



<b>Planning Committee Date</b>	7 February 2023
<b>Report to</b>	Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	22/02936/FUL
<b>Site</b>	208-208a Cherry Hinton Road
<b>Ward / Parish</b>	Coleridge
<b>Proposal</b>	Erection of new 2nd floor to provide two new dwelling units with balconies.
<b>Applicant</b>	Balzano and Ruggerio
<b>Presenting Officer</b>	Tom Chenery
<b>Reason Reported to Committee</b>	Third party representations
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	1. Impact on the Character and Appearance 2. Intensification of the site 3. Refuse/Bin Storage
<b>Recommendation</b>	<b>APPROVE</b> subject to conditions

## 1.0 Executive Summary

- 1.1 The application seeks to erect a 2<sup>nd</sup> floor roof extension with a flat roof to create two new dwelling units with balconies.
- 1.2 The proposal is not considered to cause harm to the character and appearance of the area and is designed appropriately
- 1.3 The proposal is not considered to cause undue harm to the amenity or living conditions of neighbouring occupiers and would provide an acceptable level of amenity for future occupiers.
- 1.4 The proposal would comply with the RECAP standards regarding bin distances and would be similar to that of the approved scheme to the south of the site.
- 1.5 Officers recommend that the Planning Committee Approve the proposal.

## 2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		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	

- 2.1 208– 208A Cherry Hinton Road is a two storey building which has a retail unit at ground floor and two flats at first floor. To the rear of this building is a storage area for the shop which has permission for four one and a half storey dwellings, granted under 18/0906/FUL. To the rear there are two external staircases leading to independent balconies belonging to the existing flats with external amenity space at the ground floor. The access is off the eastern side of Blinco Grove along a road between the northern side of No 156 Blinco Grove (northern half of a pair of semi-detached houses) and the southern side of a rectangular flat roofed single storey building, directly to the north of which lies the car park of the Rock Public House.
- 2.2 To the east lies the rear garden of No. 210 Cherry Hinton Road which has a large single storey outbuilding which runs along the eastern side of the application site. There is also a converted residential unit called No. 216A

Cherry Hinton Road. This dwelling was permitted under planning reference 10/1259/FUL.

- 2.3 To the south is the rear garden of No.158 Blinco Grove. The entrance on the side also adjoins the side elevation of this property
- 2.4 Directly to the west of the site, there is a garden area to the rear of the local post office at No. 206 Cherry Hinton Road. This garden area is currently used by Balzano's a restaurant/café (No. 204 Cherry Hinton Road) for outdoor seating. To the rear of Balzano's restaurant/café there is a large two storey projection with a pitched roof, which is used as a storage/preparation area for Balzano's restaurant/café.

### **3.0 The Proposal**

- 3.1 The application seeks planning permission for the erection of a new 2nd floor to provide two new dwelling units with balconies.
- 3.2 The existing building benefits from a ground floor commercial unit with two flats on the first floor level. The second floor extension would alter the design of the existing front façade and extend the roof by some 2.35m so that it would have an overall height of approximately 8.8m. The proposal would have a depth of some 9.15m and width of 12.35m. It would be inset from the front, rear and sides of the existing building.
- 3.3 The proposed extension would have a flat roof design and the materials would consist of Horizontal wide tiles, although the specific material/design has not been specified.

### **4.0 Relevant Site History**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
21/04952/FUL	Erection of new 2 <sup>nd</sup> Floor to provide 2 new dwelling units with balconies	Refused
19/1588/FUL	Erection of new 2 <sup>nd</sup> floor to provide two new dwelling units with balconies	Withdrawn
18/0906/FUL	Construction of 4X 1-bed units	Permitted
16/1014/FUL	Construction of 4 No1 bed flats	Withdrawn

- 4.1 A previously submitted Planning application 21/04952/FUL which sought planning approval for a similar scheme, was refused for 3 reasons these included:
1. The overall level of amenity for future occupants would be poor and result in a cramped living environment. The scheme fails to demonstrate that it is not practicable to provide an acceptable quality and quantity of internal and external amenity space for future occupiers contrary to policies 50 and 58 of the Cambridge Local Plan 2018, and paragraph 130 (f) of the NPPF.

2. The proposal does not provide sufficient details of any cycle parking within the site for the number of bedrooms within the four flats and therefore the proposal does not provide satisfactory securable and easily accessible cycle parking for future occupiers to use and as such, is contrary to Policy 82 and Appendix L of the Cambridge Local Plan 2018 and the guidance set out under the Cycle Parking Guide for New Residential Developments Guide (2010).
3. Insufficient information has been provided for the proposed bin storage for the proposed dwellings. The proposed drag distance to the road is over the recommended distance set out by RECAP guidance and the bin size set out within the design and access statement would require collection and the proposed plans do not set out the location for the bins. The proposal is therefore contrary to Policy 55, 56 and 57 of the Cambridge Local Plan 2018.

## **5.0 Policy**

### **5.1 National**

National Planning Policy Framework 2021

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)

Technical Housing Standards – Nationally Described Space Standard (2015)

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 Cambridge Local Plan 2018**

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation  
Policy 31: Integrated water management and the water cycle  
Policy 50: Residential space standards  
Policy 51: Accessible homes  
Policy 52: Protecting garden land and subdivision of dwelling plots  
Policy 53: Flat conversions  
Policy 55: Responding to context  
Policy 56: Creating successful places  
Policy 58: Altering and extending existing buildings  
Policy 72: Development and change of use in district, local and neighbourhood centres  
Policy 80: Supporting sustainable access to development  
Policy 81: Mitigating the transport impact of development  
Policy 82: Parking management

### **5.3 Neighbourhood Plan**

N/A

### **5.4 Supplementary Planning Documents**

Greater Cambridge Biodiversity SPD – Adopted February 2022  
Sustainable Design and Construction SPD – Adopted January 2020

### **5.5 Other Guidance**

Cycle Parking Guide for New Residential Developments (2010)

### **6.0 Consultations**

#### **6.1 County Highways Development Management**

6.2 No Objection: subject to recommended conditions.

#### **6.3 Environmental Health**

6.4 Further information required: It is not possible to comment on the proposed development and the additional information set out below will be required in order to provide comments.

Additional information regarding the windows on the first floor accommodation indicating that the habitable room windows are fixed shut.

Conditions recommended

Informal additional Comment: “Happy living rooms are now fixed shut with the sonair units installed. They don’t have to have all the kitchen windows F/S. As a non habitable room might be sensible to have one of those

kitchen windows for each kitchen on the side elevations openable to help with odour / moisture removal”

## **6.5 Sustainable Drainage Officer**

6.6 No Objection: subject to recommended conditions

## **7.0 Third Party Representations**

7.1 The owners/occupiers of the following addresses have made representations:

- 216 Cherry Hinton Road

7.2 Those in objection have raised the following issues:

- Bin Storage
- Disabled Access
- Flood Issues
- Intensification of the use of the site

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 Assessment**

### **8.1 Principle of Development**

8.2 Policy 3 of the Cambridge Local Plan 2018 states that the overall development strategy is to focus the majority of new residential development in and around the urban area of Cambridge, creating strong, sustainable, cohesive and inclusive mixed-use communities. The policy is supportive in principle of new housing development that will contribute towards an identified housing need.

8.3 208 and 208A form a two storey 1920's red brick building with a flat roof which falls within a Local Centre. The building has commercial units at the ground floor and residential flats on the first floor. The proposed roof extension will create 2 additional units and provision will be made for additional cycle and bin storage to the rear.

8.4 The proposal would contribute to housing supply and thus would be compliant with policy 3.

8.5 The application is a resubmission of two previous schemes, 19/1588/FUL, which was withdrawn and 21/04952/FUL which was refused due to the previous scheme not providing an acceptable level of amenity for future occupiers; not providing sufficient details for cycle parking and insufficient information being provided for bin storage.

8.6 Policy 52 requires proposals for the subdivision of existing residential curtilages to be of a form, height and layout appropriate to the surrounding pattern of development and character of the area whilst retaining sufficient garden space and balancing protecting the amenity and privacy of neighbours with creating high quality functional environments for future occupiers.

8.7 In order for the proposal to be acceptable in principle, it must overcome the previous reasons for refusal as well as not having a negative impact on the character and appearance of the area; neighbouring amenity and highways safety. This will be assessed in turn below.

### **8.8 Design, Layout, Scale and Landscaping**

8.9 Policies 55, 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

8.10 The application proposes an additional floor to be added to create two additional studio units. The established character of the immediate streetscene on the southern side of Cherry Hinton Road comprises two storey terraced dwellings with pitched roofs. The application site is the only one with a flat roof design. As a result, it has a lower ridge height than that of the neighbouring properties, particularly No.206 Cherry Hinton Road.

8.11 The proposal would increase the overall building height by some 2.35m so that it was a total of 8.8m. The scheme has been set in from the boundaries and gable roof frontages have been added reducing the impact from the street scene. It has also been designed with pitched gables to the front elevation which is in keeping with the surrounding dwellings.

8.12 Although the overall height of the proposal would be greater, due to the overall height of the adjacent properties, it would still be less than that of No.206 and approx. 300mm greater than No.210. As a result, the proposal would appear subservient to the wider established character of the area and is acceptable.

8.13 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 Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59 and the NPPF.

### **8.14 Highway Safety and Transport Impacts**

- 8.15 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they have an acceptable transport impact.
- 8.16 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.
- 8.17 Pedestrian access to the site would be from Cherry Hinton Road to the front/north via the main door and entrance stairwell that provides access to all 4 proposed flats. Pedestrian access is also available to the rear from Blinco Grove to the south. Pedestrians would be able to use the access which leads to the rear car park and side access passage to the consented 4 dwellings under application 18/0906/FUL. There is no proposed car parking as part of the proposal.
- 8.18 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority, who raise no objection to the proposal subject to conditions regarding construction vehicle hours and a constructors parking plan which are considered reasonable and would be added to any permission granted.
- 8.19 Subject to conditions as applicable, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

## **8.20 Cycle and Car Parking Provision**

### **8.21 Cycle Parking**

8.22 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms.

8.23 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L.

8.24 The proposal is to be car-free and there are no off-street parking spaces provided. The site falls within a Controlled Parking Zone however streets to the north and east provide uncontrolled parking, and there is no effective means to prevent residents from owning cars. This is not considered to result in any significant impact on Highway Safety. The Council has maximum parking standards outlined in Policy 82 and Appendix L of the



Cambridge Local Plan (2018). Cambridge City Council promotes lower levels of private parking where good transport accessibility exists. The site is located in District Centre and in close proximity to public transport routes, including the railway station. Considering the central location of the property and the highly constrained nature of the site, it is considered acceptable and in accordance with Policy 82.

8.25 The submitted plans, notably Plan Number 19/1480/09 A indicates that three Sheffield stands will be provided to the rear of the application site, which means the proposal would be able to provide 6 cycle spaces. These spaces are specifically for the occupants of the two existing flats and the two proposed flats. This area would be covered and this is indicated on plan number 19/1480/07 Rev D and would have a flat, green roof. It would not be for the use of the existing commercial use. Plan Number 19/1480/15 highlights the two areas for bins and bikes either side of the main property. The agent has confirmed that the existing bike and bin store would be the same as the existing and would gain access from the front entrance. In addition to this, there are spaces to the front which would allow for visitor cycle parking.

8.26 The proposal is therefore considered to provide an adequate number of cycle parking spaces which would overcome the previous second reason for refusal 2 which relates to cycle parking and would accord with Policy 82 and Appendix L of the Cambridge Local Plan (2018).

8.27 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

### **8.28 Amenity**

8.29 Policies 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

### **8.30 *Neighbouring Properties***

8.31 The existing flats are accessed from Cherry Hinton Road. The proposal would add a third storey above the existing two storey building but would not protrude from the existing footprint of the property.

8.32 The proposal would be of a similar height to the directly adjacent properties to the east and west (No. 206 and No's 210-212 Cherry Hinton Road) and would not protrude from the rear building line of these properties. Although the proposal is increasing in height, due to its siting, scale and design, the development would not cause any undue harm to the amenity or living conditions of the adjacent neighbouring properties to the east and west.

- 8.33 As highlighted, planning permission has been granted for the erection of 4 dwellings to the rear of the application site (south). The proposal would benefit from several windows that would directly face these properties, particularly the most northern plot within that application (18/0906/FUL). There are no windows on the northern elevation of the most northern property and as a result, the proposed windows would not result in any loss of privacy or overlooking to any habitable rooms of these adjacent properties.
- 8.34 The approved dwellings to the south do benefit from rear gardens. Due to the siting of the proposal within this application and the oblique viewing angles afforded by their siting the proposal will not result in any undue loss of privacy or overlooking to the rear gardens of these properties.
- 8.35 All other residential properties are far enough removed from the proposal that the development will not result in any undue harm to their amenity or living conditions.
- 8.36 Overall, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2018) policies 56, 58 and 35.
- 8.37 *Amenity of Future Occupants*
- 8.38 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).
- 8.39 The existing and proposed gross internal floor space measurements for units in this application are shown in the table below:

Existing first floor units

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	3	1	61	74	+13
2	2	3	1	61	74	+13

- 8.40 The gross internal floor space measurements for units in this application are show in in the table below:

Proposed Units

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	3	1	61	61	0
2	2	3	1	61	61	0
3	Studio	1	1	37	37	0
4	Studio	1	1	37	37	0

- 8.41 Policy 50 details the residential space standards as set out in the National Space Standards. This policy is triggered as the proposal creates a two new studio flats by creating an additional storey. The internal layout at first floor has been altered to allow for access to the second floor via a private staircase.
- 8.42 As set out in the above table, the proposed development would meet the residential space standards for internal floor areas as well as the existing flats which are being amended as highlighted above. The proposal has overcome reason for refusal 1 on the previously refused scheme 21/04952/FUL
- 8.43 The external space for the proposed dwellings would measure 1.5 m x 2.7m with a total area of 4.2m<sup>2</sup>. The balconies would open out onto Cherry Hinton Road. The Design and Access Statement advises that the amenity areas for the two proposed studios have been located at the front of the building, away from the commercial noise sources located to the south of the application site which is considered reasonable. MAS Environmental have provided a report which states that provides acceptable noise exposure at the road façade balconies including solid balustrade mitigation measures. Officers therefore consider that whilst the balconies overlook a busy road and have not been fully enclosed, they are considered satisfactory.
- 8.44 The current residential flats benefit from a 91m<sup>2</sup> area of shared garden amenity space to the rear of the site. This area was deemed acceptable in approved application 18/0906/FUL, but did not provide any cycle parking or bin storage areas. The proposal would amend this external amenity space so that it had a total area of approximately 73m<sup>2</sup> and would include a landscaped area, bin store and cycle store.
- 8.45 Within paragraph 6.35 of the supporting text of Policy 50 which relates to residential space standards, it identifies that development with flats need to provide high-quality shared amenity areas. The proposal would provide exactly 39m<sup>2</sup> of shared external amenity space. Plan Number 19/1480/09

Rev A highlights that the proposal would be enclosed from other residential developments and there would be a degree of planting and landscaping around the area which would enable it to be high quality.

- 8.46 There would be no commercial access to the rear of the site or to the rear amenity space. No light report has been submitted to indicate the level of light that would be received in this shared amenity space. The amenity space is located to the south of the site and as such would receive the majority of daylight throughout the day. It is noted that the adjacent buildings to the south in the approved scheme would disrupt some of the sunlight received but it is still considered that there would be an acceptable amount of light that would be received in this area, particularly in the summer months.
- 8.47 It is noted that the external amenity space for the first floor flats would be slightly altered, however, is not considered to be altered significantly and would still provide an acceptable level of amenity area given the sites location and context. The proposal is considered to provide an adequate level of residential amenity for future occupiers and is compliant with Cambridge Local Plan (2018) policies 50, 51 and 56
- 8.48 *Accessibility*
- 8.49 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2) accessible and adaptable dwellings to be met.
- 8.50 Building regulations part M4(2) require that reasonable provision be made for people to gain access to and use the dwelling and its facilities. This includes step free access to the dwelling and its facilities, communal facilities and must be able to be used by a wide range of people including older and disabled people. This part also states that it may only be applied to a dwelling that is being erected and does allow for some flexibility regarding conversions. The proposed units do not have level access, however, as the proposal is for the conversion and extension of an existing dwelling the proposal is not required comply with Part M4 (2).
- 8.51 The applicant has provided details regarding the provision of lift access. By insertion of a lift it would result in the loss of one of the shop fronts and zone A retail space and will greatly reduce the floor space of the existing residential units. In addition to this, the associated costs of inserting a lift would be in excess of £200,000, which would make the scheme unviable. In addition to this, it would result in the loss of capital value of the existing retail space.
- 8.52 Overall, the proposal adequately respects the amenity of its neighbours and of future occupants and is considered that it is compliant with Cambridge Local Plan (2018) policies 35, 50, 51, 52, 53, 57 and 58.

### **8.53 Waste/Bin Storage**

8.54 The guidance within RECAP indicates that for low rise blocks such as this proposal, residents should not have to travel more than 30m.

8.55 The submitted plans specifically No's. 19/1480/09 Rev A and 19/1480/15 indicate that the proposed bin store would be located to the rear of the site directly adjacent to the existing building. The proposal would not share the bin storage that is located to the south of the application site beyond the approved development 18/0906/FUL.

8.56 It is noted that rubbish bags bins would not be taken more than the 25m as outline in the RECAP guidance but would have to be taken more than 45m from the proposed units to the bin collection area on Blinco Grove.

8.57 Due to the size of the bins, they would need to be moved by a managing agent, not residents. This has been confirmed in writing by the planning agent. These details would have to be conditioned as no details have been provided with the condition specifying the arrangements to enable collection from the kerbside of the adopted highway.

8.58 Although the bins would be a quite a distance from the residential dwellings, it would be below the guidance within RECAP. Further to this, the distance of the bin to be taken to the collection point would be of a similar distance to the approved scheme to the south (18/0906/FUL). Although the proposal has not completely overcome reason for refusal 3, due to the accepted bin arrangements at the approved development to the south, plus the proposal being within the recommended distance of carrying bins to a storage point as highlighted within RECAP, it would be unreasonable for the proposed development to be refused solely on bin storage and collection areas some of which has already been established and implemented.

8.59 The proposal is therefore considered to be acceptable in this regard.

### **8.60 Third Party Representations**

8.61 The remaining third-party representations not addressed in the preceding paragraph are considered below.

8.62 An objection has been received regarding the proposal being an intensification of the current use and that the proposal should be considered in the context of the previously approved scheme to the south (18/0906/FUL). No details have been provided regards the specifics of the intensification although there are further comments regarding bin storage and disabled access. These points have been addressed in the report above.

8.63 The proposal would result in an additional two residential units. As highlighted the proposed development would comply with the required cycle and parking standards set out in the development plan as well as internal and external space standards set out in Policy 50 of the Local Plan. There have been no objections from the Local Highways Authority regarding the use of the access nor from Environmental Health. As a result, the proposal is not considered to be an over-intensification of the site and would comply with the National Planning Policy Framework and Cambridge Local Plan (2018).

#### **8.64 Other Matters**

##### *Flat Roof*

8.25 The proposed flats have a flat roof. Policy 31 of the Cambridge Local Plan states all flat roofs should be green or brown. Considering the extent of the proposed flat roof a condition would be added to any permission granted for a green or brown roof.

##### *Drainage*

8.26 The proposal is an extension to an existing building and therefore would not increase the amount of surface water drainage on site. A condition has been recommended by the Drainage Officer that prior to the commencement of development a scheme for the disposal of foul water shall be provided. Given that the site is not in any defined area at risk of surface water flooding or that from the rivers and sea, plus that the proposal is an extension to the existing building, it is considered that the surface and foul water drainage conditions are unnecessary as the proposal would connect to the existing drainage system.

##### *Environmental Health*

8.65 Amended plans have been submitted which indicate that the 1<sup>st</sup> floor habitable room windows are to be fixed shut with sonair units installed. Informal additional comments from the Environmental Health Officer have been received indicating they are happy with the amended plans but that non habitable rooms should be openable. The applicant has submitted amended plans in line with these comments. The proposal is therefore considered not to cause any undue environmental health concerns that cannot be overcome via a condition.

##### *Sustainability*

8.66 In order to ensure the proposal aligns with the Council's sustainability goals and Policy 29 and 30 of the Local Plan, it is necessary to add several conditions specifically relating to water efficiency and carbon efficiency.

## **8.67 Planning Balance**

- 8.68 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).
- 8.69 It is acknowledged that the proposed bin storage for the site is not ideal, but it is recognised that the proposal complies with the adopted RECAP standards.
- 8.70 Nonetheless, the proposal would not cause harm to the character and amenity of the area, to neighbouring or future occupiers and would comply with the parking and cycle parking guidance set out within the Appendix L of the Local Plan.
- 8.71 Having taken into account the provisions of the adopted 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.

## **8.72 Recommendation**

### **8.73 Approve** subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted 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 No development shall take place above ground level, other than demolition, until details of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge

Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions)).

- 4 Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic / noise insulation performance specification of the glazing within the Cherry Hinton Façade accommodation units shall be submitted to and approved in writing by the local planning authority. The windows shall achieve a sound reduction of at least 34dB Rw+Ctr as specified within the MAS Environmental "noise impact assessment for revised proposed residential development" report dated 8th November 2021 (ref: MAS 208CHR MAS211103F).

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity and living conditions of neighbouring occupiers and future occupiers in accordance with Policies 35, 50, 51 and 56 of the Cambridge Local Plan

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

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

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

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

- 7 No demolition or construction works shall commence on site until a contractors parking plan has been agreed in writing with the Planning Authority. The aim of the plan should be to demonstrate how the developer will control and regulate on street motor vehicle parking for the contractors and sub-contractors under taking the works.

Reason: in the interests of highway safety (Section 9 NPPF)



- 8 The bin and bike stores associated with the proposed development, including any planting associated with a green roof, shall be provided prior to first occupation in accordance with the approved plans and shall be retained thereafter. Any store with a flat or mono-pitch roof shall incorporate, unless otherwise agreed in writing by the local planning authority, a green roof planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.

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

- 9 The development, hereby permitted, shall not be occupied until the proposed second floor windows in the rear elevation of the development shall be fixed shut or have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.

Reason: To prevent overlooking of the adjoining properties (Cambridge Local Plan 2018 policies 55, 57/58).

- 10 No construction of the biodiverse (green) roof(s) shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority.

- a) The means of access for maintenance
- b) Plans and sections showing the make-up of the sub-base to be used which may vary in depth from between 80-150mm
- c) Planting/seedling with an agreed mix of species (the seed mix shall be focused on wildflower planting indigenous to the local area and shall contain no more than a maximum of 25% sedum)
- d) Where solar panels are proposed, biosolar roofs should be incorporated under and in-between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation
- e) A management/maintenance plan for the roof(s)

The roof(s) shall be constructed and laid out in accordance with the approved details and planting/seedling shall be carried out within the first planting season following the practical completion of the roof. The roof(s) shall be maintained as such in accordance with the approved management/maintenance plan.

The roof(s) shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance/repair or escape in case of emergency.

Reason: To help mitigate and respond to climate change and to enhance ecological interests. (Cambridge Local Plan 2018 policies 28 and 57).

- 11 No dwelling shall be occupied until a Carbon Reduction Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include SAP calculations which demonstrate that all dwelling units will achieve carbon reductions as required by the 2021 edition of Part L of the Building Regulations. Where on-site renewable or low carbon technologies are proposed, the Statement shall include:

a) A schedule of proposed on-site renewable energy or low carbon technologies, their location and design; and

b) Details of any mitigation measures required to maintain amenity and prevent nuisance.

The proposed renewable or low carbon energy technologies and associated mitigation shall be fully implemented in accordance with the measures set out in the Statement prior to the occupation of any approved dwelling(s).

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

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

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

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### **Informative**

Fire Service vehicle access should be provided in accordance with Approved Document B Volume 1 of the Building Regulations. There should be vehicle access for a pump appliance to within 45m of all points within the dwelling-house in accordance with paragraph 11.2 of Approved Document B Volume 1. Where the proposed new dwelling cannot meet access requirements for fire appliances, compensatory feature(s) should be provided.

## Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs