Statement submitted in support of the 2022 prior approval application set out in paragraph 3.1 that the proposal was to erect a new portal frame farm building to be used as a general purpose agricultural store for harvested crops and / or bales and, when empty, for agricultural machinery. In line with the requirements of the permitted development rights these were deemed as reasonably necessary for the purposes of agriculture within that unit.
- 10.4 The permitted agricultural building is approximately 48 metres in length, 18 metres in width and has a pitched roof with a ridge height of approximately 9.5 metres and an eaves height of 7 metres. For context, the prior approval requirements in respect of the permitted scale of a building are the ground area of the structure not exceeding 1,000 sqm and not exceeding 12 metres in height (when not within 3 kilometres of the perimeter of an aerodrome).
- 10.5 Works have commenced on site in accordance with the approved plans, implementing the prior approval permission within the required time period (5 years from the date on which approval was given). The structure / frame of the building is complete, and a roof has been installed. Areas of hardstanding provide a base in and around the structure, including a vehicular access route to the main access on Hinton Way. Works to the elevations to enclose the structure have not yet been carried out.

Commencement of Use

- 10.6 As noted in paragraph 10.3 above, the prior approval application was made for a farm building to be used as a general purpose agricultural store for harvested crops and / or bales and, when empty, for agricultural machinery.
- 10.7 Photographs showing agricultural machinery parked / stored within the agricultural building have been provided to the Local Planning Authority, indicating that the building has been used for at least one of the purposes referenced within the original prior approval application.
- 10.8 Therefore, based on the information available, although the elevations of the barn have not been completed, its use as an agricultural building has been implemented through the storage of agricultural machinery.

Whether the Works Carried Out Constitute a Building

- 10.9 Section 55(1) of the Town and Country Planning Act 1990 (TCPA) sets out that “development” means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.
- 10.10 Section 55(1A) of the TCPA sets out that for the purposes of the act “building operations” includes the demolition of buildings, rebuilding, structural alterations of or additions to a building, and other operations normally undertaken by a person carrying on business as a builder.
- 10.11 Section 57(1) of the TCPA sets out that planning permission is required for the “carrying out of any development on land” pursuant to, with the definition of “development” including the carrying out of “building operations”.
- 10.12 Case Law has demonstrated that to determine whether something constitutes building operations, it must be determined whether there is a building, and whether the erection of said building is a building operation (*Skerrits of Nottingham Limited v The Secretary of State for the Environment, Transport and the Regions, 2000*).
- 10.13 Under Section 336 of TCPA (interpretation) a “building” includes any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building. “Building operations” includes rebuilding operations, structural alterations of or additions to buildings, and other operations normally undertaken by a person carrying on business as a builder.
- 10.14 Given the wide-ranging definition of a “building” within the TCPA, including “any structure or erection” case law has sought to provide clarification on the general definition of a building.
- 10.15 In ‘*Cardiff Rating Authority and Cardiff Assessment Committee v Guest Keen and Baldwin’s Iron and Steel Co. Ltd (1949)*’, three criteria were identified for a building:
- size (with a building usually something that is constructed on site, rather than being brought on site already made);
 - permanence; and
 - physical attachment to the ground.
- 10.16 Planning appeals have provided a further understanding of what is capable of being a “building” in planning terms.
- 10.17 In 2019, an appeal against an enforcement notice issued by Warrington Borough Council considered whether the construction of a cricket practice cage in a rear garden constituted unauthorised operational development (appeal reference APP/M0655/C/18/3206121).

- 10.18 The Inspector noted that, although the netting may be capable of being removed with relative ease, there was no suggestion that it was intended to move the six posts from their position and that the posts were buried in the ground; the substantive part of the cricket practise facility was physically attached to the ground. The Inspector determined the breach of planning control amounted to the erection of a structure and therefore a building as defined in Section 336 of the TCPA.
- 10.19 A further appeal decision in 2019 reached a similar conclusion in respect of a portable shelter for practice tee on a Green Belt site in an appeal against a refusal to grant planning permission by Leeds City Council (appeal reference APP/N4720/W/18/3216727).
- 10.20 Although the shelter was portable, the Inspector detailed in their report that in respect of Section 336 of the TCPA, the proposed shelter fixed to the ground had a degree of permanency and would be a structure or erection and therefore could reasonably be regarded as a building for planning purposes.
- 10.21 In terms of the application site, the works that have been carried out on the permitted agricultural building are the steel frame structure, which has foundations beneath ground level, and the installation of the roof, which are in accordance with the approved plans. While the sides of the agricultural building have not been completed, the works undertaken on site are significant in size, are permanent, and has physical attachment to the ground, with reference to the criteria set out in paragraph 10.15 above.
- 10.22 The existing structure therefore constitutes a building in planning terms.

Principle of Development

Green Belt

- 10.23 The site is located outside of the development framework boundary of Great Shelford, in the Green Belt and countryside.
- 10.24 Policy S/4 of the South Cambridgeshire Local Plan (2018) sets out that a Green Belt will be maintained around Cambridge that will define the extent of the urban area. New development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework (2023) (NPPF).
- 10.25 Chapter 13 of the NPPF deals with protecting Green Belt land.
- 10.26 Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 10.27 Paragraph 138 of the NPPF sets out that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 10.28 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 10.29 Paragraph 148 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 10.30 Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) limited infilling in villages;
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - i. not have a greater impact on the openness of the Green Belt than the existing development; or
 - ii. not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 10.31 Paragraph 150 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its

openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

- 10.32 The existing site contains a partially constructed agricultural building. As set out above, officers are satisfied that the structure within the site constitutes a building in planning terms and that its use as an agricultural building has commenced, in line with the 2022 prior approval decision and associated approved plans.
- 10.33 The application seeks planning permission for the change of use of Barn 4 and 0.91ha of land to a drive through phlebotomy testing unit (Use Class Ee).
- 10.34 The re-use of a building within the Green Belt, provided that the building is of permanent and substantial construction and that development preserves the openness and purposes of Green Belt land, is supported by criterion (d) of paragraph 150 of the NPPF.
- 10.35 The building is of permanent and substantial construction. No extensions or significant alterations to the scale and general appearance of the building are proposed as part of the development. The resulting structure would be akin to the prior approval development and appear as an agricultural building in the Green Belt. No further conflict to the openness of the Green Belt or the purposes of including land within it are identified.
- 10.36 The proposed change of use is therefore considered to represent appropriate development as set out by paragraph 150(d) of the NPPF.
- 10.37 The description of development also refers to a remodelled access, vehicle circulation space, parking, footpath link, dropped kerbs, landscaping and associated infrastructure, including the change of use of land within the red line boundary, as noted in the revised description of development.
- 10.38 Paragraph 150(b) of the NPPF allows for engineering operations provided they preserve its openness and do not conflict with the purposes of including land within it. Given the presence of an existing access from the public highway, vehicular access to the agricultural building and the extent of existing hardstanding in and around the structure, no conflict is identified.

10.39 The proposal therefore constitutes appropriate development in the Green Belt, falling within exceptions cited under paragraph 150 of the NPPF.

Very Special Circumstances

10.40 The NPPF makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF is also clear that, when considering any application, planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

10.41 When very special circumstances are required, the onus is on the applicant to demonstrate why permission should be granted, and the NPPF sets out that that 'very special circumstances' will not exist unless the harm by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (paragraph 148).

10.42 Although the submitted Design, Access, Planning and Cultural Significance Statement concludes that the proposal is appropriate development under paragraph 150(d) of the NPPF, it also sets out that very special circumstances required under paragraph 147 of the NPPF also exist.

10.43 The very special circumstances presented in the Statement are:

- Need for phlebotomy testing
- Efficiencies made during the pandemic to the phlebotomy testing service by drive through facility
- Backlog in medical treatment caused by the pandemic
- Need to maintain capacity of the hospital for patient care
- Need to be in reasonable proximity to the hospital and testing laboratories
- Clinicians at CUH and GPs report clinical benefits due to ease of access
- Venous access is easier whilst patients are sitting in a warm car
- Greater numbers being tested
- Reduction in possible infection risk
- Freeing up of valuable space on the hospital campus to enable an increase in the space available for patient care
- Helps to maintain social distancing both at the testing centre and on the hospital campus
- Reduces the amount of people having to travel to the hospital campus
- Reduce demands on campus car parking

10.44 The very special circumstances presented in the Statement are noted. However, for the reasons set out above, the proposal is considered appropriate development and therefore paragraphs 147 and 148 of the NPPF are not engaged.

Alternative Sites Assessment

- 10.45 The application is supported by Sequential Testing document (No.6 Developments, November 2022). The document identifies possible locations for the provision of the phlebotomy centre and assesses those sites against identified site requirements and associated ideal situations.
- 10.46 Criteria key to the testing of sites include distance from Addenbrookes campus (0-2 miles), proximity to an A-Road (less than 200 metres), brownfield or greenfield, flood space (approx. 1,000sqm), existing building (yes), availability (yes) and flood zone (flood zone 1).
- 10.47 A total of 19 sites were analysed through the sequential test, including sites that are located outside of the Green Belt. Of the 19 sites identified, eight were found to meet at least eight of the 12 required criteria specified by the applicant and taken through a secondary analysis process, from which three passed and were taken to a tertiary analysis. These three sites were Site 8 (Unit 3, Cambridge South Business Park), Site 9 (Barn 4, Magog Court), and Site 12 (Block 10, Bourn Quarter).
- 10.48 In summary, the test identified that although Sites 8 and 12 had the benefit of being existing buildings on brownfield land, Site 8 was too remote to fulfil the requirement of an efficient and accessible facility, while Site 12, although located with good access to a main road and public transport, was approximately 11 miles from the campus.
- 10.49 Site 9 was found to meet all the requirements specified by the applicant, aside from being a brownfield site outside of the Green Belt but presented the opportunity to reuse an existing agricultural building to deliver an efficient, drive-through testing facility.
- 10.50 Officers acknowledge the findings of the Alternative Site Assessment and raise no strong objection to its contents.

Loss of Agricultural Land

- 10.51 Policy NH/3(1) of the Local Plan states that planning permission will not be granted for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land unless (a) Land is allocated for development in the Local Plan or (b) sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
- 10.52 The application site is approximately 0.91 hectares in size, a small area in the context of agricultural land and a very small percentage of the overall agricultural holding. Furthermore, it would be feasible to return the building and the immediately surrounding the building to agricultural use.
- 10.53 The proposal is therefore not considered to result in significant conflict with Policy NH/3 of the Local Plan.

Conclusion

- 10.54 The proposed change of use would constitute appropriate development in the Green Belt, as set out by paragraph 150 of the NPPF. The proposal would not need to demonstrate very special circumstances.
- 10.55 The proposed change of use would comply with Policy S/4 of the Local Plan and relevant NPPF guidance.

Design/ Visual Amenity

- 10.56 The proposed change of use would retain the agricultural character, scale, and appearance of the barn under which prior approval was granted in 2022. The proposed elevations supporting the application are directly comparable to those submitted to and approved with the prior approval application.
- 10.57 The building would remain approximately 48 metres in length, 18 metres in width, featuring a pitched roof with a ridge height of approximately 9.5 metres and an eaves height of 7 metres.
- 10.58 The walls of the permitted agricultural building were to be constructed with a steel portal frame, with pre-cast concrete grain walls to 3000mm and box profile plastisol coated steel over to the eaves. The proposed development seeks to match those currently approved, which are considered appropriate and compatible with the rural setting of the site.
- 10.59 The only notable design changes to the agricultural building are the introduction of further doors into the side elevations of the building to accommodate the proposed end use.
- 10.60 As consented, two large roller shutter doors approximately 6 metres by 6 metres in size would be present, one at each end of the building. The proposed development seeks to introduce a further 12 roller shutter doors, six on each side elevation of the building, to alter the use of the building to a phlebotomy drive through facility. These are more modest in scale, each being approximately 3 metres by 3 metres in size.
- 10.61 Given their location and scale, together with the limited and transient views from the public realm, the introduction of the roller shutter doors on the side elevations of the building are not considered to significantly compromise the agricultural characteristics of the building. Where the building is visible from wider viewpoints, the general appearance would read as that of a typical agricultural building, akin to that permitted through the prior approval permission.
- 10.62 The proposed change of use would provide a larger area of hardstanding around the building, to allow vehicles to move around the site and through the six-bay arrangement. A small area of staff parking, comprising five parking spaces, and an area for motorcycle and cycle parking is to be provided adjacent to the western elevation of the building. The hardstanding

and associated parking are considered to have a very limited impact on the visual amenity of the area and only readily visible by users of the site.

- 10.63 To enable the use of the building as a phlebotomy testing unit, several pre-fabricated cabins will be placed within the building. However, as these would be enclosed within the building these aspects of the proposal have no impact on the design qualities of the building or visual amenity of the area.
- 10.64 Additional landscaping is proposed which would further mitigate the impact of the development and integrate it with its rural surroundings, considered in more detail below.
- 10.65 Overall, the proposed development is considered to provide a form of development that retains its key agricultural characteristics, compatible with its location, and one would not result in significant harm to the visual amenity of the area.
- 10.66 The proposal would accord with Policy HQ/1 of the Local Plan.

Landscape & Trees

- 10.67 The application site contains limited amounts of existing planting by way of trees and hedgerows. The western boundary of the site, adjacent to Hinton Way, comprises hedgerow and some trees, while some limited hedgerows are present to the northern and southern boundaries of the site, with further planting beyond the eastern boundary.
- 10.68 The application is supported by an Arboricultural Survey (David Jarvis Associated, February 2023) and associated Tree Survey Plan.
- 10.69 No trees or hedgerows are to be removed to accommodate the proposed development.
- 10.70 Additional planting is proposed to the southern, western and eastern boundaries of the site, seeking to assist the new use to assimilate into the wider landscape. This is illustrated on the submitted Landscape Proposals plan and is considered a positive response to the proposal and to enhancing soft landscaping in the immediate area. A Landscape Management and Maintenance Plan (David Jarvis Associated, April 2023) has also been submitted in support of the application.
- 10.71 Officers consider it reasonable and necessary to impose a condition to secure landscape works to be carried out, and maintained, in accordance with the information submitted (**Condition 10 – Hard and Soft Landscaping (implementation), Condition 11 – Landscape Maintenance**).
- 10.72 Officers note that no additional landscaping was proposed or secured as part of the prior approval permission in 2022. In this regard, the proposed

development represents a betterment to landscaping arrangements associated to the approved agricultural building.

- 10.73 Subject to conditions, the proposal would accord with Policies NH/2, NH/4, and NH/8 of the Local Plan.

Biodiversity

- 10.74 The National Planning Policy Framework (2023) and the Greater Cambridge Planning 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. This approach accords with Policy NH/4 of the Local Plan which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.75 The application is supported by an Ecological Assessment (Derek Finnie Associates, March 2023), a Landscape Management and Maintenance Plan (David Jarvis Associates, April 2023) and, as amended, a Biodiversity Metric 4.0.
- 10.76 The Assessment details that an extended Phase 1 Habitat survey, in conjunction with a desk top data search, was undertaken to assess the ecological value of the site. The Site was assessed to have negligible ecological value and the proposed scheme would lead to a negligible ecological impact. The proposed landscape strategy would see the creation of areas of species rich grassland and new hedgerows, delivering significant improvements to the biodiversity value of the site.
- 10.77 The Biodiversity Metric provides full details for habitat, hedgerow and watercourse units for the on-site baseline, on-site post-intervention, and on-site net change. The headline results table sets out a net increase of 1.24 habitat units (67.37%) and a net increase 0.51 hedgerow units (43.96%), with no change in watercourse units (remaining at zero). The proposal would therefore deliver an on-site biodiversity net gain exceeding relevant planning policy requirements.
- 10.78 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection. Conditions to secure works in accordance with the submitted Ecological Assessment, a scheme of ecology enhancement, a lighting design strategy for biodiversity and a biodiversity net gain plan have been recommended.
- 10.79 Officers consider the conditions reasonable and necessary to ensure compliance with relevant planning policy (**Condition 4 – Biodiversity Net Gain, Condition 5 – Ecological Enhancement, Condition 6 – Lighting Design Strategy, Condition 9 – Ecology Compliance**).

- 10.80 Subject to the recommended conditions, the proposal would accord with Policy NH/4 of the Local Plan.

Highway Network, Highway Safety and Parking

- 10.81 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 10.82 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and, for larger developments, to demonstrate they have maximised opportunities for sustainable travel, if deemed necessary.
- 10.83 Paragraph 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Highway Network

- 10.84 The application is supported by a Transport Assessment (SLR, April 2023).
- 10.85 The application has been subject to formal consultation with the Transport Assessment Team, who raise no objection to the proposed development, nor request for any mitigation measures to be undertaken on the local highway network, beyond those required to facilitate access to the site.
- 10.86 The comments of the Transport Assessment Team note that the manual classified counts undertaken at the A1307 Hinton Way roundabout do not sufficiently cover the AM and PM network peak hours and therefore do not conform with Cambridgeshire County Council's (CCC) Transport Assessment Requirements. However, it is noted that the facility does not open during the network peak hours and therefore it is unlikely that there would be a significant impact on the local network during these times.
- 10.87 The response confirms that, as a worst case, if 50% the earlier appointments 9:30-10:00 arrived early and did pass through the roundabout, during the network peak, the volumes doing so (potentially maximum 25 vehicles using Table 5.1) would not be sufficient to require any junction testing or capacity analysis with reference to CCC's requirements. The same applies for the later appointments (16:00-16:30).
- 10.88 The number of staff trips would be limited, noting that the proposed change of use indicates only six full time employees. The predicted number of staff trips is such that they would not bring the development traffic total that would give rise to significant concerns or require any testing of the adjacent network or junctions.

- 10.89 Given the comments of the Transport Assessment Team, officers are satisfied that the proposal would not result in significant harm to the highway network. However, a key component of the analysis is that the site would not be open during AM and PM network peaks, seeking to operate between 0930 and 1630 Monday to Friday (excluding bank holidays), as is the case with the current location.
- 10.90 Officers consider it reasonable and necessary to impose a condition restricting the hours of operation to 0930 and 1630 Monday to Friday only **(Condition 18 – Hours of Operation)**.
- 10.91 Subject to the recommended condition, the proposal would comply with paragraph 111 of the NPPF and Policies HQ/1 and TI/2 of the Local Plan.

Highway Safety

- 10.92 The site will be accessed by the existing single point of vehicular access onto the Magog Court access road. Priority for traffic entering the wider site will remain into the main Magog Court Business Park, with traffic destined for the application site required to turn right into the site when clear of the public highway (Hinton Way).
- 10.93 The access comprises a 5.5metre-wide road which allows two-way working for vehicular traffic heading into and out of the site. The application proposes the construction of a new dedicated shared footway/cycleway for pedestrians and cyclists, ensuring those movements are separate to vehicular traffic.
- 10.94 The application has been subject to formal consultation with the Local Highways Authority, who raise no objection to the proposed development, subject to conditions and informatives. The existing access provides suitable vehicular visibility splays for safe use.
- 10.95 Officers consider it reasonable and necessary to impose a condition requiring the provision of the proposed footway/cycleway prior to the first use of the site, in the interests of highway safety. The final detailing of the footway/cycleway would be secured and constructed under a Section 278 Agreement of the Highway Act 1980, in consultation with the County Council's Highway Team **(Condition 7 – Footway/Cycleway)**.
- 10.96 Conditions have also been recommended for vehicular access construction, 6 metre radius kerbs, width of vehicular access, access falls and levels, access material, gates and a traffic management plan. These conditions are also considered reasonable and necessary to ensure the development does not result in significant harm to highway safety and the safe and effective operation of the highway **(Condition 3 – Traffic Management Plan, Condition 8 – Access Construction, Condition 12 – Access Falls, Levels and Materials, Condition 13 – Access Width, Condition 14 – Gates, Condition 15 – Radius Kerbs)**. An informative relating to works to or within the public highway is also considered appropriate.

10.97 Subject to the recommended conditions, the proposal would comply with paragraph 111 of the NPPF and Policies HQ/1 and TI/2 of the Local Plan.

Parking Provision

10.98 Car parking, motorcycle and bicycle parking is provided to the west of the existing building to ensure that the facility remains accessible to all ranges of mobility and all modes of transport; however, it is not envisaged that users of the facility would routinely park on the site given the setup of a drive through facility.

10.99 A bus stop is located to the north of the site on Babraham Road, where the number 13 bus between Cambridge and Haverhill operates a 30-minute service. The bus stop is approximately 300 metres walking distance from the site, so would provide an alternative means of access by public transport.

10.100 The development would provide five car parking spaces, six bicycle spaces and five motorcycle spaces. The proposed development does not fit directly with the parking figures set out in figure 11 under Policy TI/3 of the Local Plan, where indicative car parking provision for hospitals is set at 1 space per four staff while provision for health centres and clinics is set at 1 space per two staff.

10.101 The development would see six full time employees on site; therefore, the proposed parking provision is considered acceptable in this instance.

10.102 The proposal is considered to accord with the aims and objectives of Policy TI/3 of the Local Plan.

Sustainability

10.103 Policy CC/3 of the Local Plan sets out that proposals for new dwellings and new non-residential buildings of 1,000m² or more will be required to reduce carbon emissions by a minimum of 10% (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) through the use of on-site renewable energy and low carbon technologies.

10.104 The proposed development seeks the change of use of an existing building and one which is less than 1,000 square metres in footprint; therefore Policy CC/3 is not engaged.

10.105 However, officers acknowledge the Sustainability Statement provided within the Design, Access, Planning and Cultural Significance Statement. This sets out sustainability measures that will be incorporated into the development, including the use of LED lighting, use of a building management system, an all-electric approach to heating (no gas fired

heating), mechanical ventilation with heat recovery and metering and sub metering to monitor energy consumption. These approaches are supported.

- 10.106 Policy CC/4 of the Local Plan sets out that proposals for non-residential development must be accompanied by a water conservation strategy, which demonstrates a minimum water efficiency standard equivalent to the BREEAM standard for 2 credits for water use levels unless demonstrated not practicable.
- 10.107 In this instance, the proposal would not be able to demonstrate a minimum water efficiency standard equivalent to the BREEAM standard for 2 credits for water use by virtue of its end use and NHS control measures.
- 10.108 As detailed in the Supporting Statement, water usage has been based on meeting NHS infection control requirements. Clinical handwash basins are provided only as necessary and toilet provision for staff based on standard modular unit arrangements. Taps and toilets have been specified to comply with the Cambridge University Hospitals Trust protocols and align with infection control requirements.
- 10.109 Officers are satisfied that sufficient information has been submitted to demonstrate that the requirements of Policy CC/4 are not practicable in this instance.
- 10.110 Given the nature of development and proposed end use, the proposal is not considered to conflict with Policies CC/3 and CC/4 of the Local Plan.

Drainage and Flood Risk

- 10.111 The site is located in flood zone 1 (low risk) with some areas of the site identified as being at risk from surface water flooding.
- 10.112 The proposed end use is identified as a 'less vulnerable' use (health service) and is acceptable in Flood Zone 1, as set out in Table 2 of the Flood Risk and Coastal Change Chapter of the Planning Practice Guidance.
- 10.113 The application is supported by a Flood Risk Assessment and Drainage Strategy (WSP, June 2023).
- 10.114 The Assessment details that finished site levels will be engineered to prevent ponding and direct flows away from buildings during exceedance events. The accumulation of standing water would therefore not occur and therefore not pose a risk to the development. The site is located within Flood Zone 1; therefore, compensatory flood storage is not required.
- 10.115 In terms of surface water drainage, the Drainage Strategy sets out that it is proposed to replace the existing permeable gravel surfacing with permeable asphalt with no increase in the permeable area. Shallow depressions will also be located at low points to capture any surface water flowing from the

porous asphalt during exceedance rainfall events to prevent flooding on site.

- 10.116 The foul water strategy is to drain the site via a private foul water sewer network to a package pumping station. From here, the foul water will be pumped via a rising main to an existing foul water manhole located in the Magog Court Business Centre to the north of the site, from which the foul water connects to a pumping station owned and maintained by Anglian Water. A pre-planning report from Anglian Water is appended to the Drainage Strategy, which confirms adequate capacity.
- 10.117 Given the location of the site in flood zone 1, proposed end use and information submitted in the Flood Risk Assessment and Drainage Strategy, officers are satisfied that flood risk, surface water and foul water can be managed appropriately.
- 10.118 It is considered reasonable and necessary to impose a condition requiring development to be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy.
- 10.119 Subject to the recommended condition, officers are satisfied that the proposal would accord with Policies CC/7, CC/8 and CC/9 of the Local Plan.

Noise

- 10.120 The application is not supported by a Noise Assessment; given the proposed end use and location of the site no such assessment is required.
- 10.121 The application has been subject to formal consultation with the Council's Environmental Health Officer, who raises no objection to the proposed development.
- 10.122 Conditions relating to restricting hours of works and informatives relating to disturbance to neighbours and statutory nuisance action are considered appropriate as part of any consent (**Condition 16 – Hours of Works**).
- 10.123 Subject to the recommended conditions, the proposal is considered to accord with Policy SC/10 of the Local Plan.

Lighting

- 10.124 As noted above, in consultation with the Council's Ecology Officer, a condition requiring the submission of a lighting design strategy for biodiversity is to be attached as part of any consent.
- 10.125 Such a condition would contribute towards ensuring that the proposed development does not give rise to adverse impact on the local amenity of the area or surrounding countryside, as well as restricting the addition of any further external lighting without formal agreement.

10.126 Subject to the recommended condition, the proposal is considered to accord with Policy SC/9 of the Local Plan.

Heritage Impact

10.127 Thatched Cottage, a Grade II Listed Building, is located approximately 100 metres north / north-west of the site.

10.128 Between Thatched Cottage and the application building are two other buildings which provide intervening features, partially mitigating the impact of the building on the nearby heritage asset.

10.129 Furthermore, the general scale, design and appearance of the barn is to be retained such that it is akin to the prior approval permission, while proposed changes to access arrangements relate to works at ground level. Consequently, the proposed change of use would not infringe on qualities of the heritage asset and would therefore preserve its setting.

10.130 The proposal would accord with Policy NH/14 of the Local Plan.

Residential Amenity

10.131 The nearest residential property is approximately 90 metres to the north of the site.

10.132 Given the site location, proposed end use, scale of development and siting of the building, the change of use would not result in significant harm by way of loss of privacy, overbearing impact or loss of light to residential amenity.

10.133 Although vehicle movements to the general area would increase, vehicles would not be required to pass directly past residential properties within the Magog Court road layout. Potential noise disturbance through construction work and hours of operation can be controlled by planning condition **(Condition 16 – Hours of Works)**.

10.134 The proposal would accord with Policy HQ/1(n) of the Local Plan in respect of impact on residential amenity.

Contamination

10.135 The application is supported by a Phase I Geo-Environmental Desk Study (eps, March 2023).

10.136 The Study concludes that, based on the information obtained and reviewed, that there are currently no plausible contaminant linkages active at the site or likely to become active as a result of the proposed commercial development; no further environmental investigation work is warranted.

10.137 The proposed change of use does not seek to provide a sensitive end-use (e.g., residential). Given the proposed use of the site and the submitted Desk Study, officers are satisfied that the development would not result in significant harm by way of land contamination.

10.138 The proposal would accord with Policy SC/11 of the Local Plan.

Use

10.139 The proposed use of the site as a drive through phlebotomy (blood) testing unit for Cambridge University Hospitals NHS Foundation falls within use Class E(e): Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner). The proposed change of use has been assessed under this use class and found to be acceptable in terms of its location and compliance with relevant planning policy. However, it is considered reasonable and necessary to remove permitted development rights such that the site remains in use under Class E(e) (**Condition 17 – Building Use**). Without such a condition, it may be possible to change the use of the site to other use classes within Class E under permitted development without the need for formal planning permission.

10.140 Other potential uses, or longer hours of use, may have further impacts on the Green Belt, the visual amenity of the area or the highway network that would need to be considered through the planning process.

10.141 Subject to the recommended condition, the proposal is considered to accord with Policies S/4, NH/2, NH/8 and TI/2 of the Local Plan.

Third Party Representations

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

Third Party Comment	Officer Response
Drive through facility and conflict with climate change policy	The proposed change of use does not result in the addition of vehicle movements and trips to the highway network; they would be existing trips made to the relocated facility that is currently operating at Newmarket Road Park and Ride.
Welfare of staff needs to be accommodated	The internal arrangements of the building and associated prefabricated cabins make appropriate provision of facilities for staff working on site
Agricultural barn should be removed if permission is refused as it is clear the	The refusal of the planning application would not directly necessitate the need to remove the existing agricultural building from the site,

<p>original agricultural application is no longer required</p>	<p>which benefits from a prior approval permission.</p> <p>However, under Schedule 2, Part 6, Class A of the TCPA, Conditions (A.2), the following 'condition' is set out:</p> <p>“(5) Where development consists of works for the erection, significant extension or significant alteration of a building and—</p> <ul style="list-style-type: none"> a) the use of the building or extension for the purposes of agriculture within the unit permanently ceases within 10 years from the date on which the development was substantially completed; and b) planning permission has not been granted on an application, or has not been deemed to be granted under Part 3 of the Act, for development for purposes other than agriculture, within 3 years from the date on which the use of the building or extension for the purposes of agriculture within the unit permanently ceased, <p>then, unless the local planning authority have otherwise agreed in writing, the building or, in the case of development consisting of an extension, the extension, must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer”</p>
<p>Permitted development rights should be removed to ensure there can be no 'creeping development' on this and the associated Magog Court can be possible</p>	<p>The application cannot be used to control future development associated with Magog Court.</p> <p>Restrictions can only be applied to the development within the application boundary, as recommended in this report.</p>
<p>Concerned that should this development be allowed, this will lead to a subsequent application for a replacement agricultural barn</p>	<p>This concern is not within the control of the current application, or a material consideration in the determination of the application.</p> <p>A new barn could be sought under the Prior Approval process and would be subject to consideration against the relevant criteria of the GDPO.</p>

	A planning application could be made for a new barn and would be assessed against relevant planning policy.
Hinton Way residents have difficulties with planning permission for home improvements / extensions yet this conversion can be considered	Each application is considered on its own merits against relevant planning policy. With regard to domestic improvements / extensions, there are policies in the Local Plan that deal directly with such proposals as well as guidance within the NPPF.
Concerned that letter of 28/07/23 from the Technical Support Officer to the applicants agent states that 'at present the decision whether or not to grant permission for this proposal will be made by Officers'	The text on the notification letter is standard text, as most decisions are made under delegated powers, and does not preclude an application being considered by the Council's Planning Committee.
Have been advised that there are two further proposals for this facility both of which are located on the Addenbrookes site; if this is deemed not possible then why does the facility need to be relocated from its present site on Newmarket Road	There are no further proposals for the facility.
Neighbours not consulted	Public consultation was carried out in accordance with statutory guidelines where properties adjoining an application site boundary would be notified. In this instance, a site notice was also placed at the access to the site on 09 August 2023 and an advertisement placed in Cambridge Independent on 02 August 2023.
Proposal at odds with other developments planning in the area; residential care facility together with landscaped area of woodland.	No conflict has been identified

<p>Proposal is at odds with East West railway road being confirmed through Shelford and the construction of Cambridge South</p>	<p>No conflict has been identified</p>
<p>Suitable sites available on the Addenbrookes site</p>	<p>No sites have been identified as being available on the campus for the phlebotomy site, with areas used previously now under different hospital uses.</p> <p>Land within CUH's ownership, including land in phases 1, 2 and 3 along with that included in the emerging Area of Major Change, is not available to permanently accommodate the drive through phlebotomy centre within the campus.</p> <p>Furthermore, an emerging masterplan for the campus is being developed and aspires to reduce car travel and parking demand on the campus, seeking to explore opportunities to enhance connections with the strategic transport improvements.</p> <p>A drive through facility on the Addenbrookes site would bring more cars into Cambridge / the campus and conflict with the aims and objectives of the emerging vision.</p>

Other Matters

Permitted Development

- 10.143 As set out above, the building (Barn 4) was granted prior approval (22/02935/PRIOR) under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, as an agricultural barn, on 20 July 2022.
- 10.144 In terms of any potential change of use of the building under permitted development rights, Schedule 2, Part 3, Class R deals with agricultural buildings to a flexible commercial use while Class S deals with agricultural buildings to state-funded school or registered nursery. However, any potential development under Class R or Class S is not applicable to this site as construction works on the building began in 2022.
- 10.145 Within the regulations, both R.1 and S.1 set out that development is not permitted by Class R/S if (a) the building was not used solely for an agricultural use as part of an established agricultural unit - (iii) in the case of

a building which was brought into use after 3rd July 2012, for a period of at least 10 years before the date development under Class R/S begins.

Planning Balance

- 10.146 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).
- 10.147 The re-use of a building within the Green Belt, provided that the building is of permanent and substantial construction and that development preserves the openness and purposes of Green Belt land, is supported by criterion (d) of paragraph 150 of the National Planning Policy Framework (NPPF).
- 10.148 The building is of permanent and substantial construction and the agricultural use has been implemented. No extensions or significant alterations to the scale and general appearance of the building are proposed as part of the development. Officers are satisfied that the proposed change of use would represent appropriate development, as set out in the NPPF.
- 10.149 The proposed change of use has been found acceptable in respect of design, retaining the general agricultural form and scale of the building. Landscape and biodiversity enhancements are proposed, providing an on-site net gain in biodiversity. Drainage can be adequately managed within the site boundaries and the development has been found to not result in harm to the highway network or highway safety.
- 10.150 There are no technical objections to the proposed change of use.
- 10.151 The use of the building as Class E(e) unit and hours of operation can be secured by restrictive planning conditions. Planning conditions can also secure appropriate detailing in respect of drainage arrangements, landscaping, and highway matters.
- 10.152 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.

Recommendation

10.153 **Approve** subject to:

- The planning conditions and informatives as set out below, the final wording of which is to be delegated to officers.

11.0 Planning Conditions

1 Time Limit

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

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

2 Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Plans to be listed:

21074-LSI-MAG-XX-DR-A-1170-S2-P04 (Location Plan)

21074-LSI-MAG-XX-DR-A-1172-S2-P08 (Proposed Site Plan)

21074-LSI-MAG-ZZ-DR-A-1350-S2-P04 (Proposed Elevations)

21074-LSI-MAG-GF-DR-A-1300-S2-P05 (Proposed Ground Floor Plan)

21074-LSI-MAG-R1-DR-A-1302-S2-P03 (Proposed Roof Plan)

21074-LSI-MAG-ZZ-DR-A-1370-S2-P04 (Proposed Sections)

21074-LSI-MAG-ZZ-DR-A-1355-S2-P04 (Proposed Cabin Elevations)

21074-LSI-MAG-R1-DR-A-1301-S2-P04 (Proposed Prefabricated Cabins Roof Plan)

3137-5-2-DR-0001-S5-P4 (Landscape Proposals)

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 Traffic Management Plan

No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority.

The principal areas of concern that should be addressed are:

- a) Movement and control of muck away vehicles (all loading and unloading should be undertaken where possible off the adopted public highway)
- b) Contractor parking, with all such parking to be within the curtilage of the site where possible

- c) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible.)
- d) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway.

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

Reason: To ensure that before development commences, highway safety will be maintained during the course of development.

4 Biodiversity Net Gain

No development shall commence, apart from below ground works and demolition, until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the local planning authority. The BNG Plan shall target how a net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:

- i. A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
- ii. Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the latest appropriate DEFRA metric;
- iii. Identification of the existing habitats and their condition on-site and within receptor site(s);
- iv. Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the latest appropriate DEFRA metric;
- v. An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate to criterion v) shall be submitted to the local planning authority in accordance with the latest DEFRA guidance and the approved monitoring period / intervals.

Reason: To provide ecological enhancements in accordance with paragraph 174 of the National Planning Policy Framework 2023, Policy NH/4 of the South Cambridgeshire Local Plan 2018 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

5 Ecological Enhancement

Prior to first occupation a scheme of ecology enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details of 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.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

6 Lighting Design Strategy

Prior to first use of the site as a phlebotomy (blood) testing unit, hereby permitted, a “lighting design strategy for biodiversity” including features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

7 Footway/Cycleway

Prior to first use of the development as a phlebotomy (blood) testing unit, the proposed shared footway/cycleway and the uncontrolled pedestrian crossing works as indicated on Drawing No. H002 P1 shall be constructed, as agreed under a Section 278 Agreement of the Highway Act 1980. The proposed shared footway/cycleway shall be a minimum width of 3 metres.

Reason: in the interests of highway safety and to ensure satisfactory access into the site

8 Access Construction

Prior to the first occupation of the development, hereby permitted, the existing concrete vehicular access where it joins the public highway shall be removed and the proposed site access shall be laid out and constructed in accordance with the Cambridgeshire County Council Housing Estate Road Construction Specification. under a Section 278 Agreement of the Highway Act 1980.

Reason: in the interests of highway safety and to ensure satisfactory access into the site.

9 Ecology Compliance

All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (Derek Finnie Associates, March 2023) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: To conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

10 Hard and Soft Landscaping (Implementation)

All hard and soft landscaping works shall be carried out and maintained in accordance with the details contained on the Landscape Proposals Plan (drawing number 3137-5-2 DR-0001 S5-P3, David Jarvis Associates, July 2023)

The works shall be carried out in the first planting season after first occupation 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 in accordance with Policies HQ/1, NH/2, NH/4 and NH/8 of the South Cambridgeshire Local Plan 2018.

11 Landscape Maintenance

The development shall be carried out in accordance with the details contained in the submitted Landscape Management and Maintenance Plan (David Jarvis Associates, April 2023) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1, NH/2, NH/4 and NH/8 of the South Cambridgeshire Local Plan 2018.

12 Access Falls, Levels and Materials

The vehicular site access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway and uses a bound material for the first 10 metres to prevent debris spreading onto the adopted public highway. Once constructed the access shall be retained as such.

Reason: In the interests of highway safety.

13 Access Width

To enable two domestic vehicles to pass wholly off of the adopted public highway the proposed vehicular access shall be a minimum width of 5 metres for a minimum distance of 10 metres as measured from the near edge of the highway boundary.

Reason: in the interests of highway safety.

14 Gates

Any gate or gates to the proposed vehicular site access shall be set back a minimum of 5 metres from the nearest edge of the adopted public highway boundary. Any access gate or gates shall be hung to open inwards.

Reason: in the interests of highway safety and for the safe and effective operation of the highway.

15 Radius Kerbs

The junction of the proposed vehicular site access with the highway carriageway shall be laid out with 6.0 metre radius kerbs.

Reason: in the interests of highway safety.

16 Hours of Works

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

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

17 Building Use

Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the premises shall be used for Class E(e) (provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)) and for no other purpose (including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The application has been assessed on its merits and the use of the premises for any other purpose may result in harm which would require re-examination of its impact in accordance with Policies S/4, NH/2, NH/8 and TI/2 of the South Cambridgeshire Local Plan 2018.

18 Hours of Operation

The use, hereby permitted, shall not operate outside of the hours of 0930 to 1630 Monday to Friday with staff access between 09:00 and 17:00 Monday to Friday.

Reason: In the interests of highway safety and for the safe and effective operation of the highway network in accordance with Policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 110 and 111 of the National Planning Policy Framework 2023.

12.0 Informatives

1 Access Construction

Further information on Cambridgeshire County Council's Housing Estate Road Construction Specification can be found here:

<https://www.cambridgeshire.gov.uk/asset-library/housing-estate-road-construction-specification-january-20231.pdf>

2 Disturbance

The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works.

3 Nuisance Action

The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environment Planning Team.

4 Section 278 Agreement

The proposed shared footway/cycleway and the uncontrolled pedestrian crossing works as indicated on Drawing No. H002 will need to be constructed under a Section 278 Agreement of the Highway Act 1980. The process for which may be found here;

<https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highways-development>.

5 Works to/within the Public Highway

The granting of 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, and that a separate permission must be sought from the Local Highway Authority for such works.

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.

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework SPDs
- Cambridge Southern Fringe Area Action Plan (2008)

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Agenda Item 7



Planning Committee Date	8 th November 2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/03174/HFUL
Site	86 High Street, Great Abington
Ward / Parish	Linton
Proposal	Enlargement of previously permitted photovoltaic array on barn roof
Applicant	Mr Zimmern
Presenting Officer	Tom Chenery
Reason Reported to Committee	Called-in by Cllr Batchelor Application raises special planning policy or other considerations
Member Site Visit Date	1 st November 2023
Key Issues	1. Impact on the designated Heritage Asset 2. Impact on the character and appearance of the area 3. Sustainability
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks permission to install 60 Solar Photovoltaic Panels on the roof slope of the existing southern barn outrigger which is curtilage listed.
- 1.2 The proposal is considered to be harmful to the character and significance of the curtilage listed barn, the setting of the principle listed building as well as the character and appearance of the Conservation Area.
- 1.3 The sustainability benefits put forward do not outweigh the harm to the designated heritage assets.
- 1.4 The proposal is not considered to cause undue harm to the amenity or living conditions of neighbouring occupiers
- 1.5 The proposal would not have any significant adverse effect upon the Public Highway and would not result in any undue highways safety implications
- 1.6 Officers recommend that the Planning Committee REFUSE the application.

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The application site comprises a two storey Grade II Listed residential dwellinghouse known as 86 High Street (Hall Farmhouse), Great Abington. The property benefits from a single storey outrigger which was originally used as an agricultural barn/shed that links to the host dwelling via a modern single storey flat roof extension.
- 2.2 The dwellinghouse is an old farmhouse located in and amongst several other residential dwellings that were previously associated with the farmhouse. The site is located within the Great and Little Abington Conservation Area with the Grade II* Listed Church known as the Parish Church of St Mary to the North of the site.

3.0 The Proposal

- 3.1 The proposal seeks the enlargement of previously permitted photovoltaic array on barn roof.
- 3.2 The application site benefitted from planning permission under reference 22/01602/HFUL which sought to add Solar Photovoltaic panels to the roof of the existing garage to the southeast of the site, the pool house, to the northeast of the site and 36 panels to the roof of the existing southern outrigger/barn.
- 3.3 The proposal seeks to increase the number of solar panels on the roof of the existing outrigger/barn, to 60 panels. These panels would encompass the entire roof slope on both sides with a gap at the northern end.

4.0 Relevant Site History

Reference	Description	Outcome
22/01602/HFUL	Energy refurbishment of Hall Farmhouse including insulation, replacement/upgrading of windows, upgrading of building services to include an Air Source Heat Pump (ASHP), Mechanical Ventilation and Heat Recovery (MVHR) systems and PV arrays to barn, garage and pool house.	Approved
22/01603/LBC	Energy refurbishment of Hall Farmhouse including insulation, replacement/upgrading of windows, upgrading of building services to include an Air Source Heat Pump (ASHP), Mechanical Ventilation and Heat Recovery (MVHR) systems and PV arrays to barn, garage and pool house.	Approved
22/01603/CONDA	Submission of details required by condition 3 a, b, c, d, e (Materials) of planning permission 22/01603/LBC	Discharged in Full
23/01989/HFUL	Enlargement of previously permitted photovoltaic array on barn roof.	Refused

23/01990/LBC Enlargement of previously permitted Refused
 photovoltaic array on barn
 roof.

- 4.1 Planning Permission and Listed Building Consent (References 22/01602/HFUL and 22/01603/LBC) was approved for Solar Photovoltaic panels on the roof of the southern outrigger/barn which would form 6 different groups of 6 solar panels. These panels are sporadically located on the roof slope with a significant gap from the northern edge of the roof slope towards the first block of solar panels.
- 4.2 This planning permission also approved the use of solar panels on the entire roof slopes of the garage roof and pool house roof.
- 4.3 A subsequent planning application was submitted under reference 23/01989/HFUL and 23/01990/LBC which sought to erect Solar PV panels on the entirety of the eastern and western roof slopes of the southern barn/outrigger and was refused on the grounds that due to the scale, location, proportions, materials and relative character, the proposed roof panels would dominate the roof of the prominent and historic front projection and would cause harm to the historic rural character and listed building.
- 4.4 The proposal as submitted within the previously refused application is identical to that within this application.

5.0 Policy

5.1 National

National Planning Policy Framework 2023
National Planning Practice Guidance
National Design Guide 2021
Environment Act 2021
Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
Equalities Act 2010
Planning and Compulsory Purchase Act 2004
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
Technical Housing Standards – Nationally Described Space Standard (2015)
ODPM Circular 06/2005 – Protected Species
Circular 11/95 (Conditions, Annex A)

5.2 South Cambridgeshire Local Plan 2018

S/2 – Objectives of the Local Plan
S/3 – Presumption in Favour of Sustainable Development
S/7 – Development Frameworks

CC/1 – Mitigation and Adaption to Climate Change
CC/3 – Renewable and Low Carbon Energy in New Developments
HQ/1 – Design Principles
NH/14 – Heritage Assets
NH/15 – Heritage Assets and Adapting to Climate Change

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016

- 5.4 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Development affecting Conservation Areas SPD – Adopted 2009
District Design Guide SPD – Adopted March 2010
Listed Buildings SPD – Adopted 2009

6.0 Consultations

6.1 Great Abington Parish Council – Neither Object to nor Support application

- 6.2 Agreed to leave the decision concerning this application to SCDC officer. Noted sustainability issues with approved scheme as well the concerns by the Conservation Officer.

6.3 Conservation Officer – Objection

- 6.4 The proposal would result in harm to the setting and significance of the listed building and would result in harm to the significance of the Conservation Area.
- 6.5 The proposal would cover the majority of its extents on both sides and is considered to dominate and obscure the roof to an unacceptable degree. The form and the appearance of the roof would alter from traditional to an unbroken expanse of alien black glass panels.
- 6.6 The public benefits do not outweigh the harm the proposal would have on the conservation of historic assets, which itself is given great weight.

6.7 Tree Officer – No Objection

6.8 Defer to Conservation Officers Comments

7.0 Third Party Representations

7.1 No Third-Party representations have been received.

8.0 Member Representations

8.1 Cllr Batchelor has made a representation supporting the application on the following grounds:

- The benefits of the proposal outweigh the harm identified by the Conservation Officer
- More weight should be given to the sustainability benefits over the perceived Conservation harm which isn't visible from the public highway
- More weight should be given to the 'Green to out core principles' of the Council.

9.0 Assessment

9.1 Impact on the Character and Appearance of the Area and Impact on Designated Heritage Assets

Impact upon the Designated Heritage Assets

9.2 The application site comprises a Grade II Listed residential dwelling known as 86 High Street (Hall Farmhouse), Great Abington and is located within the Great and Little Abington Conservation Area. To the north of the site is a Grade II* Listed Church known as the Parish Church of St Mary.

9.3 Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

9.4 Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

9.5 Paragraph 194 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

- 9.6 Paragraph 195 states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 9.7 Paragraph 199 of the NPPF states that when considering the impact of a designated heritage asset great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 9.8 Paragraph 200 states that any harm to, loss of, the significance of the designated heritage assets should require clear and convincing justification.
- 9.9 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.10 Local Plan policies HQ/1 and NH/14 align with the statutory provisions and NPPF advice. Policy NH/15 permits renewable energy development where the heritage significance would be sufficiently safeguarded,
- 9.11 The application seeks to install 60 solar photovoltaic panels on the eastern and western roof slopes on the southern barn which itself is curtilage listed. The proposed panels would encompass almost the entirety of the roof slope apart from a section on the northern portion of the barn which connects to the single storey lean to extension.
- 9.12 Under planning references 22/01602/HFUL and 22/01603/LBC planning permission and listed building consent was granted for Solar Photovoltaic panels on the roof of the southern outrigger/barn which would form 6 different groups of 6 solar panels. These panels are sporadically located on the roof slope with a significant gap from the northern edge of the roof slope towards the first block of solar panels.
- 9.13 This previous planning permission and Listed Building Consent also approved the use of solar panels on the entire roof slopes of the garage and pool house.
- 9.14 These were consented as it was considered that they would ensure that the appearance and the character of the pantile roof was not overwhelmed

and the generous spacing allowed for an appreciation of the form and appearance of the historic roof.

- 9.15 Within the applicant's Design and Access statement submitted with the current application, it states that the originally consented scheme relied on the assumption that the fabric of the building could be improved in order to reduce energy efficiency required. The applicant also states that the existing solar panels do not provide significant energy to support a net carbon zero property. As a result, the proposal needs to be expanded to the entire roof slope.
- 9.16 The Council's Conservation Officer has been consulted on the current scheme and has objected on the grounds that the proposal would cover the majority of the barn roof and as such would dominate and obscure the roof to an unacceptable degree. They also go on to state that the form and appearance of the roof would be wholly altered visibly from one of a traditionally, locally appropriate material, to large unbroken expanses of alien black glass panel with only minimal relief at the edges.
- 9.17 They conclude that this would be harmful to the character and significance of the curtilage listed barn, the setting of the principle listed building as well as the character and appearance of the Conservation Area. They have also concluded that the proposed public benefits do not outweigh the less than substantial harm to the identified designated heritage assets.
- 9.18 The Farmhouse and barn sit in and amongst several other dwellings which are all set back significantly from High St, Great Abington. As a result, they are not visible from the streetscene/public highway on the High Street. The applicant's heritage statement indicates that these buildings were once all part of one farm although these adjacent dwellings and their associated outbuildings are not considered to be curtilage listed. There is no other information available to the Council to dispute the status of these buildings.
- 9.19 However, although they are not visible from High St, Great Abington, there is a public footpath that leads to the Grade II* Listed Church known as the Parish Church of St Mary and as such partial views may be visible from this footpath which is within the Conservation Area.
- 9.20 The host listed building, including the curtilage listed southern barn, as well as the adjacent buildings surrounding the farmhouse all benefit from clay pantile roofs. Other properties within High St, Great Abington, also benefit from clay pantile roofs and as such this form part of the character of the Conservation Area.
- 9.21 Given that the pantile roof of the southern barn would be completely encompassed by the solar panels under this proposal, it is considered the

extent of the proposed number of solar panels would dominate the roof of the prominent barn extension and remove its rural farmhouse character, detracting from the appreciation of the whole building's historic appearance and this character. The justification submitted is considered insufficient to overrule the less than significant harm generated by the panels' domination of the prominent barn extension, which would detract from rather than preserving or enhancing the listed building, its setting and features of significance.

- 9.22 In line with Paragraph 202 of the NPPF, as the proposal is identified to cause less than substantial harm to the significance of the designated heritage asset it is necessary to assess whether the proposed public benefits of the scheme would outweigh the harm.
- 9.23 No specific detail has been provided by the applicant indicating what the public benefits of the scheme would be, however, it is assumed that the continued maintenance and upkeep of the Listed Building as well as the sustainability benefits of the proposal which would reduce the reliance of the dwelling on fossil fuels.
- 9.24 Although these are considered to be public benefits, these public benefits are largely limited to the owners and occupiers of the host dwelling and do not provide significant benefit to the wider public and community. No additional detail has been provided as to why fabric improvements envisaged previously have not been possible, nor any assessment of any other potential sustainability measures that have been considered which potentially would not dominate the roof and detract from the existing character of the Listed Building, such as ground based solar panels.
- 9.25 As a result of the limited information provided, the sustainability benefits can only be given limited weight and as set out in Para 199 of the NPPF, great weight should be given to the heritage assets conservation.
- 9.26 Overall, it is considered that the proposed development, due to the harm caused by virtue of its dominating impact on the roof of the existing curtilage listed southern barn, would cause less than substantial harm to the character and significance of the curtilage listed barn, the setting of the principle listed building as well as the character and appearance of the Conservation Area. This harm is not outweighed by the public benefits of the scheme which are only afforded limited weight.
- 9.27 The proposal would therefore conflict with policies NH/14 and HQ/1 with regard to policy NH/15 of the South Cambridgeshire Local Plan 2018 and with section 16 (particularly paragraphs 195, 197, 198, 199 and 200 of the National Planning Policy Framework 2023 and with the guidance of the Listed Building SPD.

Impact on the Character and Appearance of the Area

- 9.28 Paragraph 130 of the NPPF states that all new development should function well and add to the overall quality of the area as well as always seeking to secure high quality design and maintain a strong sense of place using the sites surrounding streetscape.
- 9.29 Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 9.30 Policy S/2 of the Local Plan states that the vision for the Local Plan will be secured through the achievement of the following key objectives: “b. To protect the character of South Cambridgeshire, including its built and natural heritage, as well as protecting the Cambridge Green Belt. New development should enhance the area and protect and enhance biodiversity.”; and (d) To deliver new developments that are high quality and well-designed with distinctive character that reflects their location, and which responds robustly to the challenges of climate change.”
- 9.31 Policy HQ/1 ‘Design Principles’ provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.
- 9.32 As indicated, the proposed development would seek to encompass almost the entire roof slope of the curtilage listed southern barn and may be visible from public viewpoints within the Great and Little Abington Conservation Area.
- 9.33 The site currently benefits from a clay pantile roof which is typical of a rural dwellinghouse within the immediate area. In addition to this, the immediately adjacent surrounding properties also benefit from clay pantile roofs and as such this feature forms part of the established character and appearance of the area.
- 9.34 Due to their domestic and urban material and angular modern appearance, and by covering the vast majority of the roof planes on both sides the proposed panels would dominate the roof and completely change the appearance of the rural building.
- 9.35 The previously approved panels would, due to their broken-up spacing, appear particularly modest and a reasonable subservient addition that on balance would be of some minimal harm to the distinctive and important character of the whole building and the setting of most significant historic

farmhouse. The roof is in a conspicuous location and is roofed in prominent, orange-coloured pantile which, whilst not historic fabric, are significant in their character relating well to the historic farmhouse.

9.36 In completely dominating the appearance of the roof the proposal would significantly detract from the historic character of the site and so would not be appropriate to their location; would not contribute to the context and would be incompatible with its location in terms of proportions and materials in the historic context, therefore failing to constitute good design.

9.37 The proposal is therefore non-compliant with Local Plan policies S/2, HQ/1 and NPPF paragraphs 126, 130 and 134.

9.38 Carbon Reduction and Sustainable Design

9.39 The 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 as required by policy CC/1.

9.40 Policy CC/2 of the Local Plan states that Planning permissions for proposals to generate energy from renewable and low carbon sources will be permitted provided they comply with certain criteria.

9.41 The proposed development relates to an existing Listed Building and as such Policy NH/15 is relevant. This policy supports proposals for energy efficient and renewable energy measures for historic buildings which adequately safeguard their heritage significance.

9.42 The application is supported by a Design and Access Statement, Heritage Statement and Solar Panel Data Sheet.

9.43 Within the Design and Access Statement it highlights that in 2020, South Cambridgeshire District Council acknowledged a climate catastrophe within their 'Zero Carbon Strategy'.

9.44 The dwelling is seeking to achieve an all-electric installation, which the applicant deems necessary in a zero-carbon strategy. Planning permission was originally granted for 36 solar panels, set in 6 banks of 6 panels on the eastern and western roof slope of the existing barn. This, coupled with solar panels on the entire roof slope of the pool house and garage buildings generated 20,645kWh of energy.

9.45 The previously approved scheme was considered an appropriate level of energy generation as it was assumed energy reduction was achievable through improvements to the fabric of the building. The statement

indicates that this has not been the case and that the permission has consequently increased the energy demand. The statement goes on to indicate that the building at present will require an estimated 23,500kWh of energy and the permissions at present would result in a shortfall and therefore the property will not be all electric. No detail has been provided regarding why improvements to the fabric have not been possible nor has any calculations or other evidence been provided confirming that the energy required by the dwelling would not be met by the currently approved scheme.

9.46 It is agreed that the installation of solar panels enable the development to achieve a more sustainable dwelling which, as indicted within the applicant's statement, would allow for the dwelling to wholly rely on the energy generation of the Solar Panels to provide all of the required energy to the existing dwellinghouse.

9.47 The use of solar panels is considered to be an acceptable form of renewable energy generation which would enable the proposal to be compliant with Local Plan policies CC/1 and CC/2 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

9.48 Amenity

9.49 No objections have been received from neighbouring occupiers. It was considered that a larger scale of solar panel development on the site would not unduly impact upon neighbouring properties.

9.50 A site visit has been undertaken. Given the adjacent context, location, size, and design of the proposal it is unlikely to give rise to any significant amenity impacts in terms of overlooking, loss of daylight, enclosure or other environmental impacts. The proposal is compliant with Local Plan policy HQ/1.

9.51 Planning Balance

9.52 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).

9.53 *Summary of harm*

9.54 The proposal would result in solar PV panels that would encompass the entire roof form of the southern barn, which is curtilage listed and attached to a Grade II Listed Building and is also within the Great and Little Abington Conservation Area. The proposal is considered to dominate the existing roof of the prominent barn extension and remove its rural farmhouse character, detracting from the appreciation of the whole building's historic appearance and this character. The justification submitted is considered insufficient to overrule the less than significant

harm generated by the panels' domination of the prominent barn extension and would detract from rather than preserving or enhancing the listed building, its setting and features of significance.

9.55 The proposal is considered to be harmful to the character and significance of the curtilage listed barn, the setting of the principle listed building as well as the character and appearance of the Conservation Area. As a result, the proposal would conflict with policies S/2, HQ/1 and NH/14 with regard to policy NH/15 of the South Cambridgeshire Local Plan 2018 and with section 12 and 16 (particularly paragraphs 126, 130, 134, 195, 197, 198, 199 and 200) of the National Planning Policy Framework 2023 and with the guidance of the Listed Building SPD.

9.56 *Summary of benefits*

9.57 The proposal would increase the number of solar panels on the roof slope which would result in an increase in the output of approximately 61% from the existing approved arrays of the barn and would provide a surplus of energy generation that would allow for the property to be self-reliant and be able to achieve an all-electric installation.

9.58 *Conclusion*

9.59 In line with paragraph 200 and 202 of the National Planning Policy Framework regarding the impact development would have on the designated heritage assets which in this instance is the principal listed building, its setting and the Great and Little Abington Conservation Area, it is considered the proposal would result in less than substantial harm which would need to be justified and weighed against the public benefits.

9.60 In this instance, the public benefits are assumed to be the ongoing maintenance and upkeep of the Listed Building as well as the sustainability benefits and renewable energy generation.

9.61 As indicated, the applicant has not provided any detail regarding these public benefits and are only able to be considered on the basis of this limited information.

9.62 In addition to this, limited information has been provided regarding the evidence base of the requirements for the extent of solar panels and why an increase is required. It would be expected that justification and additional information clearly outlining the requirement of the dwelling's energy need through an assessment would be submitted.

- 9.63 It would also be expected that an assessment of other options of sustainable development that causes less harm to the designated heritage assets would be provided.
- 9.64 In the absence of this information and given that great weight is attributed to the asset's conservation, the proposed benefits of the scheme are limited and do not outweigh the harm to the designated heritage assets.
- 9.65 Therefore, having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Refusal.

10.0 Recommendation

10.1 Refuse for the following reasons:

1. Due to their materials, scale, location, proportions, and relative character the proposed roof panels would dominate the roof of the prominent and historic front projection in a manner that would dominate the building and significantly detract from the historic rural character and appreciation of the building and particularly the adjacent farmhouse. No justification given is considered sufficient to outweigh the less-than significant harm generated by the panels' domination of the prominent barn extension and the works would detract from rather than preserving or enhancing the listed building, its setting and features of significance and would therefore conflict with policies NH/14 and HQ/1 with regard to policy NH/15 of the South Cambridgeshire Local Plan 2018 and with section 16 (particularly paragraphs 195, 197, 198, 199 and 200 of the National Planning Policy Framework 2021 and with the guidance of the Listed Building SPD and as such would fail to constitute good design appropriate to the character and context of the location contrary with policies S/2 and HQ/1 of the South Cambridgeshire Local Plan 2018 and paragraphs 126, 130 and 134 of the National Planning Policy Framework 2021.

Agenda Item 8



Planning Committee Date	8 th November 2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/03175/LBC
Site	86 High Street, Great Abington
Ward / Parish	Linton
Proposal Applicant	Enlargement of previously permitted photovoltaic array on barn roof
Presenting Officer	Tom Chenery
Reason Reported to Committee	Called-in by Cllr Batchelor Third party representations Application raises special planning policy or other considerations
Member Site Visit Date	1st November 2023
Key Issues	1. Impact on the Fabric of the Listed Building 2. Sustainability
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks permission to install 60 Solar Photovoltaic Panels on the roof slope of the existing southern barn outrigger which is curtilage listed.
- 1.2 The proposal is considered to be harmful to the character and significance of the curtilage listed barn, the setting of the principle listed building as well as the character and appearance of the Conservation Area
- 1.3 The sustainability benefits put forward do not outweigh the harm to the designated heritage assets.
- 1.4 Officers recommend that the Planning Committee REFUSE the application

2.0 Site Description and Context

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

*X indicates relevance

- 2.1 The application site comprises a two storey Grade II Listed residential dwellinghouse known as 86 High Street (Hall Farmhouse), Great Abington. The property benefits from a single storey outrigger which was originally used as an agricultural barn/shed that links to the host dwelling via a modern single storey flat roof extension
- 2.2 The dwellinghouse is an old farmhouse located in and amongst several other residential dwellings that were previously associated with the farmhouse. The site is located within the Great Abington Conservation Area with the Grade II* Listed Church known as the Parish Church of St Mary to the North of the site.

3.0 The Proposal

- 3.1 The proposal seeks the enlargement of previously permitted photovoltaic array on barn roof.

- 3.2 The application site benefitted from planning permission under reference 22/01602/HFUL and 22/01603/LBC which sought to add Solar Photovoltaic panels to the roof of the existing garage to the southeast of the site, the pool house, to the northeast of the site and 36 panels to the roof of the existing southern outrigger/barn
- 3.3 The proposal seeks to increase the number of solar panels on the roof of the existing outrigger/barn, to 60 panels. These panels would encompass the entire roof slope on both sides with a gap at the northern end.

4.0 Relevant Site History

Reference	Description	Outcome
22/01602/HFUL	Energy refurbishment of Hall Farmhouse including insulation, replacement/upgrading of windows, upgrading of building services to include an Air Source Heat Pump (ASHP), Mechanical Ventilation and Heat Recovery (MVHR) systems and PV arrays to barn, garage and pool house.	Approved
22/01603/LBC	Energy refurbishment of Hall Farmhouse including insulation, replacement/upgrading of windows, upgrading of building services to include an Air Source Heat Pump (ASHP), Mechanical Ventilation and Heat Recovery (MVHR) systems and PV arrays to barn, garage and pool house.	Approved
22/01603/CONDA	Submission of details required by condition 3 a, b, c, d, e (Materials) of planning permission 22/01603/LBC	Discharged in Full

23/01989/HFUL Enlargement of previously permitted photovoltaic array on barn roof. Refused

23/01990/LBC Enlargement of previously permitted photovoltaic array on barn roof. Refused

23/03174/HFUL	Enlargement of previously permitted photovoltaic array on barn roof	To Be Determined
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- 4.1 Planning Permission and Listed Building Consent (References 22/01602/HFUL and 22/01603/LBC) was approved for Solar Photovoltaic panels on the roof of the southern outrigger/barn which would form 6 different groups of 6 solar panels. These panels are sporadically located on the roof slope with a significant gap from the northern edge of the roof slope towards the first block of solar panels.
- 4.2 This planning permission also approved the use of solar panels on the entire roof slopes of the garage roof and pool house roof.
- 4.3 A subsequent planning application was submitted under reference 23/01989/HFUL and 23/01990/LBC which sought to erect Solar PV panels on the entirety of the eastern and western roof slopes of the southern barn/outrigger and was refused on the grounds that due to the scale, location, proportions, materials and relative character, the proposed roof panels would dominate the roof of the prominent and historic front projection and would cause harm to the historic rural character and listed building.
- 4.4 The proposal as submitted within the previously refused application is identical to that within this application.

5.0 Policy

5.1 National

National Planning Policy Framework 2023
National Planning Practice Guidance
National Design Guide 2021
Environment Act 2021
Town and Country Planning (Environmental Impact Assessment) Regulations 2017
Equalities Act 2010

Planning and Compulsory Purchase Act 2004
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
Technical Housing Standards – Nationally Described Space Standard
(2015)
ODPM Circular 06/2005 – Protected Species
Circular 11/95 (Conditions, Annex A)

5.2 South Cambridgeshire Local Plan 2018

S/2 – Objectives of the Local Plan
S/3 – Presumption in Favour of Sustainable Development
S/7 – Development Frameworks
CC/1 – Mitigation and Adaption to Climate Change
CC/3 – Renewable and Low Carbon Energy in New Developments
HQ/1 – Design Principles
NH/14 – Heritage Assets
NH/15 – Heritage Assets and Adapting to Climate Change

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016

5.4 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning decisions, with the weight in decision making to be determined on a case-by-case basis:

Development affecting Conservation Areas SPD – Adopted 2009
District Design Guide SPD – Adopted March 2010
Listed Buildings SPD – Adopted 2009

6.0 Consultations

6.1 Great Abington Parish Council – Neither Object to nor Support application

6.2 Agreed to leave the decision concerning this application to SCDC officer. Noted sustainability issues with approved scheme as well the concerns by the Conservation Officer.

6.3 Conservation Officer – Objection

6.4 The proposal would result in harm to the setting and significance of the listed building and would result in harm to the significance of the Conservation Area.

6.5 The proposal would cover the majority of its extents on both sides and is considered to dominate and obscure the roof to an unacceptable degree. The form and the appearance of the roof would alter from traditional to an unbroken expanse of alien black glass panels.

6.6 The public benefits do not outweigh the harm the proposal would have on the conservation of historic assets, which itself is given great weight

6.7 Tree Officer – Object / No Objection

6.8 No arboricultural objections to this planning application.

7.0 Third Party Representations

7.1 No representations have been received.

8.0 Member Representations

8.1 Cllr Batchelor has made a representation supporting the application on the following grounds:

- The benefits of the proposal outweigh the harm identified by the Conservation Officer
- More weight should be given to the sustainability benefits over the perceived Conservation harm which isn't visible from the public highway
- More weight should be given to the 'Green to out core principles' of the Council.

9.0 Assessment

9.1 Impact on the Fabric of the Listed Building

9.2 The application site comprises a Grade II Listed residential dwelling known as 86 High Street (Hall Farmhouse), Great Abington and is located within the Great and Little Abington Conservation Area. To the north of the site is a Grade II* Listed Church known as the Parish Church of St Mary.

9.3 Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

9.4 Paragraph 194 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the

potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

- 9.5 Paragraph 195 states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 9.6 Paragraph 199 of the NPPF states that when considering the impact of a designated heritage asset great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 9.7 Paragraph 200 states that any harm to, loss of, the significance of the designated heritage assets should require clear and convincing justification.
- 9.8 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.9 Local Plan policies HQ/1 and NH/14 align with the statutory provisions and NPPF advice. Policy NH/15 permits renewable energy development where the heritage significance would be sufficiently safeguarded,
- 9.10 The application seeks to install 60 solar photovoltaic panels on the eastern and western roof slopes on the southern barn which itself is curtilage listed. The proposed panels would encompass almost the entirety of the roof slope apart from a section on the northern portion of the barn which connects to the single storey lean to extension.
- 9.11 Under planning references 22/01602/HFUL and 22/01603/LBC planning permission and listed building consent was granted for Solar Photovoltaic panels on the roof of the southern outrigger/barn which would form 6 different groups of 6 solar panels. These panels are sporadically located on the roof slope with a significant gap from the northern edge of the roof slope towards the first block of solar panels.
- 9.12 This previous planning permission and Listed Building Consent also approved the use of solar panels on the entire roof slopes of the garage and pool house.
- 9.13 These were consented as it was considered that they would ensure that the appearance and the character of the pantile roof was not overwhelmed

and the generous spacing allowed for an appreciation of the form and appearance of the historic roof.

- 9.14 Within the applicant's Design and Access statement submitted with the current application, it states that the originally consented scheme relied on the assumption that the fabric of the building could be improved in order to reduce energy efficiency required. The applicant also states that the existing solar panels do not provide significant energy to support a net carbon zero property. As a result, the proposal needs to be expanded to the entire roof slope.
- 9.15 The Council's Conservation Officer has been consulted on the current scheme and has objected on the grounds that the proposal would cover the majority of the barn roof and as such would dominate and obscure the roof to an unacceptable degree. They also go on to state that the form and appearance of the roof would be wholly altered visibly from one of a traditionally, locally appropriate material, to large unbroken expanses of alien black glass panel with only minimal relief at the edges.
- 9.16 They conclude that this would be harmful to the character and significance of the curtilage listed barn, the setting of the principle listed building as well as the character and appearance of the Conservation Area. They have also concluded that the proposed public benefits do not outweigh the less than substantial harm to the identified designated heritage assets.
- 9.17 The Farmhouse and barn sit in and amongst several other dwellings which are all set back significantly from High St, Great Abington. As a result, they are not visible from the streetscene/public highway on the High Street. The applicant's heritage statement indicates that these buildings were once all part of one farm although these adjacent dwellings and their associated outbuildings are not considered to be curtilage listed. There is no other information available to the Council to dispute the status of these buildings.
- 9.18 However, although they are not visible from High St, Great Abington, there is a public footpath that leads to the Grade II* Listed Church known as the Parish Church of St Mary and as such partial views may be visible from this footpath which is within the Conservation Area.
- 9.19 The host listed building, including the curtilage listed southern barn, as well as the adjacent buildings surrounding the farmhouse all benefit from clay pantile roofs. Other properties within High St, Great Abington also benefit from clay pantile roofs and as such this form part of the character of the Conservation Area.
- 9.20 Given that the proposed pantile roof of the southern barn would be completely encompassed by the solar panels, it is considered the extent of the proposed number of solar panels would dominate the roof of the prominent barn extension and remove its rural farmhouse character, detracting from the appreciation of the whole building's historic

appearance and this character. The justification submitted is considered insufficient to overrule the less than significant harm generated by the panels' domination of the prominent barn extension, which would detract from rather than preserving or enhancing the listed building, its setting and features of significance.

- 9.21 In line with Paragraph 202 of the NPPF, as the proposal is identified to cause less than substantial harm to the significance of the designated heritage asset it is necessary to assess whether the proposed public benefits of the scheme would outweigh the harm.
- 9.22 No specific detail has been provided by the applicant indicating what the public benefits of the scheme would be, however, it is assumed that the continued maintenance and upkeep of the Listed Building as well as the sustainability benefits of the proposal which would reduce the reliance of the dwelling on fossil fuels.
- 9.23 Although these are considered to be public benefits, these public benefits are largely limited to the owners and occupiers of the host dwelling and do not provide significant benefit to the wider public and community. No additional detail has been provided as to why fabric improvements envisaged previously have not been possible, nor any assessment of any other potential sustainability measures that have been considered which potentially would not dominate the roof and detract from the existing character of the Listed Building, such as ground based solar panels.
- 9.24 As a result of the limited information provided, the sustainability benefits can only be given limited weight and as set out in Para 199 of the NPPF, great weight should be given to the heritage assets conservation.
- 9.25 Overall, it is considered that the proposed development, due to the harm caused by virtue of its dominating impact on the roof of the existing curtilage listed southern barn, would cause less than substantial harm to the character and significance of the curtilage listed barn and the setting of the principle listed building. This harm is not outweighed by the public benefits of the scheme which are only afforded limited weight.
- 9.26 Therefore, the proposal would conflict with policies NH/14 and HQ/1 with regard to policy NH/15 of the South Cambridgeshire Local Plan 2018 and with section 16 (particularly paragraphs 195, 197, 198, 199 and 200 of the National Planning Policy Framework 2023 and with the guidance of the Listed Building SPD.
- 9.27 Planning Balance**
- 9.28 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).

9.29 *Summary of harm*

9.30 The proposal would result in solar PV panels that would encompass the entire roof form of the southern barn, which is curtilage listed and attached to a Grade II Listed Building, and is also within the Great and Little Abington Conservation Area. The proposal is considered to dominate the existing roof of the prominent barn extension and remove its rural farmhouse character, detracting from the appreciation of the whole building's historic appearance and this character. The justification submitted is not considered sufficient to overrule the less than significant harm generated by the panels' domination of the prominent barn extension and would detract from, rather than preserving or enhancing, the listed building, its setting and features of significance.

9.31 The proposal is considered to be harmful to the character and significance of the curtilage listed barn, the setting of the principle listed building. As a result, the proposal would conflict with policies S/2, HQ/1 and NH/14 with regard to policy NH/15 of the South Cambridgeshire Local Plan 2018 and with section 12 and 16 (particularly paragraphs 126, 130, 134, 195, 197, 198, 199 and 200) of the National Planning Policy Framework 2023 and with the guidance of the Listed Building SPD.

9.32 *Summary of benefits*

9.33 The proposal would increase the number of solar panels on the roof slope which would result in an increase in the output of approximately 61% from the arrays of the barn and would provide a surplus of energy generation that would allow for the property to be self-reliant and be able to achieve an all-electric installation.

Conclusion

9.34 In line with paragraph 200 and 202 of the National Planning Policy Framework regarding the impact development would have on the designated heritage assets which in this instance is the principal listed building, its setting. It is considered the proposal would result in less than substantial harm which would need to be justified and weighed against the public benefits.

9.35 In this instance, the public benefits are assumed to be the ongoing maintenance and upkeep of the Listed Building as well as the sustainability benefits and renewable energy generation.

9.36 As indicated, the applicant has not provided any detail regarding these public benefits and are only able to be considered on the basis of this limited information.

- 9.37 In addition to this, limited information has been provided regarding the evidence base of the requirements for the solar panel and why an increase is required. It would be expected that justification and additional information clearly outlining the requirement of the dwelling's energy need through an assessment would be submitted.
- 9.38 It would also be expected that an assessment of other options of sustainable development that causes less harm to the designated heritage assets would be provided.
- 9.39 In the absence of this information and given that great weight is attributed to the asset's conservation, the proposed benefits of the scheme are limited and do not outweigh the harm to the designated heritage assets.
- 9.40 Therefore, having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for Refusal.

10.0 Recommendation

10.1 Refuse for the following reasons:

1. Due to their materials, scale, location, proportions, and relative character, the proposed roof panels would dominate the roof of the prominent and historic front projection in a manner that would dominate the building and significantly detract from the historic rural character and appreciation of the building and particularly the adjacent farmhouse. No justification given is considered sufficient to outweigh the less-than significant harm generated by the panels' domination of the prominent barn extension and the works would detract from, rather than preserving or enhancing the listed building, its setting and features of significance and would therefore conflict with Policy NH/14 and NH/15 of the South Cambridgeshire Local Plan 2018, Section 16 of the NPPF (particularly paragraphs 195, 197, 198, 199 and 200), and with the guidance of the Listed Building SPD.

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